
STANDARDS COMMITTEE, 7.04.14

Present:-

Elected Members:- Councillors Eryl Jones-Williams and Michael Sol Owen.

Independent Members:- Mr Gwilym Ellis Evans (Chairman), Ms Linda Byrne, Miss Margaret E.Jones and Mr Sam W. Soysa.

Community Committee Member:- Mr David Clay.

Also Present: Dilys Phillips (Monitoring Officer), Sion Huws (Compliance and Language Manager) and Eirian Roberts (Member Support and Scrutiny Officer).

Others invited to the meeting: Councillor Lesley Day (Chair of the Democratic Services Committee) and Councillor Selwyn Griffiths (member of the Democratic Services Committee).

Apologies: Councillor Charles Jones; Dr Einir Young (Independent Member) and Councillor Anne Lloyd Jones (Vice-chair of the Democratic Services Committee).

1. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

2. MINUTES

The Chairman signed the minutes of the previous meeting of this committee held on 27 January, 2014 as a true record.

3. CHAIR OF VICE-CHAIR OF THE DEMOCRATIC SERVICES COMMITTEE

As it was not possible for the Vice-chair of the Democratic Services Committee, Councillor Anne Lloyd Jones, to be present, Councillor Selwyn Griffiths had been nominated to attend the meeting with the Chair, Councillor Lesley Day.

Councillors Lesley Day and Selwyn Griffiths were welcomed to the meeting.

An overview was undertaken of the functions of both committees and consideration given to how they could assist each other, specific matters relating to standards that were raised at the Democratic Services Committee and the support and training available to councillors.

The Chairs explained the roles and functions of both committees.

Opinion was sought from the representatives of the Democratic Services Committee on a series of questions, such as what the Standards Committee could do to promote higher standards and the main issues of conduct the Standards Committee should be discussing.

During the discussion the following suggestions were submitted:-

- (1) That a report on web-casting be submitted to the Standards Committee meeting of June / September in order to monitor the impact on members' conduct. The members should also have the opportunity to observe a committee as soon as the system would go live.
- (2) That the Monitoring Officer should send a letter to the new Ombudsman at the appropriate time to congratulate him in his post and to draw attention to the members' concerns regarding the time taken to investigate complaints. This matter should also be raised at the Chairpersons Forum.
- (3) That representatives of both committees were of the opinion that members who wished to make complaints against other members should be encouraged to use the Gwynedd Standard, rather than submit their complaint to the Ombudsman.
- (4) That the members needed more training on the Gifts and Hospitality Protocol, Declaration of Interest, the Social Media Protocol and the Code of Conduct.
- (5) That more needed to be done to promote the activity of the Standards Committee, such as including a summary of the committee's annual report in Newyddion Gwynedd.
- (6) That monitoring the attendance of members in committees / training should be added to the work programme of the Standards Committee and that both committees should collaborate on this matter.
- (7) A similar meeting should be held again within a year.

Representatives of the Democratic Services Committee were thanked for their valuable contribution to the discussion.

4. REVIEW OF THE PROCEDURE FOR APPLICATIONS FOR DISPENSATIONS

Submitted - the report of the Monitoring Officer asking the committee to consider:-

- (a) whether applicants for dispensations should be allowed to attend meetings of the Standards Committee to submit their applications;
- (b) the amended form for dispensation;
- (c) any other changes that should be made;
- (ch) whether the guidance for applications involving school organisation remained appropriate.

Referring to the question of allowing applicants for dispensations to appear before the committee to submit their applications in person, it was noted:-

- (1) This could cause delay should the date of the Standards Committee be inconvenient to the applicant.
- (2) That the amended application form was detailed and provided members with an opportunity to present their case in full.

In response to an enquiry, the Monitoring Officer confirmed that no precedent had been set either way in the past.

The Chairman suggested that 'uncle / aunt' should be added to the guidance relating to school organisation, however; others were of the opinion that this would be too broad and would be difficult to define. It was agreed that it would be appropriate to add 'partner' to the guidance.

RESOLVED

- (a) **To adhere to the existing procedure of not allowing applicants for dispensations to attend meetings of the Standards Committee to submit their applications.**

(b) To accept the amended application form for dispensation with the following changes / corrections:-

- To strengthen the opening statement to say that the form will not be considered if it has been completed incorrectly.
- To correct the English version of the second question in section 2 of the form to read “*How does your interest in the item arise?*”
- That the second question in section 3 of the form is divided in two as follows:-
 - “a) *Are you requesting dispensation for a specific meeting? (if so, provide details), or:*
 - “b) *Are you asking for general dispensation to participate whenever the matter arises?*”
- To replace the word ‘disability’ in the English version of section 2(i) of the notes at the end of the form.

(c) To amend the guidance for applications involving school organisation to read:-

“That a father/mother, grandfather/grandmother, grandson/granddaughter, husband or wife, partner, children, brother or sister would amount to too close a connection to allow dispensation in terms of a specific school, since it would be difficult for the public to gain confidence in the way a decision would be reached.”

5. SELF-ASSESSMENT

Submitted – the report of the Monitoring Officer asking the committee to consider a draft of the self-assessment document and to undertake a self-assessment of its work and effectiveness against the statutory and constitutional requirements.

The members were asked to consider the functions listed in the first column of the document and to note which assessment they believed was relevant to them using the following categories:-

Category 1 – Evidence that the committee was fully meeting the requirements.

Category 2 – Evidence that the committee was meeting the basic requirements, but could do more to fully comply.

Category 3 – No evidence that the committee was meeting the requirements.

The committee was also invited to add to the ‘Evidence’ and ‘Further Steps’ columns.

RESOLVED to adopt the following as the committee’s self-assessment of its work (additions to the document in italic and underlined):-

<u>FUNCTION</u>	<u>ASSESSMENT</u> <u>(1/2/3)</u>	<u>EVIDENCE</u>	<u>FURTHER STEPS</u>
Promote and maintain a high standard of conduct amongst members.	<u>2</u>	An annual report detailing the work of the Standards Committee has been published.	<p>1. Members of the committee to attend meetings of the Council as observers on a regular rolling programme <u>and that the Monitoring Officer decides which committees would be beneficial for the members to attend and to draw up a rota for them.</u></p> <p>2. Hold occasional meetings with the stakeholders who have an interest in standards of conduct, e.g. Chairman of the relevant committees, chief officers of the Council.</p>
		An annual work programme for the Committee has been published.	
		A meeting was held with the leaders of the political parties.	
		The Chairman and Vice-chairman attended the North Wales Standards Committee Forum to share experiences with other standard committees.	
		The co-opted members have attended committees / meetings of the Full Council as observers.	
Assist the members to keep to the Code of Conduct.	<u>1-2</u>	A local resolution procedure for complaints which are not matters for investigation by the	Consider drawing up simple guidelines for members on how to deal with their contact with the Council in their role as private individuals (e.g. applicants for planning permission/ owners of companies which have contracts with the Council).

		Ombudsman has been adopted.	
		A Social Media Protocol has been adopted.	
		The Member Member/Officer Protocol was reviewed.	

<u>FUNCTION.</u>	<u>ASSESSMENT</u> <u>(1/2/3)</u>	<u>EVIDENCE</u>	<u>FURTHER STEPS.</u>
Advise the Council regarding adopting or amending the Code of Conduct.	<u>1</u>	Advice was given on the Code of Conduct in 2008.	
		Observations were made to the relevant Minister on reviewing the Code of Conduct.	
Monitor the operation of the Code of Conduct.	<u>2</u>	Reports are received regularly on allegations against members.	Look at the Ombudsman's casebook to see if there are any lessons to be learnt from other councils.
		Annual reports are received from the Ombudsman and the Wales Adjudication Panel.	
		Annual reports are received on the register of interests and the declarations made.	
		Annual reports are received on the register of gifts and hospitality.	
Advise, train or arrange training for members on matters relating to the Code of Conduct.	<u>1</u>	Annual reports are received on the training arranged during the year.	<p>1. Look at a way of assessing the quality and effectiveness of the training by analysing feedback forms.</p> <p>2. Continue to offer updated sessions for members annually.</p> <p>3. Continue to offer training sessions occasionally to committee</p>
		Training for members of the county council was held in May, 2012 and July, 2013.	
		5 members of the Committee attended the Standards Conference held in April, 2013.	

			members at the beginning of meetings in accordance with a training programme.
		Occasional training sessions are held for Committee members before the formal meeting (the last one was in January, 2014).	4. <u>Monitor members' attendance of committees / training</u>

<u>FUNCTION.</u>	<u>ASSESSMENT</u> <u>(1/2/3)</u>	<u>EVIDENCE</u>	<u>FURTHER STEPS.</u>
Grant dispensations to members.	<u>1</u>	A "policy" on granting dispensations has been adopted.	Review the procedure regarding dispensations.
		A procedure for considering applications for dispensations has been adopted.	
Deal with reports of tribunals and any reports from the Monitoring Officer on matters referred by the Ombudsman.	<u>1</u>	A procedure for conducting hearings has been adopted.	Review the procedure for conducting hearings.
		One hearing has been held since 2012.	
Authorise the Monitoring Officer to pay allowances to persons assisting with an investigation.	<u>Not applicable</u>	There has been no occasion to pay such an allowance.	
Exercise the above functions in relation to community councils.	<u>3</u>	Training sessions for community council clerks were held in the autumn of 2013.	Meet representatives from community councils to discuss how to achieve high standards of conduct <u>and discuss the possibility of holding one meeting in the autumn in a central location with the community councils.</u>
		A survey questionnaire regarding the register of interests was sent to community councils	
		A survey questionnaire regarding gifts and hospitality was sent to community councils.	
		The annual report of the Committee is sent to all community councils.	

6. WORK PROGRAMME

Submitted – the report of the Monitoring Officer asking for the committee’s approval of the draft work programme for 2014/15.

RESOLVED to agree on the following work programme:-

30 June, 2014

- The Standards Committee’s Annual Report
- Procedure for hearings
- The Ombudsman’s casebook
- Allegations against members
- North Wales Standards Committee Forum
- Web-casting (or the September meeting)

29 September, 2014

- The Ombudsman’s Annual Report
- Annual Report of the Adjudication Panel for Wales
- Allegations against members
- Meet with community council representatives and discuss the possibility of holding one meeting in the autumn with community councils
- Training

26 January, 2015

- Gifts and Hospitality Register
- Elected Members’ Register of Interests
- Local Conflict Resolution Procedure
- Allegations against members
- North Wales Standards Committee Forum
- Election of new members

20 April, 2015

- Meeting with the Chief Executive and representatives of the Council's Management Group
- Social Media Protocol
- Members’ attendance of committees and training
- Allegations against members
- The Committee’s Work Programme

7. ALLEGATIONS AGAINST MEMBERS

Submitted for information – the report of the Monitoring Officer on formal complaints against members along with a copy of the Adjudication Panel for Wales’ full decision on the appeal of Councillor A.M. Jones.

Attention was drawn to the fact that the first complaint on the list had been in the hands of the Ombudsman for a year.

In response to an enquiry, the Compliance and Language Manager confirmed that no letter of apology had been received from Councillor Jones. It was explained that failure to apologise would in itself be a breach of the code and it would be possible to submit a further complaint should this be the case.

RESOLVED to instruct the officers to follow up on the matter of the apology after Councillor Jones returns to his duties and to report back to the next meeting, and to the full Council, if he has not submitted a letter of apology.

The meeting commenced at 11:00am and concluded at 1:00pm.