
MINUTES OF THE NORTH WALES STANDARDS COMMITTEES FORUM MEETING HELD IN THE DELYN COMMITTEE ROOM, COUNCIL OFFICES, MOLD ON MONDAY, 24 JUNE, 2019

PRESENT

Ceredigion County Council – Hywel Jones (Chair)
Conwy County Borough Council – John Roberts (Chair) and Iain Moore (Vice Chair)
Denbighshire Council - Julia Hughes (Vice-chair) and Anne Mellor (Independent Member)
Flintshire Council – Gareth Owens (Monitoring Officer), Matthew Georgiou (Deputy Monitoring Officer), Robert Dewey (Chair), Julia Hughes (Vice Chair), Ken Molyneux (Independent Member), Phillipa Earlam (Independent Member)
Gwynedd Council - Einir Young (Chair) and Margaret E. Jones (Vice-chair)
North Wales Fire and Rescue Authority – Julia Hughes (Vice-Chair)
Powys – Stephan Hays (Chair)
Wrexham County Borough Council - Neil Benson (Vice-chair) Sandra Hunt (Independent Member)
Isle of Anglesey County Council - Mike Wilson (Chair) and Islwyn Jones (Vice-chair)
Public Ombudsman for Wales – Nick Bennett

1. ELECTION OF CHAIR FOR THE MEETING

Robert Dewey, Chair Flintshire County Council Standards Committee, was elected chair of the meeting.

2. APOLOGIES

Apologies were received from:-

Ceredigion County Council - Caroline White (Vice-Chair)
Denbighshire Council - Ian Trigger (Chair)
Powys – Claire Jackson (Vice Chair) Debby Jones (Monitoring Officer)
Wrexham County Borough Council - Michael Pugh (Chair)

3. MINUTES OF THE MEETING HELD ON 29 JUNE, 2018

Submitted - the minutes of the North Wales Standards Committees Forum meeting held on 29 June 2018.

RESOLVED to accept the minutes of the meeting held on 29 June 2018 as an accurate record.

4. PRESENTATION BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES – NICK BENNETT

PSOW Code – the Ombudsman explained his new powers to

- i. Consider oral complaints
- ii. Complaints about Private Health Care

iii. Own initiative

There have been an increasing number of service complaints especially in health, but there has been a similar increase in code complaints. There is a small office in North Wales which may grow over time. Of the large number of code complaints, the vast majority are found to be meritless. There are a relatively a small number of serious issues – 8 out of 288 referred for a hearing, which demonstrates the high standards in Wales.

Two out of three complaints were about Town and Community Councils - previously more. This was more balanced with an equal number coming from County Councils. The Ombudsman believes this shows that LRP is working but still more work is still needed in Town and Community Councils.

The 2 stage test is important, it allows more time for more serious cases and fewer vexatious complaints.

In North Wales, 32% of complaints but only 22% of the population. Only 17% were referred for hearings. There is work to do on lower level complaints.

Mr Bennett gave some examples of absurd complaints received by his office.

There has been a reduction in Member vs Member complaints at County level. This needs to be extended to Town and Community Council level.

What can the PSOW do to support local leadership? Ynys Môn, Monmouth and Swansea have done some good work to promote training and would have no problem coming to speak.

Powys raised questions about how to enforce promises made by Members as part of an Ethical process. They want more power to require compliance. Flintshire's Monitoring Officer said he had asked Welsh Government for more flexible sanction powers but this was refused.

Mike Wilson, Ynys Môn, said that the problem with Town and Community Councils is that County has no jurisdiction over them. They are trying to get the message across in order to help with local resolution. We have no investigative powers so have to accept what we're told. The PSOW agreed that soft power and influence was equally important. He said his help was not going to resolve every problem.

Einir Young, Gwynedd, said she would like the power to require an apology. Mr Bennett would like to explore this more with Welsh Government but said legislation takes a long time. Cheap solutions could be enshrined in legislation. The costs of appeals could be published – the PSOW thought this might reduce vexatious behaviour.

Conwy suggested attendance at training can be low - was there any scope for toughening obligation to attend training? Mr Bennett thinks that it is interest to attend. In Monmouthshire they have had presentations on –

1. The role of the MO
2. WLGA on future role of Town and Community Councils
3. How OVW can help
4. Role of Standards Committees
5. Introduction to WAO
6. Work of the PSOW

Flintshire asked whether there could be clarity or guidance on what amounts to bullying, which is the biggest single type of complaint. Gwynedd suggested seeking advice from

HR.

Ceredigion give high profile to importance training. They had held a series of sessions where Independent Members attend. They had also had 4 area meetings to do the training. Not everyone attended but this is helping set a tone. The PSOW agreed culture is important. The Monitoring Officer at Gwynedd also does a lot of training but those who least need training are the ones who attend. There can be a flip side of over cautious behaviour and unnecessary declarations of interest.

Flintshire are developing an increasingly detailed list of expected behaviours.

Julia Hughes, Vice Chair of Flintshire and Denbighshire, described the process of visits to Town and Community Councils to better understand how meetings are working and pick up areas of good/bad practice. She explained that feedback was then given to all the clerks.

Hywel Jones, Ceredigion, asked about a report on reform of Town and Community Councils and whether there was any progress. Mr Bennett thinks that proposals for reform can give rise to a lack of clarity and accountability. However, there is potential to develop Town and Community Councils but there would need to be an improvement in behaviours.

Islwyn Jones, Ynys Môn, made the point that the Commissioner remains responsible for any service delivered (Mr Bennett agreed but stated this was not always the case). Ynys Môn have reviewed five or six of their biggest – looked at websites, minutes and Declarations of Interest with them and given specific feedback as well as a generic letter.

Flintshire asked whether the PSOW keeps records of low level complaints in order to see a pattern in the event of subsequent complaints. Mr Bennett suggested all complainants should keep a log.

Conwy raised a question regarding Social Media – Members were not attending training so were not finding out about the help that is available. Independent Members have been asked to leave some Councils as outsiders because they are a challenge to longstanding Councillors. Mr Bennett said it was important for that elections are important as a means of ensuring that there is accountability.

Powys raised a question about when matters are made public. Mr Bennett stated you cannot gag Members who choose to confirm the existence of a complaint. His office will confirm existence of an investigation. If nothing is confirmed, this leads to speculation. Rather than report matters publicly, Council could e mail Standards Committee members so that they are confidentially made aware of complaints.

5. LESSONS FROM THE COMMITTEE ON STANDARDS IN PUBLIC LIFE'S REVIEW OF THE CODE OF CONDUCT IN ENGLAND

<https://www.gov.uk/government/collections/local-government-ethical-standards>

Flintshire confirmed patchy practice on displaying the Code of Conduct – promotion of easy access is required.

Gwynedd asked to what extent there are matters which should be but have not been reported.

Ynys Môn asked whether standards might slip if there was more joint working.

6. NAME OF THE FORUM

Standards Forum for North and Mid Wales.

7. JOINT STANDARDS COMMITTEE

Ynys Môn meet informally to undertake tasks in between meetings.

Conwy have reduced their meetings so they can meet informally within the budget.

Ynys Môn has a sub-committee to consider dispensation requests. There is a 30 minute training session prior to each meeting – JH suggests sharing members across Committees.

Welsh translation would be essential.

There was a discussion considering dispensations and how to handle them with Infrequent meetings of the Standards Committee.

The potential disadvantage would be cost and travel.

Training – a lay member from each of the Counties plus an elected representative From each Council.

We might want to consider different models e.g. 1, 2 or 3 options.

Gwynedd thinks the same things are common to everyone and could be shared e.g. training based around geography.

Mike Wilson, Ynys Môn, saw potential advantages (e.g. cost savings). Issues such as how Independent Members are appointed could then be considered. Ynys Môn will have an almost completely new Committee in November.

A local connection/link might be important to build confidence.

It would be interesting to see the pros and cons and whether it would then improve standards.

Robert Dewey of Flintshire wants to keep the opportunity to grant dispensations quickly.

A SWOT analysis was requested with answers to be fed back to Flintshire
Either – Yes, No or Maybe

8. WELSH AUDIT OFFICE REPORTS HAVE RECENTLY BEEN PUBLISHED IN RELATION TO TWO COMMUNITY COUNCILS WITHIN THE ISLE OF ANGLESEY

Welsh Audit Office have reported publicly on contrived audit failings dating back to 2013/14 and 2014/15. Is this a recurring pattern (of late reports) or is it a one off? In Flintshire there has been a recent public interest report where there was a history of discussion with the Town Council and that the issue was 'taken to the next level' because of a lack of resolution.

9. ANY OTHER BUSINESS

10. DATE AND LOCATION OF NEXT MEETING

It was suggested that Powys host in November at a venue in Machynlleth.

DRAFT