

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room 1A, County Hall, Wynnstay Road, Ruthin LL15 1YN on Tuesday, 10 July 2018 at 10.00 am.

PRESENT

Independent Members – Ian Trigger (Chair), Julia Hughes (Vice-Chair), Ann Mellor and Peter Lamb.

Councillors – Gordon Hughes, Paul Penlington and Andrew Thomas

ALSO PRESENT

Monitoring Officer (GW) and Committee Administrator (SLW)

Observer – Heidi Roberts (Solicitor)

1 APOLOGIES

None

2 DECLARATION OF INTERESTS

Councillor Gordon Hughes declared a personal and prejudicial interest in item 11 as he is a member of Corwen Town Council.

Councillor Paul Penlington declared a personal interest in item 11 as he was the subject of a complaint (dismissed).

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 MINUTES OF THE LAST MEETING

The minutes of the Standards Committee held on 3 April 2018 were submitted:

Page 6 (Item 6 – third paragraph) – should be “Flintshire County Council” not “Flintshire City Council”

Page 7 (Item 7 – third paragraph) – should be “set up to look” not “set up too look”

Page 8 (Item 8 – third paragraph) – statement to be added so the sentence reads “The DM confirmed that Standards Committee members could claim travel expenses if they attended Town, Community and City Council meetings on behalf of the Standards Committee, but not a daily fee”.

Matters Arising:

Page 9 – it was agreed an updated list of City Town & Community Council visits would be circulated. Also a schedule of future visits would be looked into and the information would be circulated at the end of summer.

RESOLVED that, subject to the above, the minutes of the meeting held on 3 April 2018 be received and approved as a correct record.

5 PUBLIC SERVICES OMBUDSMAN FOR WALES - CODE OF CONDUCT CASEBOOK

The Monitoring Officer presented a report (previously circulated) informing members of the most recent editions of the Ombudsman's Code of Conduct Casebook covering the period January 2018 – March 2018.

Details of the three complaints investigated during the period had been outlined in the report and were summarised by the Monitoring Officer. None of the cases related to Councillors in Denbighshire.

Two cases involved the disclosure and registration of interest when their respective Community Councils were considering planning applications. In both cases, the Ombudsman found that the relevant Councillors had failed to properly disclose personal and prejudicial interests and to leave the room during the consideration of those items. In both cases, the Ombudsman concluded that there was sufficient mitigation in respect of the circumstances of the allegations that no action was considered necessary.

The third case involved an allegation that a Councillor who was Chair of the relevant Council and a community project, had arranged for a sum of money intended for the Council to be paid direct to the project, and, in doing so, had improperly used the Council's resources and brought the Council into disrepute. The Ombudsman found that the money could not have been paid to the Council so the allegation relating to the use of resources was not made out, but, in representing himself as acting on behalf of the Council at the expense of other groups, he had brought the Council into disrepute. The Ombudsman determined that no action was necessary given that the Councillor was inexperienced, believed himself, mistakenly, to be acting in the public interest and had not benefitted personally in any way.

There were no cases referred to either a Standards Committee or the Adjudication Panel for Wales.

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

6 CHAIR'S ANNUAL REPORT FOR 2017

The Monitoring Officer introduced the report (previously circulated) presenting the Chair's Annual Report 2017 for consideration prior to submission to Full Council.

The Monitoring Officer opened the debate asking members if they felt any further issues or points should be covered when discussed at Full Council.

During discussion, the following items were highlighted to be included within the Annual Report:

- Danger of social media
- Training
- Visits to City, Town & Community Councils.
- It was also requested that the cancelled meeting be stipulated it was due to adverse weather conditions.

The Chair requested information as to what percentage of County Councillors were also City, Town & Community Councillors. The Monitoring Officer confirmed he would obtain the information and circulate to the Committee members.

The Chair expressed concern as not all applications for dispensation were being put forward to the Standards Committee. It was confirmed that notification on the process would be circulated to all Town Clerks in the form of a “How to” Guide.

It was confirmed that the Monitoring Officer would bring the information sheet to Standards Committee in September 2018.

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

7 GUIDANCE ON THE USE OF SOCIAL MEDIA

The Monitoring Officer introduced the report (previously circulated) to inform the Committee about the draft guidance on the use of social media by staff and Members, and the WLGA draft guidance and seek their comments.

A working group of staff and elected members had met to discuss the guidance required. The draft Social Media Guide, attached to the report, had been developed by the Communications Team following the discussions.

The Guide would provide staff and elected members with tips on the use of social media in an effective, lawful and respectful way.

The Ombudsman had stressed the need for elected members to apply the principles of the Code of Conduct in their use of social media.

The WLGA were in the process of updating a Guidance document. The WLGA document was a larger document than the Denbighshire guide but included a lot of explanatory information regarding the different social media channels available.

The Monitoring Officer confirmed that the Denbighshire Social Media Guide was in draft form and once approved, would be translated and be made available in both Welsh and English. A copy of the finalised documents would be sent out to all City, Town & Community Councils.

Additional training on the appropriate use of social media was mentioned and it was confirmed that the Communications team would be approached to ask if they could hold a social media workshop for Councillors and independent members of Committees.

The issue of publication of photographs of children was raised, and the Monitoring Officer confirmed consent from the parent/guardian would be required but he would confirm with the Communications Team.

The Chair requested that the Monitoring Officer report back to the September meeting following discussions with the Communications Team.

RESOLVED *that subject to the above, the Committee noted the contents of the draft Denbighshire Social Media Guide for Staff and Members together with the WLGA draft Guidance document and an updated report be brought back to Standards Committee at the next meeting in September 2018.*

8 ATTENDANCE AT MEETINGS

Julia Hughes had attended at Cyffylliog Community Council the previous evening. The Website required updating. The Chair led the meeting well and was assisted by the Clerk. It was a well-run and positive meeting.

Both Ian Trigger and Julia Hughes attended the North Wales Standards Forum which had taken place on 29 June 2018.

Julia Hughes had prepared a printout summarising the discussions which had taken place.

Members were informed of the All Wales Conference which would take place on 14 September 2018 and expressions of interest were requested. The Conference was held every two years and in 2020 it was planned to be held in North Wales.

The Chair thanked Julia Hughes for her summarised presentation of the Forum and her update on Cyffylliog Community Council.

RESOLVED *that the attendance be noted and the attendance report updated to reflect the visit by Julia Hughes.*

9 STANDARDS COMMITTEE FORWARD WORK PROGRAMME

The Standards Committee Forward Work Programme was presented for consideration.

It was confirmed that a report following the All Wales Standards Conference would be presented at the next Standards Committee meeting to be held on 21 September 2018.

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

10 DATE OF NEXT MEETING

21 September 2018 to be held in the Council Chamber, Ruthin at 10.00 a.m.

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.

11 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000

Councillor Gordon Hughes declared a personal and prejudicial interest as he is a member of Corwen Town Council. At this juncture he left the room and took no part in the discussions.

Councillor Paul Penlington declared a personal interest as he had been the subject of a complaint which had since been dismissed.

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

Standards Committee had previously requested to be regularly informed of the level of complaints lodged with the Public Services Ombudsman for Wales.

Part 1 of the tables provided details of completed items.

Part 2 of the tables provided details of ongoing complaints.

The Monitoring Officer informed the Committee that an extra column within the tables would be added in the future to include reason why no longer investigating and also if there were any recommendations put forward e.g. recommended training this would be added to the table. Information containing the date complaint received and the date case completed would also be included in future reports.

RESOLVED that, the Standards Committee, subject to the above, receive and note the contents of the report.

The meeting concluded at 12.10 p.m.