
STANDARDS COMMITTEE, 04/11/24

Present: -

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

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

Community Committee Member: Mr Richard Parry Hughes

Also in Attendance: Iwan Evans (Monitoring Officer), Eirian Roberts and Iwan Edwards (Democracy Services Officers).

1. APOLOGIES

An apology was received from Councillor Beth Lawton.

2. DECLARATION OF PERSONAL INTEREST

None to note.

3. URGENT ITEMS

The Monitoring Officer noted that the intention was to invite the political group leaders to this meeting, but as a result of changes in the Council's leadership, it was decided that this would not be practical at this time. It was explained that the intention was to move the meeting with the group leaders to February 2025. In the meantime, when a new leader would be appointed, it was noted that the Monitoring Officer and the Chair of the Standards Committee would arrange a meeting with the Leader to highlight the duty of leaders to promote and maintain high behaviour standards amongst their group members.

A question was asked from a member regarding where the Council currently stood without a leader. In response, the Monitoring Officer explained that the process of identifying a new leader had commenced and the expectation was for the new leader to be appointed at the Full Council meeting in December. In the meantime, it was explained that the deputy leader was leading the Council.

The member noted that the lack of information about who to contact during this period was disappointing. It was expressed that the member would have liked more guidance from the Council regarding the process.

4. MINUTES

The Chair signed the minutes of the previous meeting of this Committee held on 17 June 2024 as a true record.

5. GIFTS AND HOSPITALITY REGISTER

Submitted - the Monitoring Officer's report detailing the Gifts and Hospitality Register and inviting observations from the committee as part of the standards monitoring work within the Council.

The Monitoring Officer noted that members were required to register any offers of gifts or hospitality worth more than £25. Members were reminded that the code of conduct clearly noted that any gift given to members in an inappropriate situation, regardless of its value, was inappropriate.

Reference was made to part 7.2 of the report where it was noted that every offer registered to date expressed gratitude for a local member's support (not a member of the Planning Committee) with a specific planning application.

The Chair thanked the Monitoring Officer for confirming that the report did not refer to the Planning Committee members.

RESOLVED to note and accept the contents of the report.

6. DECLARATION OF INTERESTS REGISTER

Submitted - the Monitoring Officer's report detailing Cyngor Gwynedd's Register of Interests and inviting observations from the committee as part of the standards monitoring work within the Council.

It was explained that it was the members' duty to register their interests, but moving forward, there was an intention to send a message to the members asking them to check the register to ensure that it was up-to-date. Additionally, if members declared an interest in a meeting, a form must be completed noting the nature of the interest. It was noted that moving to virtual meetings meant changing the procedure from completing the form there and then to sending forms via e-mail to the members, but the system was not easy to use. As a result of this, it was explained that the Propriety and Elections Manager was in the process of creating an online form through 'Microsoft Forms' to ensure that members were able to complete the details without having to send a form via e-mail.

In response to a question regarding the suitability of the online form for independent members, who possibly did not use 'Microsoft', the Monitoring Officer confirmed that he would ask the Propriety and Elections Manager to confirm whether or not 'Microsoft' had to be on the computer to complete the online form. It was suggested that some members would prefer to continue completing the paper form if they attended a meeting in the Chamber, but the Monitoring Officer explained further that the intention was to try to get every member to complete the form online as it was easier to collate and retain the information under one system. It was suggested that there was possibly a need to work with the Democracy Services Committee and consult with the councillors on this.

It was noted, as members were part of everything happening within their communities, that it could be difficult for them to decide whether or not they had an interest in a matter. In response, the Monitoring Officer noted that he agreed that it could be difficult, but guidelines were available, and he was happy to discuss those guidelines with the members.

RESOLVED to note and accept the contents of the report.

7. INDEPENDENT REVIEW OF INVESTIGATIONS FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES TO CODE OF CONDUCT COMPLAINTS.

Submitted - the report of the Monitoring Officer on the findings of an independent investigation into the Ombudsman's processes.

It was noted that stories had appeared in the press in April of this year claiming that a staff member in the Ombudsman's office had been involved with very political statements on social media. It was noted that this had created concern within the Ombudsman team. It was emphasised that the Ombudsman's system was integral to the ethical and standards system in Wales. It was noted that there was no similar system in England and there were substantial features in terms of maintaining the system to have an independent body and responsibility for the investigation process.

Attention was drawn to part 4.1 of the report where three recommendations were highlighted from the independent report that would be of interest to the members.

Observations / questions were invited from the members.

It was noted, as many of the Ombudsman's complaints did not go further than the first step, it would be better if the case was restricted to the complainant and the person under investigation to prevent the concern that publishing it would cause.

In response, the Monitoring Officer noted that the existence of an Ombudsman complaint was confidential to the parties in question until there was a decision on the investigation. However, it was acknowledged that the complainant could inform the person subject to the complaint of the complaint against them. It was explained that experience suggested that the current system created less concern and enquiries regarding complaints.

It was noted that a member could wait six to nine months before a decision was made and it was believed that the lack of resources from the Ombudsman and the fact that a substantial proportion of its time was focused on complaints against health boards was responsible for that.

RESOLVED to note the information.

8. ALLEGATIONS AGAINST MEMBERS

Submitted – the report of the Monitoring Officer about the Ombudsman's decisions on formal complaints against members. It was reported that this was a summary of complaints that had been closed to provide the Committee with a snapshot of the type of things that were referred to the Ombudsman and the decisions made when assessing the complaints.

It was noted that the difference between the number of complaints that did not go to an investigation compared to the number of complaints made was quite striking. It was highlighted that there was an element of sympathy with the Ombudsman as every complaint had to receive attention.

It was noted that the intention at this meeting was to report on the training arrangements for town and community councils, but unfortunately, apologies were made that the agenda had slipped due to work pressures. Despite this, they managed to revisit the agenda and there was an intention to start offering training courses to the town and community councils in the near future. It was explained that experience suggested that training was important when dealing with such matters. It was also suggested that there was a need to offer an alternative solution path for low level complaints instead of only providing training.

Observations:

The members expressed their thanks for the report. In response to a question, the Monitoring Officer confirmed that the report on the training arrangements would be available for the next meeting.

There was an enquiry whether the Ombudsman considered using a threshold test for low level complaints, and if they did, whether there was a process to refer the low-level complaints back to the Council. In response, the Monitoring Officer explained that One Voice Wales had developed an internal solution arrangement for Town and Community Councils about 4 to 5 years ago. He reiterated that the local solution arrangement was difficult to implement as the town and community councils were small bodies in terms of staff and membership, and therefore, the element of trust to maintain the process was more difficult to create if there was genuine conflict in the Council.

The Monitoring Officer was thanked for his response, and it was asked further whether the resources in the fields that could benefit most from early training would be prioritised. The Monitoring Officer noted that he was in favour of tailoring the course to where the emphasis needed to be and that he was happy to pass the slides on to members from the previous course presented to members in January 2020. It was accepted that there was a lack of time to hold a course, but it was important to hit the most important points for discussion. It was also noted that it was important that town and community council clerks felt that there was professional support available for them.

A Representative of the Community Councils noted that he would be happy to go with the Chair or the Monitoring Office to any meeting to discuss training.

RESOLVED to note the information.

9. THE OMBUDSMAN'S ANNUAL REPORT

Submitted - the report of the Monitoring Officer appending the Annual Report of the Ombudsman for 2023/24.

Observations:

Hope was expressed that technological developments in artificial intelligence could process complaints immediately and without delay in time, as it was believed that this was the long-term solution to prevent long delays in the system.

RESOLVED to note the information.

10. NATIONAL STANDARDS COMMITTEES FORUM MINUTES

The report was submitted by the Monitoring Officer.

It was noted that Meleri Tudur had been appointed as President of the National Adjudication Panel and pride was expressed that she was a solicitor from Gwynedd with a strong background in the County.

RESOLVED to accept the information.

The meeting commenced at 10.30am and concluded at 11:35am

