

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 4, County Hall, Ruthin on Friday, 21st December, 2007 at 10.00 a.m.

PRESENT

Mr C.B. Halliday (Chair), Councillors P.A. Dobb, P. Glynn and R.LI. Williams and Mr G.F. Roberts.

Councillor R.E. Barton attended as an Observer.

ALSO PRESENT

The Monitoring Officer and Administrative Officer (C.I. Williams).

APOLOGIES

Mrs P. White.

1. URGENT MATTERS

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

2. MINUTES

The Minutes of the Standards Committee held on Friday, 29th June, 2007 were submitted.

RESOLVED – *that the Minutes be received and approved as a correct record.*

3. MEMBERSHIP

The Monitoring Officer referred to the agreed mechanism to recruit a replacement Independent Member and confirmed that responses had been received for the vacancy. He explained that references had been sought with regard to the applications received and confirmed that Members of the Standards Committee would be kept fully updated in respect of any progress made. In reply to questions from Members, the Monitoring Officer provided details of the terms of office of the various categories of Members of the Standards Committee.

In reply to concerns expressed by Members with regard to the timescales for consultation periods for Town and Community Councils and the provision of training for Clerks of Town and Community Councils, including Co-opted Members of Committees, it was suggested that representation be made to One Voice, DVSC and DALC in respect of this issue. During the ensuing discussion Members agreed that

the Monitoring Officer examine these issues and submit a report to a future meeting of the Standards Committee.

RESOLVED –that

(a) the position be noted, and

(b) a further report be submitted to the Standards Committee.

4. ATTENDANCE AT MEETINGS

The Committee were informed that there were no reports to submit of attendance by Members of the Standards Committee at County, Town or Community Council meetings.

RESOLVED – that the position be noted.

5. THE PUBLIC SERVICES OMBUDSMAN FOR WALES' – ANNUAL REPORT 2006/2007

A copy of a report by the Monitoring Officer, which noted the receipt of the annual report 2006/2007 of the Public Services Ombudsman for Wales, had been circulated with the papers for the meeting.

The Monitoring Officer introduced the report and explained that the Public Services Ombudsman for Wales had presented his first annual report following completion of the inaugural year of the new Ombudsman for Wales. He explained that the focus for local government had been mainly on complaints of maladministration and allegations of breach of the Code of Conduct. However, the focus from the perception of the citizen had been the provision of an improved complaints service for the public sector as a whole.

It was explained by the Monitoring Officer that pages 6 to 10, which outlined the Ombudsman's service, and pages 24 to 29, which considered the accessibility and governance of the Ombudsman's service, had been extracted from the Public Services Ombudsman for Wales Annual Report and circulated as Appendix 1 to the report.

Members attention was invited to 2.4 of the report which provided details of the allegations against members of misconduct, and to Appendix 1(ii) of the report which provided a breakdown of allegations received by type of local authority.

Reference was made by the Chair and Members of the Committee to the programme of events which had been held where the Public Service Ombudsman had met with the Chairs, Leaders and Chief Executives of Public Bodies within his jurisdiction. Members agreed that representation be made to the Public Service Ombudsman suggesting that consideration be given to Standards Committee representatives being invited to attending future events.

RESOLVED –that

- (a) the report be received, and
- (b) representations be made to the Public Service Ombudsman suggesting that consideration be given to Standards Committee representatives being invited to attending future events.

6. THE ADJUDICATION PANEL FOR WALES – ANNUAL REPORT 2006/2007

A copy of a report by the Monitoring Officer, which received the report prepared by the President of the Adjudication Panel which covered the Panel’s activities over the last financial year, had been circulated with the papers for the meeting.

The Monitoring Officer explained the President of the Adjudication Panel had issued the Panel’s latest annual report and copies of the document had been circulated by post to Members of the Committee. Members confirmed that they had not yet received their copies of the document and agreed that this item be deferred to the next meeting of the Committee pending receipt of the Annual report 2006/2007.

Councillor R.E. Barton referred to the format and content of the annual report and requested that representations be made to the Adjudication Panel for Wales suggesting that the document be made more user friendly.

RESOLVED –that this item be deferred to the next meeting of the Committee pending Members receipt of the annual report 2006/2007.

7. MONITORING THE CODE OF CONDUCT

A copy of a report by the Monitoring Officer, which provided details of the latest developments with regard to the revised Code of Conduct and training, had been circulated with the papers for the meeting.

The Monitoring Officer informed Members that the revised Code of Conduct had not been finalised. It was however intended that the new Code would be in place for the elections on 1st May 2008, there was also a possibility that there may be an earlier implementation date but Monitoring Officers had suggested to the Assembly that this would involve unnecessary bureaucracy with all existing Members throughout Wales having to give undertakings to abide the existing Code shortly before the elections.

Reference was made to the question of Member training, it was explained that work was in hand on a module covering the Code of Conduct and Ethical Framework and Decision Making and an offer had been made by the Monitoring Officers Group to work with the WLGA on training matters.

It was acknowledge by the Monitoring Officer that engaging with all Town and Community Councillors would present a number of challenges in terms of the number, location and times of training sessions. However, he confirmed that at three cluster meetings held between the County Council and the Community Councils in the autumn the Chairs and Council Clerks in attendance welcomed the prospect of

training on the new Code. Mr G.F. Roberts stressed the importance of including training for Co-opted Members of Committees.

The Monitoring Officer referred to the development and refinement of the Council's requirements in respect of training particularly in respect of planning matters. He explained that although the operational aspects of the Council's business fell outside the remit of the Standards Committee, a number of areas within the Code had been identified to which training had been particularly pertinent and included:-

- Promotion of equality and respect for others, paragraph 4 of the Code.
- Accountability and openness, paragraph 5 of the Code.
- Selflessness and stewardship, paragraph 7 of the Code
- Objectivity and propriety, paragraph 8 of the Code.

Member's attention was invited to the direct link between training and the Code of Conduct as it had been anticipated that the major benefit of training would be to assist in the prevention of transgression of the Code by increasing knowledge and awareness.

The positive steps taken by the Council with regard to training were outlined by the Monitoring Officer, particular reference being made to those in respect of planning and licensing matters and the Council's commitment to the Member training programme being developed by the WLGA. He explained that the Chair had raised the question as to whether specific amendments relating to training obligations should be made to the Constitution and a number of provisions which could be amended had been identified. The Monitoring Officer explained that the Council had strengthened a number of aspects of the Constitution but at present the consensus of opinion had been to favour progressing with the WLGA Members' Training Charter.

A number of Members of the Standards Committee suggested that a recommendation be made to the County Council's Corporate Governance Committee that consideration might be given to amending the Constitution to include a clear obligation, by means of a legal requirement, that Councillors and Committee Members to undertake training. The Monitoring Officer explained that the County Council Member representatives on the Standards Committee could, if they so wished, raise the matter at County Council.

RESOLVED –that

- (a) the report be received.*
- (b) the latest position with regard to the revised Code of Conduct be noted*
- (c) the Council's progress with regard to the WLGA Training Charter and its impact on compliance with and understanding of the Code of Conduct position be noted.*

8. FUTURE MEETINGS

Members agreed that the next meeting of the Standards Committee scheduled to be held at 10.00 a.m. on Friday, 25th January, 2008, and the meeting scheduled to be held on the and 18th April, 2008, be postponed. It was agreed that the next meeting

of the Standards Committee be held on Friday, 7th March, 2008 at a venue to be confirmed.

RESOLVED –*that the next meeting of the Standards Committee be held at 10.00 a.m. on Friday, 7th March, 2007.*

Meeting ended at 11.30 a.m.

Report to: Standards Committee
Report by: Monitoring Officer
Date: 28 March 2008
Subject: Monitoring the Code of Conduct

1 DECISION SOUGHT

1.1 To consider and commend to Council the new Code of Conduct made by the National Assembly for Wales.

2 REASON FOR SEEKING DECISION

2.1 Included within the Committee's roles and functions as set out in Article 9 of the Council's Constitution are the monitoring of the operation of the Members' Code of Conduct and advising the Council on the adoption or revision of the Code arising from the Local Government Act 2000.

2.2 For some time now I have been updating members at our meetings regarding the making of a new Model Code of Conduct by the National Assembly. This has taken some time due in part to legislative complexities, decisions of the courts in respect of the application and interpretation of the English Code of Conduct and the desire to achieve revision of the Code that serves the aspiration of achieving the highest standards of conduct within County, Town and Community Councils.

2.3 At the time of the preparation of this report the final Order has not been made. However, it is expected to be made on 20 March and that the Order will be substantially in the form of the indicative draft previously circulated to you. As soon as I receive the final Order I will copy it on so that we have it for consideration at the meeting.

3 RECOMMENDATION

1.2 That members consider and commend to Council the new Code of Conduct made by the National Assembly for Wales.

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