

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 1B, County Hall, Ruthin on Friday 16th July 2010 at 10am.

PRESENT

Mr C B Halliday (Chair), Ms M E Medley, Mr G F Roberts and Mrs P White

ALSO PRESENT

Monitoring Officer (IKH); L Jones (Solicitor) and Scrutiny Support Officer (EC)

APOLOGIES

None were received.

The Monitoring Officer advised those present that since there was no representation from Denbighshire County Council Members, the meeting was inquorate. The Committee decided to proceed with the meeting and refrain from any decision making which County and Community Council Members should be present for.

225 URGENT MATTERS

There were no urgent matters raised.

226 MINUTES

The minutes of the meeting held on the 21st May 2010 (previously circulated) were submitted.

Matters Arising:

Page 3, Resolution (b) – The Monitoring Officer reported that, following the letter of thanks he had sent to the Adjudication Panel for Wales, he had received very appreciative feedback from them.

Page 4, STANDARDS AND ETHICS CONFERENCE – Members discussed the practicability of calling in Town and Community Council Members to be part of the training programme for County Council. The Monitoring Officer would look into the feasibility and advise members accordingly.

RESOLVED that the minutes of the Standards Committee held on the 21st May 2010 be confirmed as a true and correct record.

227 ATTENDANCE AT MEETINGS

The Chair reported that he had attended Prestatyn Town Council on Wednesday 7th July and referred Members to a letter (circulated during the meeting) which described his input into the meeting and the outline he delivered on the “Public Ombudsman in Wales – Members Code of Conduct”.

The Chair went on to say that during discussion on the ‘Code of Conduct’, debate arose about the use of informal language in meetings particularly the use of first names when addressing Members. He reported that following the meeting, he had received an invitation from Town and County Councillor M. J. Eckersley to return to Prestatyn Town Council at a later date and discuss the Code of Conduct in more detail, to which he had agreed to discuss with the Standards Committee.

The Monitoring Officer was conscious of maintaining neutrality across the board and was aware that there were varying degrees of traditionalism within committees. Mr G.F. Roberts also aired apprehension as to how un-comfortable it may become for the Chair to discuss these matters as a lone representative. Following deliberation, the Monitoring Officer agreed the most appropriate way forward was for him to contact Cardiff Standards Committee for advice and then liaise directly with Councillor Eckersley before committing to the arrangement, as there was an opportunity to discuss other Standards issues and promote Code of Conduct Training possibly at the same time.

Mrs. M E Medley reported that she had attended a St. Asaph Town Council meeting recently and felt that the management of the meeting i.e. professionalism and order - had improved significantly from previous meetings she had attended there. The Chair questioned the possibility of Mrs Medley's prior

confirmation of attendance, as a Member of the Standards Committee, having an affect on the Town Council Members' behaviour at that meeting. He felt that this may have compelled Members to be on their "best behaviour". Mrs Medley felt that this was not the case.

RESOLVED that the Standards Committee:

- (a) notes the updates and feedback from Members who had attended local Town and Council Meetings, and that
- (b) The Monitoring Officer would liaise with Councillor M.J. Eckersley and Cardiff Standards Committee in making a decision regarding the Chair's return to Prestatyn Town Council to discuss the Code of Conduct in more detail.

228 PUBLIC SERVICES OMBUDSMAN FOR WALES' ANNUAL REPORT 2009/10

The Monitoring Officer distributed copies of the "Ombudsman Annual Report 2009/10" with particular reference to the "Code of Conduct". Following some background into the role of the Public Services Ombudsman for Wales, the report detailed the increase in the number of complaints received, the nature of the complaints and the Ombudsman's areas of concern.

During the consideration of the report, the Committee's discussion included the following points:

- The largest amount of complaints were reported to be within "promotion of Equality and Respect".
- The report didn't offer any details regarding the outcomes of the complaints as due to the large volume, the Ombudsman had decided not to carry out investigations
- The general view was that the Ombudsman system was very effective as it was a central point of reference and referral was on an all- Wales basis.
- There would, inevitably, be occasions where "breaching" the Code of Conduct could be arguable – i.e. if there would be merit in taking it further or whether the matter could be effectively resolved locally without referral to the Ombudsman. Each case was unique.
- The Monitoring Officer confirmed that Denbighshire County Council was, in terms of volume and seriousness of complaints, on par with the majority of Authorities in Wales

Mrs Medley questioned whether cases were often referred to the Ombudsman as it was thought to have more "clout" than reporting locally. The Monitoring Officer explained that the general practice was that if a decision / resolution offered locally was not agreed by the complainant, they would then escalate to the Ombudsman – but principally – local advice would be the first port of call.

The Chair sought clarification on the term on page 9 of the Code of Conduct (2nd to last paragraph) "The Principles are not part of the Model Code". The Monitoring Officer explained that there had been an ongoing debate as to whether the principles should be wholly adopted as there was a risk of reprimand should the very broad Nolan principles not be followed meticulously. He confirmed that this was why the principles, as referred to in this paragraph, were not a strict part of the model code.

Members agreed the comprehensive report was very helpful, however they felt there would be some degree of continual debate surrounding some of the values i.e. "openness and Honesty"

RESOLVED that the Standards Committee receives and notes the Ombudsman's Annual Report 2009/10

229 PUBLIC SERVICES OMBUDSMAN FOR WALES' GUIDANCE ON "THE CODE OF CONDUCT FOR MEMBERS OF LOCAL AUTHORITIES IN WALES"

Members had included discussion points from this item in the previous item and were therefore asked by the Chair for any further comments or questions specific to the Code of Conduct (COC) to be raised.

The Monitoring Officer advised that the COC would continue to be reviewed by the Ombudsman and therefore Members comments were always welcome.

Members discussed the possibility of conflicts of interest referred to in the COC, i.e. the possibility of a Members' personal Involvement in a matter compromising their integrity in decision making. Following deliberation, Members were of the view that it was the Individual's obligation to disclose a personal interest – should it be deemed necessary under the COC.

230 URGENT ITEMS

Members referred to the absence of County Council Members at the meeting and were surprised and disappointed that Councillors had been unable to tender their apologies.

Next Meeting confirmed: 10.00am Friday 24th September (Conference Room 1, Ty Nant, Prestatyn)

The meeting concluded at 10.55 am
