

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 1a, County Hall, Ruthin on Friday, 10 March 2017 at 10.00 am.

PRESENT

Independent Members Julia Hughes, Anne Mellor and Ian Trigger (Chair) together with Councillors David Jones, Barry Mellor and Meirick Lloyd Davies

ALSO PRESENT

Monitoring Officer (GW) and Committee Administrator (SJ)

1 APOLOGIES

Apologies for absence were received from Councillors Mrs P White

2 DECLARATION OF INTERESTS

None

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES OF THE LAST MEETING

The minutes of Standards Committee held on 2 December 2016 were submitted.

Matters Arising –

Page 9 – Item 5 – North Wales Standards Forum - In response to a question from the Chair regarding the date of the next forum was be held in Denbighshire, the Monitoring Officer explained to the committee clarity of dates was required with the availability of the Standards Committee Chair.

The Chair raised a question in relation to the availability of mediation training for Standards Committee Members, to which the Monitoring Officer agreed to follow up and update members. **(GW to action)**

The Monitoring Officer confirmed that guidance on Sanctions produced by Adjudication Panel for Wales had been circulated to Members.

Page 8 – Item 4 – Minutes – Independent Member Julia Hughes raised a question in relation to attendance at meetings and a spreadsheet of attendees produced. The Monitoring Officer distributed the list to the Members for consideration.

Page 9 – Item 5 – North Wales Standards Forum – In response to a question from Independent Member Julia Hughes regarding Publication of declarations of interest expressed at City/ Town/ Community Council meetings, the Monitoring Officer

explained that it would be good practice for Declarations of Interest to be an agenda item at such meetings. Any Declarations expressed should then be stored as a record but it was not mandatory to be published to the internet.

RESOLVED that the minutes of the meeting held on 2 December 2016 be received and approved as a correct record.

5 ACCESSIBILITY OF INFORMATION FROM CITY, TOWN AND COMMUNITY COUNCILS - ANNUAL REVIEW

Independent Member Julia Hughes (JH) referred to the audit report she had undertaken to access the accessibility of information from the website of all 37 City/ Town/ Community Councils in Denbighshire compared to the study undertaken in late 2015- early 2016. Areas examined and information sought included –

- availability of the previous minutes including date
- details of date, venue and time of next meeting
- bilingual provisions
- notes and additional details

Members were reminded that the findings provided a snapshot at the time, which could have changed. JH presented to the Committee an overview report of the work undertaken across the 37 City/ Town/ Community Councils and the main finding as follows -

- many websites were in place but really out of date
- many websites were not bilingual
- some websites were under development
- many councils had standard agendas only, that never changed
- the Town Council websites generally were more advanced
- some sites were excellent examples for other areas to use if they wanted to
- many sites were not linked or did not have up to date details on the Denbighshire website – www.moderngov.denbighshire.gov.uk
- some sites were linked to www.politicsresources.net/area/uk/wa-councils/wa-council-ac.htm (a Welsh Government site) but many were not
- four councils had no electronic presence
- many had no details of their councillors or how to contact them
- some councils had old websites that came up in searches so you believed there was no up to date information
- some sites were good with good templates but some were out of date

Consequently JH recommended the following, in her view, as minimum requirements –

- have a website
- easy domain name that came up in searches relatively easily
- link to Denbighshire modern government website
www.moderngov.denbighshire.gov.uk

- the link on the Denbighshire County Council website to the City, Town or Community Council website should be the correct one and not to an old site
- link to Welsh Government website www.politicsresources.net/area/uk/wa-councils/wa-council-ac.htm
- any links on www.politicsresources.net/area/uk/wa-councils/wa-council-dl.htm needed to be the correct ones
- bilingual site essential
- name of clerk with picture and contact details including email address and phone number
- names of all councillors with their pictures and contact details including email addresses and phone numbers
- dates of meetings, venues, time
- agendas
- previous minutes
- details of the areas that the council covered with map if possible
- how people could be involved – being a councillor, attending meetings

Optional additional recommendations –

- electronic enquiry form
- history of the area
- events in the area
- links to other local groups' websites
- use of social media to engage wider audiences
- details on Code of Conduct
- record of declarations of interest

The Chair took the opportunity to thank JH for her hard work and excellent report and other members echoed those sentiments.

The following points were raised during the ensuing debate –

- as a member of Rhyl Town Council (RTC), Councillor Barry Mellor reported that grant funding had enabled the Rhyl website to be rebuilt and due to its infancy was expected to be of high standard.
- the Chair was in favour for the report to be forwarded to the Community Engagement Manager for circulation to City/ Town/ Community Councils at upcoming cluster meetings. **(GW to action)**
- Councillor Barry Mellor made reference to many City/Town/ Community Councils having had to fund the setup of websites as cuts to funding had resulted in funds being applied to other provisions.
- concerns that 4 Community Councils did not have a website, twice the amount from the previous report .

The Committee acknowledged that whilst some of the report recommendations would take time and require additional funds, others involved good practice and did not require additional resources. It was also acknowledged that although the focus had been on improvement in some areas, the report had revealed many positives and excellent work and good practice being undertaken within communities which could be shared across Denbighshire.

RESOLVED that –

- (a) *the reports presented by Independent Member Julia Hughes on the accessibility of information from the final eight City, Town and Community Council websites, and the Overview Report of the Electronic Communications of City, Town and Community Councils be received and noted;*
- (b) *copies of the reports be forwarded to the Community Engagement Manager who would be requested to liaise with the City, Town and Community Councils in respect of matters raised (GW to action).*

6 PREPARATION OF CHAIR'S ANNUAL REPORT TO FULL COUNCIL

The Monitoring Officer gave the apologies of the Deputy Monitoring Officer and introduced the report submitted to Members (previously circulated) presenting the Chairs Annual Report 2016 for consideration prior to submission to full council. The Chair thanked both the Monitoring Officer for presenting the report and the Deputy Monitoring Officer for her hard work in preparing the report. During debate the following amendment was agreed –

- Reference to 'information' in the table in paragraph 4.3 be amended to read 'electronic information'.

The Chair opened the debate asking members if they felt any further issues or points should be covered when discussed with full Council. The Standards Committee wanted Councillors to be aware of the work the Standards Committee complete along with the work and pressures the City/ Town and Community Councils face.

The Monitoring Officer agreed to pass on amendments and comments to the Deputy Monitoring Officer to prepare the amended draft for approval by the Chair prior to submission to full Council. **(GE & LJ to action)**

RESOLVED that, *subject to the above, members note the report and recommend its presentation by the Chair to the full Council.*

7 PUBLIC SERVICES OMBUDSMAN FOR WALES - CODE OF CONDUCT CASEBOOK

The Monitoring Officer (MO) submitted a report (previously circulated) informing members of the most recent editions of the Ombudsman's Code of Conduct Casebook covering the period October 2016 to December 2016.

Details of the complaints investigated during this period had been outlined in the report and were summarised by the MO.

The Chair raised a question regarding record keeping of complaints which did not require further action. The MO explained to the Standards Committee that if a complaint was investigated, the ombudsman's office would investigate all aspects

of the complaint. In cases of no further action being taken there would be no public record as such but the Ombudsman's office would retain a case file for a period.

RESOLVED that, the Standards Committee note the information contained within the Code of Conduct Casebook.

8 TRAINING - WELSH LOCAL GOVERNMENT ASSOCIATION INDUCTION MATERIALS

The Monitoring Officer (MO) presented the report (previously circulated) to inform the committee of the creation of the induction materials produced by the Welsh Local Government Association (WLGA). The MO explained to members that in previous years the council had adopted its own training pack. The WLGA has compiled a training pack to provide a common set of resources that can be adopted throughout Wales and encourage a common understanding of the requirements of the Code of Conduct amongst elected members.

The MO stated that both he and the Deputy Monitoring Officer were pleased with the training pack provided by WLGA. The training pack along with training notes had been produced bilingually to aid effective training. The MO explained that the training pack had been designed to aid in the training of both County Councillors and Community Councillors. The MO informed members an e-learning has also been produced to accompany the training package.

The MO stated that the training package provided by WLGA provides a coherent delivery of training and gives members a variety of options to access training materials.

Councillor Barry Mellor commended previous training provided by the County as being of a high standard, Both Councillor David Jones and independent member Anne Mellor praised the new training pack as being concise and transparent. Independent member Julia Hughes asked if the members of the Standards Committee could be made aware of training dates so they too could attend and benefit from the new training model **(GW to action)**.

The Chair praised both the Monitoring Officer and Deputy Monitoring Officer for their work on previous training sessions provided to members. He believed that Clerks would benefit from training sessions or having the additional resources for training. The MO emphasised the variety of training delivery methods would benefit a greater number of individuals. The MO asked the committee if they felt it would be beneficial to schedule 'train the trainer' sessions with Clerks to aid in the training in City/ Town/ Community Council meetings. The Standards committee agreed this would be a constructive method of training members. **(GW to action)**.

RESOLVED that, the Standards Committee note the report and recommend its provision in the training of the new and returning County Council and City/ Town and Community Councils.

9 LOCAL RESOLUTION PROCESS FOR CITY/TOWN/COMMUNITY COUNCILS

The Monitoring Officer (MO) provided a verbal report on the Local Resolution process for City/ Town/ Community Councils. The MO explained that at present when City/ Town/ Community Councils received a complaint, the Clerk has responsibility with the aid of the Council Chair to achieve an amicable resolution. The MO emphasised the responsibility and pressure placed on Clerk's to resolve complaints on top of the regular duties upheld.

The process adopted at County for complaints would be for an invited independent member of Standards Committee to aid in resolving the complaint. The MO asked the Standards Committee whether they agreed to Independent Standards Committee members being invited to meetings at City/ Town/ Community Councils in order to assist the Clerk in resolving complaints. The Independent Members agreed that this would be beneficial to Clerks.

RESOLVED that, the Standards Committee receive the verbal report on Local Resolution process and it be noted.

10 REVIEW OF THE COUNCIL'S SELF-REGULATORY PROTOCOL

The Monitoring Officer (MO) provided a verbal report on the Council's Self-Regulatory Protocol. The MO explained to Standards Committee members that the County Self-Regulatory Protocol had been reviewed and compared to other Protocols and the procedures are very similar. The MO stated that the procedures the County currently adopt worked well. It was highlighted that any complaints from members of the public had to be passed to the Ombudsman.

The MO proposed that in the first instance, he or the DMO seek to resolve matters informally and that the involvement of Standards Committee members be kept for those cases that could not be resolved at that stage. The Standards Committee discussed City/ Town/ Community Council Clerks working to aid each other when investigating complaints in their own authorities. The MO agreed to draft a document to circulate to cluster groups to explore options for aiding one another, providing a mediator in difficult situations. Councillor Meirick Lloyd Davies commended this recommendation stating within small Community Councils individuals are known well by most and investigating complaints would be challenging **(GW to action)**.

RESOLVED that, the Standards Committee receive the verbal report on Self-Regulatory Protocol and it be noted.

11 WHITE PAPER- REFORMING LOCAL GOVERNMENT RESILIENT AND RENEWED

The Monitoring Officer (MO) provided a verbal report informing members of the provisions of the White Paper "Reforming Local Government: Resilient and Renewed". The MO provided a general overview of the main provisions of the paper. He elaborated on provisions within the Draft Bill which included the following

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- Regional working- the removal of compulsory mergers with mandatory regional working put forward. The MO explained that the test for regional working would depend on there being a positive impact observed regionally and not necessarily a positive impact in each authority area.
- Sharing back office services- proposals for back office shared service including Welsh Language, Internal Audit and Council Tax collection. Tests for regionalisation- the MO explained the extensive list of questions to be asked in relation to regionalisation.
- Governance and accountability- proposing a common rule book to be followed by all. The MO explained that there would be more detail to follow regarding governance and accountability including details of funding arrangements for Joint Governance Committees.
- Elections and voting- the MO explained to the Standards Committee that this element of the Bill was vague with further details to be provided at a later date.
- Role of Councillors and the proposals that would impact Standards Committee- the MO expanded on the role of Councillors and their responsibilities. The MO explained some of the requirements the Standards Committee would face such as providing advice and training to members on new duties and to produce an annual report on the Standards Committee activities which the Committee already produces.

The verbal presentation gave the Standards Committee an overview of some of the proposed changes and how they would impact the Standards Committee along with the Authority.

The MO informed members that feedback is expected from Local Authorities in relation to the Bill in April, with amendments and feedback to be proposed to the Welsh Assembly later in the year. An update report would be provided to Standards Committee later in the year.

The Chair thanked the MO for his hard work and commended him for simplifying a complex subject. The Chair noted the potential changes to Standards Committee and stated it would be interesting to see the outcome.

RESOLVED that, the Standards Committee receive the verbal report on White Paper- Reforming Local Government Resilient and Renewed and it be noted.

12 ATTENDANCE AT MEETINGS

Independent member Anne Mellor, confirmed she had attended St Asaph Community Council meeting held on 6 January 2017. The Monitoring Officer noted the attendance and confirmed to update the attendance report to reflect this **(GW to action)**.

The Monitoring Officer confirmed and circulated a compiled list of City/ Town/ Community Councils which had been visited in the last three years. The independent members Julia Hughes and Anne Mellor with the Chair Ian Trigger reviewed the list and determined meetings they felt were owed a meeting.

The Committee members requested an email, as had been previously circulated be distributed to City/ Town/ Community Councils informing members that Standards Committee members may attend meetings (**GW to action**).

13 STANDARDS COMMITTEE FORWARD WORK PROGRAMME

The Standards Committee Forward Work Programme was presented for consideration and members agreed the following additions:-

- Update on the White Paper – September
- Update on Training Implementation – September

RESOLVED that, subject to the above amendments, the Standards Committee's Forward Work Programme be agreed.

14 DATE OF NEXT MEETING

Members noted the Standards Committee's next meeting had been scheduled for 10.00 a.m. on Friday 30 June 2017 in Conference Room 1a, County Hall, Ruthin.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 12 and 13 of Part 4 of Schedule 12A of the Act.

15 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000

The Monitoring Officer (MO) presented the confidential report (previously circulated) to provide Members with an overview of complaints lodged with the Public Services Ombudsman for Wales (PSOW) since 1 April 2014.

The Standards Committee had previously requested to be regularly informed of the level of complaints lodged with the PSOW. The tables in Appendix 1 provided an overview of complaints lodged since the 1st April, 2014. 13 cases had not been pursued, 2 cases had been discontinued, 5 cases not investigated and 1 case with no action taken.

The MO provided an update on the one on-going complaint, explaining to the committee that this particular case had been discussed at previous meetings. The MO also provided some context and explanation of the background to the complaint and why no action was taken.

RESOLVED –that the Standards Committee receive and note the contents of the report.

The Chair thanked all members for their attendance and contributions in particular Julia Hughes for her hard work. The chair also paid thanks to the Monitoring Officer for his guidance.

The chair paid thanks to Councilor David Jones, who informed the committee this was his last meeting. The chair wished Councilor Jones the best for the future and thanked him for his work and support to the Standards Committee. He showed gratitude for his pleasant manner, loyalty and contributions to all Committee meetings.

The Monitoring Officer echoed the thanks to Councilor Jones for his work and contributions to the Standards Committee and also thanked Councilor Meirick Lloyd Davies and Barry Mellor for their contributions and support.

The meeting concluded at 13.00 p.m.