
STANDARDS COMMITTEE, 19/02/24

Present:-

Elected Members:- Councillors Anne Lloyd Jones, Beth Lawton and Dewi Owen.

Independent Members: Mr Aled Jones, Mr Hywel Eifion Jones (Chair), Mr Mark Jones and Mr Dave Wareing.

Community Committee Member: Mr Richard Parry Hughes

Also in Attendance: Iwan Evans (Monitoring Officer), Sion Huws (Propriety and Elections Manager) and Eirian Roberts (Democracy Services Officer).

1. APOLOGIES

None to note.

2. DECLARATION OF PERSONAL INTEREST

Referring to item 7, the Chair, Mr Hywel Eifion Jones, noted that he was a lay member for the Adjudication Panel for Wales.

3. URGENT ITEMS

None to note.

4. MINUTES

The Chair signed the minutes of the previous meetings of this committee held on 6 November, 2023 and 10 January, 2024 (Special Meeting) as a true record.

5. DUTIES OF THE POLITICAL GROUP LEADERS AND THE STANDARDS COMMITTEE

Submitted – the report of the Monitoring Officer inviting the committee to approve the criteria for monitoring and reporting compliance with the duty on Political Group Leaders in relation to conduct standards of Group Members.

The Monitoring Officer noted:-

- That the recommendation to the committee was based on suggestions that were developed by the Welsh Monitoring Officers as possible indicators for quantifying and measuring the duty.
- That the recommendation would allow the committee to receive a meaningful report at the end of the year regarding how the duty had worked, and also allowed him, as Monitoring Officer, to report to the committee in a context where everyone understood what the expectations were, etc.
- The recognition that the duty was not one that attributed itself to data or statistics easily, and it was more to do with culture and evaluating views.
- That the criteria included 8 matters that could be put forward as a starting point to report against them in terms of how the Leaders have worked together in a practical way and to promote the duty.

- That it was recommended not to include the following options in the criteria for the reasons noted:-
 - *The Leaders of the Groups to ensure, where there was a policy decision by the Council, that members of the Group adhered to them.* - it was believed that this matter entered challenging grounds in terms of members' right of expression and members' right to disagree.
 - *The Group Leaders to ensure that incorrect information was not handed out in the public realm to avoid harming the Council's reputation.* – it was considered that this was open to interpretation and matters such as bringing a Council into disrepute under the Code would be more relevant.
 - *The Group Leaders to ensure that DBS checks took place appropriately-* it was believed that this matter, attributed itself to specific circumstances in some councils, rather than in Gwynedd.
- To arrange useful and constructive discussions with the Group Leaders individually during January regarding matters arising and to agree on a direction, etc.
- That the collaboration appeared to be a constructive process, that would hopefully contribute towards maintaining behaviour standards in the Council, and perhaps a medium to discuss matters before they developed.
- That the Code of Conduct course was the same challenge for members and there had been less interest than expected in the course to be held on 21 February. It was intended to run the campaign again during April and it would also be an opportunity to have a discussion with the Leaders and to encourage attendance on the courses.

RESOLVED to approve the criteria for monitoring and reporting compliance with the duty on Political Groups' Leaders in relation with Group Members' behaviour standards (Appendix 1 of the report that was presented to the Committee), together with the reporting form template (Appendix 2).

In response to a question, it was confirmed that the Leaders of the Political Groups would receive a copy of the reporting form following this meeting.

6. ALLEGATIONS AGAINST MEMBERS

Submitted – the report of the Propriety and Elections Manager presented information to the committee about the Ombudsman's decisions on formal complaints against members.

On a point of clarity, the Propriety and Elections Manager noted that the Welsh version of the last sentence of the summary to the second complaint (Appendix 2 of the report) should read '*Dewisodd yr aelod gyfeirio'r mater at yr Ombwdsmon i'w ystyried yn hytrach na mynd drwy Drefn Datrys Lleol y Cyngor*'.

The Monitoring Officer noted that the second complaint highlighted how difficult it was to remove the boundary between free speech and saying something that could be offensive to some people, and he was glad of the Ombudsman's support to the local resolution procedure in his observations on the case.

It was enquired whether the Ombudsman, possibly, suggested that there was a lack of trust in the local resolution procedure, and was it possible to be confident that the procedure was robust and efficient. In response, the Monitoring Officer noted:-

- That the procedure was in place and adaptations had been made to it by now and a discussion had also been held with the Leaders of the Political Groups.

- That it was natural, whilst going into a procedure like this, that questions arose, but the members were encouraged to have a conversation with him first regarding the steps that were put in place to ensure that the process was fair and appropriate.

RESOLVED to note the information.

7. ADJUDICATION PANEL FOR WALES ANNUAL REPORT 2022-23

Submitted – the report of the Monitoring Officer appending a copy of the 2022-23 Annual Report of the Adjudication Panel for Wales for the attention of the committee.

The Monitoring Officer noted that the APW/008/2021-022/CT case on page 34 of the programme was noticeably crossing the boundary in terms of rights of expression, and underlined, that although members could judge concepts or disagree with someone's opinion, that making declarations that were factually incorrect, etc., meant that the protection quickly disappeared.

It was noticed that the summary of the APW/009/2021-022/CT case, also on page 34 of the programme, noted that it appeared, at the time of writing the report, that the Council in question did not comply with the recommendations within the required timescale, and it was asked what the result of that would be. In response, the Monitoring Officer noted:-

- That the report recommended that all present councillors of the Council in question should attend Code of Conduct training, etc., but that there was currently no specific power to force such matters on an entire council. However, if another case arose in the same council, the Ombudsman would take notice of the fact that training was not provided etc.,
- That one of the discussions as a result to the Penn review concerned expanding power, for example, Standards Committee, to demand that specific steps, such as attending training, would take place.
- In terms of the case in question, if the problem continued and that there were further findings, the matter may ultimately be referred to the auditors if the council's culture reached that level.

RESOLVED to note the report for information.

At the end of the meeting, the Chair noted that he attended the Standards Committees National Forum meetings and he had asked the Monitoring Officer to circulate the minutes of the previous meeting to committee members for information once they were available.

The Monitoring Officer noted that he gave a presentation to the Forum on his role as the Monitoring Officer of the North Wales Corporate Joint Committee, and that he could possibly give the same presentation to this meeting.

The meeting commenced at 10.30am and concluded at 10:50am.

CHAIR