

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in BY VIDEO CONFERENCE on Friday, 4 December 2020 at 10.00 am.

PRESENT

Ian Trigger (Chair), Julia Hughes (Vice-Chair), Anne Mellor and Peter Lamb together with Councillors Paul Penlington, Andrew Thomas and Gordon Hughes

ALSO PRESENT

Observer - Councillor Meirick Lloyd Davies

Monitoring officer (GW), Democratic Services Officer (Host) (KE) and Committee Administrator (RTJ)

1 APOLOGIES

None.

2 DECLARATION OF INTERESTS

No declarations were raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent items.

4 MINUTES OF THE LAST MEETING

The minutes of the Standards Committee meeting held on 04 September 2020 were submitted.

Matter of accuracy –

- It was highlighted the chair's name was not included correctly on the minutes.

RESOLVED that, subject to the above, the minutes of the Standards Committee meeting held on the 04 September 2020 be received and confirmed as correct records

5 ATTENDANCE AT MEETINGS

It was noted that since the last meeting, due to restrictions members had not been able to attend any meetings of city, town and community councils.

The Monitoring Officer (MO) stated if members wished to attend any meetings they should inform him. He would then consult with the relevant clerk to make arrangements to attend in person or remotely.

Members raised concerns about the Community Councils throughout Denbighshire and how were they dealing with the pandemic. It was queried whether they were conducting meetings through virtual means? The MO informed the committee that some of the Community Councils were still conducting meetings. The committee members highlighted their interest in attending Community Council meetings once again and the committee suggested reassessing the list of Community Council meetings, and rearranging attendance through virtual means.

The support which was provided to the clerks of the town, city and community councils was raised, especially since the pandemic. The MO assured the committee that there was regular contact with the clerks and that guidance has been circulated with regards to holding remote meetings.

Clarity was sought in respect of County Council meetings and members queried whether they could receive a list of the council's meetings. The MO guided members through the Denbighshire website to the calendar showing when all the meetings were held. Members queried whether they could attend part 2 items of meetings and the MO stated that Standard Committee members were allowed to stay for part 2 confidential items in County Council meetings. However they were not allowed to observe during Part 2 discussion at Town, Community and City Councils meetings, unless they were invited to do so.

RESOLVED that the above mentioned points be noted.

6 SPECIAL STANDARDS COMMITTEE HEARING - LESSONS LEARNED

The Monitoring Officer (MO) reported the lessons learned during the special standards committee.

The MO informed the committee that it was the first special standards hearing that had been held during his time as the monitoring officer.

The first point was that it felt that the process for the hearing took a long time. The MO also highlighted that there could have been better liaison with the ombudsman to make the whole process flow better.

For future hearings, the MO advised that we would have to focus on supporting those invited to participate in order to prepare them and encourage attendance.

The MO reported that the ombudsman and legal officers were asked to present the legal arguments in paper format prior to the standards hearing. A pre-hearing meeting would be beneficial to all in attendance, and if witness statements could be agreed prior to the hearing this would alleviate the need for witnesses to attend, if they were unable to do so.

The chair agreed the pre-hearing meeting would streamline matters for any future hearings. He added that it would be a good opportunity to review the statements and that it was important to ensure that witnesses understood what would be required of them.

Other members who were in attendance in the hearing gave their opinion of the hearing and how it was conducted, Anne Mellor (Independent Member), thought it went well and she agreed with the holding of pre-meetings to consider arrangements and any issues such as personal interests in the case.

Peter Lamb (Independent Member) agreed with Mrs Mellor's comments but added that he felt there were too many witnesses present at the hearing.

The committee agreed that at any future hearings, the seating arrangements would need to be considered prior to the hearing, this was to ensure that all parties present were comfortable.

RESOLVED – *that the committee notes the lessons learned from the special standards committee hearing*

7 ANNUAL REPORT OF THE STANDARDS COMMITTEE

The Monitoring Officer (MO) made the committee aware that there has not been an opportunity to produce a report for 2020 due to the pandemic. The committee were informed that the next annual report of the standards committee would encompass all the work carried out during 2019 and 2020, and would be presented in 2021.

The Annual Report of the Standards Committee would not be ready until January 2021 at the earliest. The MO would present a report in May 2021 with all the work which had been carried out prior to presenting the report.

RESOLVED *that the above mentioned points be noted.*

8 STANDARDS COMMITTEE FORWARD WORK PROGRAMME

The Monitoring Officer (MO) introduced the Standards Committee Forward Work Programme (previously circulated).

The code of conduct case book had not been published at the time of the deadline for today's meeting. However the MO stated the report should be available for the March meeting.

The Terms of Reference of the Standards committee could be brought to the committee at the March meeting.

RESOLVED *that subject to the above, the Standards Committee's forward work programme be approved.*

9 DATE OF NEXT MEETING

The next meeting of the Standards Committee was scheduled for Friday 5th March 2021.

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.

10 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 since 1st January 2018.

Members were informed that other than complaint reference 304 there were no other outstanding complaints to the Ombudsman that involved the Council. The MO reported on complaints submitted involving community councils in Denbighshire, giving outline details of the nature of the complaints made and the actions taken by the Public Services Ombudsman for Wales.

It was confirmed that the Ombudsman had continued to use the same procedure to ascertain if a complaint needed investigating and local resolution processes were still being encouraged.

RESOLVED that the Standards Committee notes the contents of the report.

11 INVESTIGATION REPORT OF THE PUBLIC SERVICES OMBUDSMAN FOR WALES

The Monitoring Officer (MO) presented the confidential report (previously circulated) in regard to the Investigation Report of the Public Services Ombudsman for Wales.

The committee agreed that the matter would need to be investigated further.

The MO informed the committee that he would liaise with the parties involved.

RESOLVED – that the Standards Committee agree that the matter be investigated further.