
STANDARDS COMMITTEE, 16.01.12

Present:-

Elected Members:- Councillors Eryl Jones-Williams and Keith Greenly-Jones.

Independent Members:- Mr John Pollard (Chairman), Mr Gwilym Ellis-Evans, Mr Malcolm Jones and Mr Gwyn Williams.

Community Committee Member:- Mr David Clay.

Also Present: Dilys Phillips (Monitoring Officer), Siôn Huws (Propriety Officer) and Eirian Roberts (Committee Officer).

Apologies:- Councillor Margaret Griffith (Elected Member) and Mr Sam Soysa (Independent Member).

1. BEREAVEMENT

Condolences were expressed to Mr Gwyn Williams on the recent loss of his father.

It was also noted that Mr Sam Soysa had lost his mother.

2. DECLARATION OF PERSONAL INTEREST

Mr Gwyn Williams declared a personal interest in item 7 on the agenda - Allegations Made Against Councillors – as he was the cousin of Councillor Aeron M. Jones, who was mentioned in the report.

The member was of the opinion that it was a prejudicial interest, and he withdrew from the meeting during the discussion on the item.

3. MINUTES

The Chairman signed the minutes of the previous committee meetings held on 13 April, 16 June (extraordinary meeting), 11 July (extraordinary meeting) and 30 September (extraordinary meeting) as a true record.

4. STANDARDS COMMITTEE 2010/11 ANNUAL REPORT

Submitted – the report of the Monitoring Officer inviting the committee's observations and approval of the draft of the second Standards Committee Annual Report for the period between October 2010 and the end of September 2011.

The Monitoring Officer noted that the terms of two of the independent members of this committee were about to come to an end and that there was a need for the Council to commence the process of seeking new members.

The Propriety Officer added that the term of the elected members and the first term of the community council member were also coming to an end.

In response to an enquiry, the Propriety Officer explained that the duration of the report ran from October to the end of September as the first annual report had been prepared at that time of the year, however the timings could be changed, should the members wish so. It was suggested that the period should run from May to May to coincide with the Council year and that the report be published during the summer months.

In response to an enquiry, the Monitoring Officer explained that Councillor Stephen Churchman had been included in the report as he had served on the Standards Committee for a part of the year in question before Councillor Eryl Jones-Williams had been appointed to replace him on the committee in May 2011. It was noted that the English version of the report did not refer to the fact that Councillor Eryl Jones-Williams had only been a member since May 2011, and the Propriety Officer agreed to correct this.

It was also noted that there was a need to correct the word '*Council*' in the fourth line of the first paragraph on page 6 of the report, so that it read '*Councils*'.

RESOLVED

- (a) To approve the draft of the Annual Report 2010/11 subject to the noted minor corrections.**
- (b) That the report should run from May to May to coincide with the Council year and that the report be published during the summer months.**

5. REVIEW OF THE STANDARDS COMMITTEE'S PROCEDURE FOR HEARINGS

Submitted – the report of the Monitoring Officer inviting the committee to submit observations on the hearings procedure and to consider and approve the draft of the amended procedure.

The Chairman noted that a recent hearing of the Standards Committee had brought to the fore how difficult it was to place a finger on the exact facts that were the subject of the dispute. In response, the Propriety Officer noted that it was intended for the initial hearings to address this.

Members welcomed the proposal to distribute a summary of the procedure of the hearing to everyone before hand.

It was suggested that step 9 of the hearings procedure, namely to hold a meeting between the Chairman of the Committee and the Advising Officer, should take place earlier in the process. It was also suggested that a clause could be added for it to be possible to hold meetings during any step of the process, depending on the circumstances.

RESOLVED to approve the draft of the Standards Committee's Hearings Procedure subject to undertaking step 9 sooner in the process and adding a clause in order to make it possible to hold meetings during any step of the process, depending on the circumstances.

6. ALLEGATIONS MADE AGAINST MEMBERS

Submitted for information – the report of the Monitoring Officer notifying the committee members of the developments in relation to allegations against members since her last report.

In reference to the case that had been before the Standards Committee on 30 September, 2011, the Chairman reported that he had received a letter from the Council Leader, Councillor Dyfed Edwards, before Christmas, enclosing a copy of an e-mail he had received from Councillor Aeron Maldwyn Jones in response to the request of the Standards Committee for him to apologise to Councillor Dyfed Edwards for the observations in the blog. The Chairman read aloud the contents of Councillor Aeron Maldwyn Jones's e-mail; for the members to hear and noted that Councillor Dyfed Edwards had asked this Committee to judge whether its wording complied with the decision of the Standards Committee.

In terms of action, the Monitoring Officer explained that although the committee did not possess formal powers to impose an additional penalty or to hold a second hearing, that the Standards Committee was duty bound to maintain and promote a high standard of behaviour amongst elected members and to ensure that its decisions would not be disregarded. Therefore, the committee should provide an opinion on the matter, and should it be considered that its decision had not been achieved, then it should express this explicitly to the member.

Members expressed their opinion that the apology was weak and that the member continued to go over the same ground. The title of the e-mail, namely "*Par. Hedfan i Gaerdydd*" (Re: Flying to Cardiff) did not refer to the Standards Committee hearing and the member's statement at the end of the e-mail, that he hoped that officers and elected members would travel by the most cost-effective means for the County's taxpayer, undermined the fact that the Council already adhered to this policy.

It was suggested that the committee could have been more specific as to what was expected of the apology, but it was emphasised that the request for the member to apologise to Councillor Dyfed Edwards for his comments on the blog had been clear enough. However, the member had not apologised for the comments on the blog.

It was noted that this correspondence should have been submitted to the members before hand for them to have an opportunity to ponder over the matter before attending the meeting. In response, the Monitoring Officer noted that although there was an item that was associated with this on the agenda, that she accepted that it would have been easier for the members to think about the matter if they had been told of it sooner.

RESOLVED

- (a) To note the contents of the written report.**
- (b) So send a letter in the Standards Committee Chairman's name to Councillor Aeron Maldwyn Jones, with a copy for Councillor Dyfed Edwards, stating the committee's disappointment at the lack of strength of the apology as it does not convey the message that was expected by the Standards Committee.**

7. TRAINING ON THE CODE OF CONDUCT

Submitted – the report of the Monitoring Officer introducing the arrangements for training councillors on the Code of Conduct following the 2012 elections and inviting the committee to submit any additional ideas on the Code of Conduct training programme.

It was suggested that the training on the Code of Conduct should be mandatory for each new member elected to the Council in May and that it should also be offered as a refresher course for any other member who wished to attend it.

Concern was expressed that those members who truly needed the training did not attend the training sessions and the challenge was to get this message across, especially to the members of the community councils. Also, as community councils took on more responsibilities, it was of even greater importance for their members to receive this training. Therefore, it was suggested that it should be recommended to the community councils that every new member should have an opportunity to receive training on the Code and try to encourage existing members to sign up to it also.

It was suggested that the training should be mandatory for the community council clerks also in order for them to be qualified to advise their councils on matters relating to the Code of Conduct. In response, the Monitoring Officer noted that a specific course could be arranged for the clerks.

RESOLVED

- (a) To note and accept the arrangements for training councillors on the Code of Conduct following the elections in May and to ensure that the training is mandatory for each new member elected to the County Council and that it should also be offered as a refresher course for any other member who wishes to attend it.**
- (b) To recommend to the community councils that each new member should have an opportunity to receive training on the Code and try to encourage existing members to sign up to it also.**
- (c) To note that the training should be offered to community council clerks also in order for them to be qualified to advise their councils on matters relating to the Code of Conduct.**

8. NORTH WALES STANDARDS COMMITTEES FORUM

Submitted for information – the report of the Monitoring Officer appending minutes of the meetings of the North Wales Standards Committees Forums held on 15 April and 10 June 2011. In accordance with the wishes of this committee, the letter of the Chairman of the Powys Standards Committee, in relation to the Ombudsman's practice of closing cases where he believed that the standards committee would not impose a penalty, had been submitted to a further meeting of the Forum on 1 November, 2011, but the meeting had to be postponed as not enough representatives were present to reflect the opinion of the Forum.

RESOLVED to note the contents of the report.

9. WALES STANDARDS CONFERENCE 2011

Submitted – the report of the Monitoring Officer presenting information on the conference and seeking the committee's opinion on the arrangement for the next conference.

As none of the north Wales councils had arranged a conference to date, it was suggested that this Council could do so jointly with other north Wales councils.

It was also suggested that arranging the conference in spring 2013, rather than in the autumn of this year, would provide standards committees the opportunity to gain

experience following the change in membership in light of the elections in May. It would also provide a good respite between conferences.

In terms of location, the Monitoring Officer explained that there was no reason why the north Wales councils could not arrange their conference in mid Wales, should it be felt that this was more convenient for people travelling from all over Wales.

RESOLVED

- (a) To note the contents of the report.**
- (b) To recommend to the North Wales Standard Committees Chairpersons and Vice-chairpersons Forum that the councils in north Wales should arrange the next Standards Conference in north Wales in the spring of 2013.**

10. RECENT DEVELOPMENTS IN THE STANDARDS FRAMEWORK

Submitted for information – the report of the Monitoring Officer presenting information on some recent developments in the standards framework in relation to paragraph 10(2)(b) of the Code of Conduct, the local procedure for resolving disputes, local investigations and members' allowances.

RESOLVED to note the content of the report.

11. THE OMBUDSMAN'S ANNUAL REPORT 2010/11

Submitted for information – the report of the Monitoring Officer appending a copy of those parts of the Ombudsman's Annual Report 2010/11 relevant to code of conduct complaints.

RESOLVED to note the content of the report.

12. ADJUDICATION PANEL FOR WALES - ANNUAL REPORT 2010/11

Submitted for information – the report of the Monitoring Officer appending the panel's annual report for 2010/11.

Attention was drawn to the lack of representatives from north Wales on the panel.

RESOLVED to note the content of the report.

The meeting commenced at 11.00am and concluded at 12.10pm