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## STANDARDS COMMITTEE, 20.04.15

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**Present:-**

**Elected Members:-** Councillors Lesley Day, Eryl Jones-Williams and Michael Sol Owen.

**Independent Members:-** Ms Jacqueline Hughes, Miss Margaret Jones, Mr David Wareing and Dr Einir Young (Chair).

**Community Committee Member:-** Mr David Clay.

**Also in attendance:** Iwan Evans (Monitoring Officer), Siôn Huws (Senior Solicitor) and Eirian Roberts (Members Support and Scrutiny Officer).

**Apology:-** Ms Linda Byrne.

Since four elected members and three independent members were present at the start of the meeting, Councillor Lesley Day agreed to observe only, in order to ensure quorum; however, since another independent member arrived at the meeting immediately after the vote on the vice-chairmanship, Councillor Lesley Day operated as a full member of the committee from item 3 onwards.

### 1. ELECTION OF CHAIR

**RESOLVED to elect Dr Einir Young as chair of this committee for whichever is the shortest of the following periods (a) no fewer than four years or no more than six years or (b) until her term of office comes to an end.**

The Chair welcomed the new members of the committee, namely Ms Jacqueline Hughes and Mr David Wareing.

### 2. ELECTION OF VICE-CHAIR

**RESOLVED to elect Miss Margaret Jones as vice-chair of this committee for whichever is the shortest of the following periods (a) no fewer than four years or no more than six years or (b) until her term of office comes to an end.**

### 3. DECLARATION OF PERSONAL INTEREST

No declarations of interest were received from any members present.

### 4. MINUTES

The Chairman signed the minutes of the previous meeting of this committee held on 26 January, 2015 as a true record.

### 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 against the functions it had been given under the regulations and in the Council’s Constitution.

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

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

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

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

The committee was also invited to add to the ‘Evidence’ and ‘Further Action’ columns and it was explained that any suggestions for further action would be fed through to the committee’s future work programmes.

The Monitoring Officer further referred to the main provisions of the Local Government (Democracy) Act 2013 and noted that it could be appropriate for this committee to look at some of the matters which would be in the regulations, such as the need to provide information about community / town councils electronically, changes in the method of administering and publishing registers of members’ interests, the right to create a standards committee jointly with other councils, the right to introduce regulations regarding the method of referring matters to the Monitoring Officer and how dispensations could be allowed for members who had a prejudicial interest and the right to allow a matter to be transferred to the Standards Committee of another authority.

During the discussion, reference was made in particular to the need for community / town councils to provide information electronically. An enquiry was made as to how the legislation would address the big differences in the various councils’ working arrangements and it was suggested that it would be beneficial to have a list of the community councils and where they were on the journey along with a report to the area forums so that members could pass the message on to the community councils. The Monitoring Officer reminded the members that the role of this committee was to encourage a high standard of conduct and that there was responsibility on the individual councils. It was suggested that the committee could look at this matter in six months’ time, when the situation would be clearer, and to remind the community / town councils at that time of the need for them to comply with the new legislation and to encourage them to ask for assistance. It was also noted that it would be beneficial to visit community / town council meetings; however it was stressed that members should not attend councils where there were difficulties as members needed to be objective and observing those difficulties would place the members in a potential situation of being brought into the dispute.

## RESOLVED

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

<b>FUNCTION</b>	<b>ASSESSMENT (1/2/3)</b>	<b>Evidence</b>	<b>Further Action</b>
<b>Promote and maintain a high standard of conduct amongst members</b>	<u>1</u>	<b>The Chair and Vice-chair have attended the North Wales Standards Forum to share experiences with</b>	<b>Establish a programme to visit / <u>watch webcasts of</u> committee and</b>

		<p>other standards committees.</p> <p>Some members have attended committees, Full Council and Cabinet meetings as observers.</p> <p>Members of the Committee have attended training on webcasting of meetings.</p>	<p>full Council meetings.</p> <p>Invite Council members to meetings of the Committee.</p>
Assist the members to keep to the Code of Conduct	<u>2</u>	<p>Adopting and reviewing the local resolutions procedure in relation to complaints that are not the subject of Ombudsman investigations. Adopting a Social Media Protocol.</p> <p>Reviewing the Member/Officer Relations Protocol.</p>	<p><u>Submit the Annual Report of the Committee to the full Council.</u></p> <p><u>Look at promoting a local resolution procedure for the Community Councils.</u></p>
Advise the Council regarding adopting or amending the Code of Conduct	<u>1</u>	<p>The Council was given advice on adopting the Code in 2008.</p> <p>Comments were made to the appropriate Minister on the review of the Code of Conduct.</p>	
Monitor the operation of the Code of Conduct	<u>2</u>	<p>Receive regular reports on allegations against members.</p> <p>Receive the annual reports of the Adjudication Panel for Wales and the Ombudsman.</p> <p>Receive annual reports in relation to the register of interests</p>	<p>Incorporate the Committee's observations on these reports in the Committee's annual report.</p> <p><u>That the Chair of the committee gives a</u></p>

		<p>and declarations made.</p> <p>Receive annual reports on the register of interests and hospitality.</p>	<p><u>presentation to the full Council.</u></p>
<p>Advise, train or arrange training for members on matters relating to the Code of Conduct</p>	<p><u>1</u></p>	<p>Members have attended the Wales Standards Conference.</p> <p>Training was provided for members of the Council in May 2012 and July 2013.</p> <p>Training on the Code of Conduct and related protocols is provided as part of the induction process for new members.</p> <p>Occasional training sessions are provided to the committee members. The last training was in relation to webcasting in 2014.</p>	<p><u>Create a training programme for committee members.</u></p> <p><u>That this committee receives a presentation on the process of reviewing the corporate governance arrangements.</u></p>
<p>Grant dispensation to members</p>	<p><u>1</u></p>	<p>A “policy” has been adopted in relation to permitting dispensations.</p> <p>A procedure for making applications for dispensations has been adopted.</p>	
<p>Deal with reports of tribunals and any reports from the Monitoring Officer on matters referred by the Ombudsman</p>	<p><u>1</u></p>	<p>A procedure for hearings has been adopted and reviewed.</p> <p>Four hearings have been held since 2012.</p>	
<p>Authorise the Monitoring Officer to pay allowances to persons assisting with an</p>	<p>1</p>	<p>No occasion to pay such an allowance has arisen.</p>	

<b>investigation</b>			
<b>Exercise the above functions in relation to community councils</b>	<b>2</b>	<p><b>A training session for community council clerks was held in October 2013</b></p> <p><b>A questionnaire was sent out auditing community council registers of interest.</b></p> <p><b>A questionnaire was sent out auditing community council registers of gifts and hospitality.</b></p> <p><b>The Committee's annual report is sent to all community councils.</b></p> <p><b>The opinion of community councils has been sought on training based on the Code and good governance.</b></p>	<b>Proceed with training programme</b>

(b) To authorise the Monitoring Officer and the Senior Solicitor to draw-up drafts of the following to be agreed at the next meeting:-

- Work Programme for 2015/16
- Training Programme for 2015/16
- Annual Report for 2014/15 (to be submitted to the full Council in July this year and to the Annual Council every year thereafter).

## 6. ALLEGATIONS AGAINST MEMBERS

Submitted for information – the report of the Monitoring Officer on formal complaints made against members.

Concern was expressed that the Ombudsman had been investigating complaint 2.1 for a year.

With reference to complaint 2.2, the Senior Solicitor noted that the Standards Committee's decision on 13 April was to censure the councillor and that the decision notice would be published shortly.

**RESOLVED to note the report for information.**

## 7. ADJUDICATION PANEL FOR WALES ANNUAL REPORT

Submitted for information – the report of the Monitoring Officer appending a copy of the panel's Annual Report for 2013/14.

Members' attention was drawn to the following in particular:

- Case APW/005/2010-011/CT – Flintshire Council. It was noted that the High Court case which had arisen from this case had highlighted the fact that people must be tolerant of criticism and take into account politicians' right to express an opinion and that the committee could be referring to this type of case in the future.
- Case APW/006/2012-013/AT – Gwynedd Council.

**RESOLVED to note the report for information.**

## **8. NORTH WALES STANDARDS COMMITTEES FORUM**

Submitted for information – the minutes of the Forum meeting held on 26 November, 2014. The Ombudsman had been present at the meeting to respond to questions by the Forum and a copy of the questions and answers was appended to the minutes.

Members' attention was drawn in particular to the observation by Gwynedd Council's Monitoring Officer (under question 4 to the Ombudsman) regarding the Community Councils' lack of capacity to deal with Local Resolution Protocols and the fact that introducing a public interest test may assist in reducing the number of Community Council complaints raised.

It was noted that the Forum was valuable as a medium to share good practice across north Wales.

**RESOLVED to note the information.**

The meeting commenced at 11.00am and concluded at 12.15pm