

To: Chair and Members of Standards
Committee

Date: 28 February 2022

Direct Dial: 01824 712589

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Dear Member of the Committee,

You are invited to attend a meeting of the **STANDARDS COMMITTEE** to be held at **10.00 am** on **FRIDAY, 4 MARCH 2022** via **VIDEO CONFERENCE**.

Yours sincerely

G. Williams
Head of Legal, HR and Democratic Services

AGENDA

PART 1: THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING

1 APOLOGIES

2 DECLARATION OF INTERESTS (Pages 5 - 6)

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items 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.

4 MINUTES OF THE LAST MEETING (Pages 7 - 12)

To receive the minutes of the Standards Committee meeting held on 3 December 2021 (copy enclosed).

5 ATTENDANCE AT MEETINGS

To note the attendance by members of the Standards Committee at County, Town and Community Council and to receive their reports.

6 ETHICS AND STANDARDS TRAINING (Pages 13 - 42)

To receive a report by the Monitoring Officer regarding about the arrangements that will be made for the training of new and returning members after the Local Government Elections in May 2022 (the Elections) in respect of the Code of Conduct (copy enclosed).

7 STANDARDS CONFERENCE 2022 (Pages 43 - 46)

To receive a report by the Monitoring Officer informing the committee on the content Standards Conference held on 9th February 2022 (copy enclosed).

8 PROCESS FOR RECRUITING INDEPENDENT MEMBERS OF STANDARDS COMMITTEE (Pages 47 - 50)

To receive a report by the Monitoring Officer regarding the process for recruiting independent members of Standards Committees (copy enclosed).

9 STANDARDS COMMITTEE FORWARD WORK PROGRAMME (Pages 51 - 54)

To consider the Standards Committee Forward Work Programme (copy attached).

10 DATE OF NEXT MEETING

The next meeting of the Standards Committee is scheduled for the 17th June.

PART 2: CONFIDENTIAL ITEMS

It is recommended in accordance with Section 100A(4) of the Local Government Act 1972, that the Press and Public be excluded from the meeting during consideration of the following item(s) of business because it is likely that exempt information (as defined in paragraph “[12 and 13 of Part 4 of Schedule 12A of the Act would be disclosed.

11 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000 (Pages 55 - 66)

To consider a confidential report by the Monitoring Officer (copy enclosed) providing an overview of complaints against members lodged with the Public Services Ombudsman for Wales.

MEMBERSHIP

Independent Members:

Mr Ian Trigger (Chair), Julia Hughes (Vice-Chair), Anne Mellor and Peter Lamb

Town/Community Council Member
Gordon Hughes

County Councillors
Councillor Paul Penlington

Councillor Andrew Thomas

COPIES TO:

All Councillors for information
Press and Libraries
Town and Community Councils

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of

*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-

*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held via video conference on Friday, 3 December 2021 at 10.00 am.

PRESENT

Ian Trigger (Chair), Julia Hughes (Vice-Chair) and Peter Lamb together with Councillor Gordon Hughes.

Observer – Councillor Gwyneth Ellis.

ALSO PRESENT

Monitoring officer (GW), Committee Administrators (SW Host) (RTJ)

1 APOLOGIES

Apologies for absence were received from Councillors Andrew Thomas, Paul Penlington and the independent member of the Standard Committee Anne Mellor.

2 DECLARATION OF INTERESTS

No declarations of interests were raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised with the Chair prior to the meeting.

4 MINUTES OF THE LAST MEETING

The minutes of the Standards Committee meeting held on 17 September 2021 were presented for consideration.

Matters Arising –

- The chair thanked the Committee Administration staff for their coincidentally high standards of minutes, which have been produced while he had been chairing the committee.
- Page 7 –Minutes of the last meeting - The committee raised the Standards Committee Terms of Reference and if the Governance and Audit Committee had discussed them. The Monitoring officer (MO) informed the committee that the matter had not been presented to the Governance and Audit Committee, however, it would be discussed at the January Governance and Audit Committee meeting.
- Page 7 – Minutes of the last meeting – The MO was asked if any more thought had been given to pre-meeting briefings. The MO responded, stating a report could be brought to the Committee at the March 2022 meeting.

***RESOLVED** that the minutes of the Standards Committee meeting held on 17 September 2021 be confirmed as a correct record.*

5 ATTENDANCE AT MEETINGS

The Chair invited members to update the committee on any attendance at meetings.

The Committee members who were present at the meeting had nothing to share. It was a shared consensus amongst the members that the current climate with the pandemic had made attending other meetings difficult.

***RESOLVED** that the above observations and discussion be noted.*

6 STANDARDS CONFERENCE

The Monitoring officer (MO) introduced the update regarding the Standards Conference. The event was biannual, with representatives from every local authority in Wales alongside community councillors, independent members, and the Welsh Local Government Association.

The MO stated that the conference had been postponed due to the pandemic. The new date for the event would be the 9th February 2022 and would be held virtually. The benefit of a virtual event was that there would be no limit on the number of attendees. The new Ethical Framework would be the main point discussed.

Closing the update, the MO informed the committee that the Conference would last roughly 6 hours and if any members wished to be in attendance at the meeting they could notify the MO, who would then send the details to the organiser.

***RESOLVED** that members note the information regarding the Standards Conference.*

7 PENN REVIEW OF THE ETHICAL STANDARDS FRAMEWORK

The Monitoring Officer (MO) presented members with a report regarding the Penn Review of the Ethical Standards Framework (previously circulated).

The Review has made several recommendations in respect of the ethical framework. It was not clear which of these would be taken forward by the Welsh Government. The report's purpose was to seek the committee's views on the review in anticipation of any future consultation conducted by the Welsh Government regarding any of the recommendations.

The MO gave the committee background on the review. In March 2021, the Welsh Government announced an intention to commission an independent review of the ethical standards framework for local government in Wales. The current ethical framework was established by the Local Government Act 2000 and had remained largely unchanged apart from some minor amendments to the Code of Conduct.

The purpose of the Review was to ensure that the framework remains fit for its purpose, was open and transparent, and that it commands the confidence of all involved with it.

The Welsh Government commissioned Mr. Richard Penn, a former local authority chief executive, to undertake the Review with the aim to report to Welsh Government Ministers by the end of June 2021. The intention was to make any agreed changes ahead of the local government elections in May 2022.

The Review was to include:

- an audit of the Codes of Conduct adopted by authorities;
- an analysis of the effectiveness of the framework in fostering high standards of conduct in local government and public confidence in those arrangements;
- whether the framework was still fit for purpose;
- the role of Standards Committees;
- an analysis of the arrangements and protocols in place to support members and staff;
- Consideration of the current sanctions and whether they were still appropriate.

The overall finding of the Review was that the framework was fit for its purpose and did not need significant alteration. The Review suggests that some minor adjustments and amendments to the current framework could result in fewer low-level complaints and the need for formal investigations being significantly reduced.

The review outcomes were a mixture of recommendations and statements made under separate headings. These headings were:

- An audit of the Codes of Conduct adopted by all the required authorities against the Model Code to identify any local variances.
- An analysis of the effectiveness of the framework in fostering high standards of conduct in local government in Wales and public confidence in those arrangements’.
- Consideration of whether the framework was still fit for purpose, including whether the ten principles of conduct were still relevant and whether the Model Code of Conduct needs updating. This would include identification of areas where improvements could/should be made to the current arrangements
- Changes to the powers and processes of the Adjudication Panel for Wales
- Consideration of the role of Standards Committees, including their role concerning Town and Community Councils and whether the establishment of sub-committees has impacted the process of supporting Community Councils and dealing with complaints.

The committee discussed the following points in further detail –

- The committee sought clarity regarding mandatory training and whether this only related to County Councillors, or did the framework mean that City,

Town, and Community Councillors also receive the mandatory training. The MO clarified that all elected representatives would have training.

- Local resolution was outlined by the committee, responding the MO stated that if more matters were directed towards local resolution, there would likely be an issue with resources, i.e., monitoring officer workloads.
- The MO informed the committee that the Adjudication Panel for Wales felt that it would be beneficial if they had more sanctions available to them when determining whether alleged breached had been made against the code of conduct.
- The committee highlighted social media; and agreed that no insensitive information should be posted or otherwise shared by elected members.
- The committee suggested that more training could mitigate complaints as people were less likely to breach the code of conduct. The MO agreed with additional training; however, he felt that when people were discussing contentious items, emotion would be at the forefront. The MO suggested that further discussions could be carried out with political group leaders regarding conduct, and then the message would permeate through the political parties.

The MO informed the committee that the Ombudsman praised the committee on recent hearings and how all parties conducted themselves.

RESOLVED that the Standards Committee consider the Penn Review of the Ethical Standards Framework and agree to the suggested recommendations contained therein.

8 STANDARDS COMMITTEE FORWARD WORK PROGRAMME

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

- March 2022 – a report following the Standards Conference held on the 9th February 2022.
- March 2022 – Code of Conduct of employees report being brought to the committee. However, the MO stated the report could be delayed until the June 2022 meeting.
- June 2022 - Appointment of Chair and vice-chair to be included.
- September 2022 – Standards Annual Report to Council.

The MO raised the matter of pre-meetings and suggested that a pre-meeting forward work programme be kept alongside the pre-existing programme. To ensure that no work would be missed, the committee would be aware of any pre-meeting briefing/training sessions. The committee agreed to the suggestion.

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

9 DATE OF NEXT MEETING

The date of the next Standards Committee meeting was confirmed for Friday 4th March 2022 at 10:00am.

***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.

The MO reported on the ongoing complaints submitted, giving outline details of the nature of the complaints made and the actions taken by the Public Services Ombudsman for Wales.

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

The meeting concluded at 12.10 p.m.

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|------------------------------|-----------------------------------|
| Report to | Standards Committee |
| Date of meeting | 4 th March 2022 |
| Lead Member / Officer | Gary Williams, Monitoring Officer |
| Report author | Gary Williams, Monitoring Officer |
| Title | Ethics and Standards Training |

1. What is the report about?

1.1. This report is about the arrangements that will be made for the training of new and returning members after the Local Government Elections in May 2022 (the Elections) in respect of the Code of Conduct.

2. What is the reason for making this report?

2.1. To inform the Committee of the proposals for the provision of training to new and returning members after the Elections in respect of the Code of Conduct.

3. What are the Recommendations?

3.1. That the Committee notes and comments upon the proposals for the provision of training as set out in the report.

4. Report details

4.1. One of the roles of the Standards Committee is to advise and arrange training for Councillors and co-opted members on the Code of Conduct. The Elections are to take place on 5th May 2022 and it will be necessary for every person who is elected to sign an undertaking to abide by the terms of the Code of Conduct. This undertaking forms part of the declaration of acceptance of office that each member must sign before they are able to take up the office of Councillor.

- 4.2. It is therefore imperative that members are given the opportunity to be trained on the provisions of the Code of Conduct as soon as possible after their election.
- 4.3. In 2017 the Welsh Local Government Association produced a common set of training materials for use by all councils following the elections in May 2017. A copy of those materials is attached as Appendix 1 to this report.
- 4.4. It is intended that a similar process will be followed this year and the WLGA is currently preparing, in consultation with Monitoring Officers, a common set of training materials for use following the Elections. Those materials have not yet been finalised for release.
- 4.5. The training will cover the Code of Conduct and ethics, including civility and respect. An e-learning package is also being developed.
- 4.6. It is proposed that a Code of Conduct workshop will be held for County Councillors in the first week after the Elections. A programme of events will be provided for members of City, Town and Community Councils.
- 4.7. The Chief Executive has as part of his vision for the Council established five principles that, together with the Council's values will underpin the type of organisational culture that he wants to develop.
- 4.8. These principles are that the Council will
- Continue to develop our own culture, the Denbighshire Way
 - Be a Council closer to our communities
 - Have clear performance expectations
 - Promote strong Officer/Member relations
 - Support and develop our staff

4.9. Underpinning these principles are the Council's values of:

- Integrity
- Respect
- Unity
- Pride

4.10 The training that is provided to members following the elections will also cover these principles and values and will incorporate reference to the Council's Protocol on Member/Officer Relations.

4.11 In addition to the training on ethics and standards, the WLGA is, with the network of Heads of Democratic Services, developing common training materials on a number of topics. Those which are most relevant to conduct are training materials for Chairs and specific training on Social Media.

4.12. In addition to the formal training opportunities the Monitoring Officer will be able to provide informal assistance to new and returning members on an ongoing basis in respect of conduct matters.

5. How does the decision contribute to the Corporate Priorities?

5.1. The decision has no direct impact on the Corporate Priorities but a strong internal culture which promotes high standards of conduct and ethics and strong relationships between members and officers will provide an environment that will be conducive to good decision making and governance.

6. What will it cost and how will it affect other services?

6.1. There no direct costs associated with this report. The training will be provided by staff whose costs are contained within existing budgets

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. An assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. There has been no consultation with Scrutiny.

9. Chief Finance Officer Statement

9.1. The service have confirmed in Section 6 that the resource implications of this report will be contained within existing budgets.

10. What risks are there and is there anything we can do to reduce them?

10.1. There is a risk that members who are not adequately trained on the provisions of the Code of Conduct may inadvertently breach it.

11. Power to make the decision

11.1. Section 8.6.5 Council Constitution.

Member Induction Wales 2017



Ethics and Standards

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Ethical Governance

Effective local government requires high standards of conduct to ensure that there is public confidence in everything we do.



Consequences for Councillors...

- “The committee found that [the] councillor had breached the code of conduct and that he should be suspended for a calendar month”
- “[The Councillor] had failed to show respect and consideration for others... the Committee agreed that they would publish the Committee’s findings ...and recommend to Council that the Member be issued with a formal censure”
- “Councillor breaches code of conduct for threatening behaviour...towards employee”

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Exercise

Questionnaire

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Your Responsibilities

You have a legal duty to act ethically. This is set out in the Local Government Act 2000.

The Local Authorities (Model Code of Conduct) (Wales) Order 2008 requires a mandatory code of conduct in each authority based on a national model

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The Ethical Framework

The Nolan Committee in 1997 - origins of the ethical framework for Standards in Public Life

As a Member you must have regard to these principles :

Selflessness

Honesty

Integrity and Propriety

Duty to uphold the law

Stewardship

Objectivity in Decision making

Equality and respect

Openness

Accountability

Leadership



Code of Conduct

- Shows you how to apply the ethical framework
- Unless you sign your Declaration of Acceptance and give a written undertaking to observe the Code of Conduct you cannot be a member
- If you fail to undertake or observe you can be suspended from office
- Applies to all members in Wales apart from members of Police Authorities who should comply with the English Code of Conduct

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The Code Applies to You Whenever You Are ...

- In any “official” meeting of the authority
- In any meeting where members or officers of the authority are present
- Acting, claiming to act or giving the impression you are acting as a representative of the authority
- Conducting business of the authority as a member and acting as a representative of the authority
- Acting in an official capacity
- Acting as a representative on another body unless that body has conflicting legal rules or its own code.

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And Also...

At any time if :

- You conduct yourself in a manner likely to bring your office or authority into disrepute or
- You use or attempt to use your position to gain advantage or avoid disadvantage for yourself or others or
- You misuse your authority's resources

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General Rules you Need to Follow Under the Code

- Promote equality
- Treat others with respect and consideration
- Do not bully or harass people
- Do not compromise the impartiality of officers
- Do not disclose confidential information
- Do not prevent access to information

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General Rules you Need to Follow Under the Code

- Do not bring your office or authority into disrepute
- You must report breaches of the code to your Monitoring Officer
- Do not make vexatious complaints
- You must cooperate with investigations
- You must not use your position improperly
- Do not misuse your authority's resources

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General Rules you Need to Follow Under the Code

- Reach decisions objectively
- Consider advice that officers give you and give reasons if you don't take it
- Comply with the law and your authority's rules regarding expenses
- Do not accept any gifts or hospitality that would place you under an obligation or seem to do so.

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Interests

The public must have confidence that you are making decisions in their best interests not yours!

Therefore, if you have an interest you must declare it.

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Personal Interests

You have a personal interest when a decision relates to or is likely to affect you or a “close personal associate” in relation to

- Your job or business
- Your employer or company in which you are a partner or director
- Someone who has contributed to your election costs or member expenses
- Any company where you have shares over £25K or more than 1% of the total share value which has premises or land in your area

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- Any contract that your authority makes with a company in which you are a partner, paid director or hold shares
- Any land in which you have an interest in your authority's area
- Any land let by your authority to a firm in which you are a partner, paid director or hold shares
- Any land in your authority's area which you have a license to occupy for at least 28 days

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- Any body to which you have been elected appointed or nominated by your authority
- Any public authority or body exercising functions of a public nature, charity, public opinion or policy, trade union or professional association, private club or society in your authority's area of which you are a member or in a management position

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Who is ' a Close Personal Associate'

Not just your best friend but your worst enemy....

- Close friends
- Colleagues with whom you have strong connections
- Business associates
- Close relatives
- Or someone with whom you have been in dispute

- But not casual acquaintances, distant relatives or people who you come into contact with through your work.

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What Do You Do If You Have a Personal Interest ?

- You must declare it verbally at meetings
- You must declare it when making written or verbal representations outside of a meeting
- You must complete a declaration of interests form
- BUT you are entitled to take part in discussions and vote unless it is a prejudicial interest

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Prejudicial Interests

Are personal interests which a member of the public would regard as likely to influence your opinion or your ability to be objective for example:

- If your daughter lives next to a proposed site for a new housing development
- If your son attends a local school which is due for closure

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What Do You Do if You Have a Prejudicial Interest?

You must leave the meeting during the discussion

You must not exercise delegated powers

You must not seek to influence the decision

You must not make written or verbal representations

UNLESS

The Standards Committee has granted you a dispensation

The public have a right to speak in which case you have the same right to speak (but you must leave after you have spoken) or you can provide written representations to the meeting

You have been called before a scrutiny committee

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Interests Exercise

In groups consider the scenarios and answer the questions.

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Predisposition and Predetermination

Predisposition – having an opinion on something but you have not yet made up your mind

Predetermination – having decided a position on something where no argument will change your mind

If you are involved in a decision you should avoid giving the impression that you have conclusively decided how you will vote at the meeting.

“I have a view on the subject but want to listen to all the arguments before I make up my mind”



Bias

- Bias – Members need to remember that apparent bias can infect the whole decision and make it vulnerable to challenge as is highlighted by a recent case in the High court:- *Kelton v Wiltshire*
- Planning permission for a residential development was quashed due to the apparent bias of a member of the planning committee

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How the Code is Policed

- The Monitoring Officer
- The Standards Committee
- The Public Services Ombudsman for Wales
- The Adjudication panel for Wales



What Happens if you Breach the Code?

- Complaints are made to the Ombudsman
- If he believes them to be justified he refers them to the authority's standard's committee or to a tribunal convened by the Adjudication Panel for Wales
- If they find the complaint proven they can impose a range of sanctions from no action through suspension to disqualification for 5 years
- Even if you are suspended you are still subject to the Code!
- Remember also any local resolution procedures

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Where to Find Further Information

- If in doubt ask the Monitoring Officer
- Guidance from the Public Service Ombudsman for Wales <http://www.ombudsman-wales.org.uk/>

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| Report to | Standards Committee |
| Date of meeting | 4 th March 2022 |
| Lead Member / Officer | Gary Williams, Monitoring Officer |
| Report author | Gary Williams, Monitoring Officer |
| Title | Standards Conference 2022 |

1. What is the report about?

1.1. The report is about the Standards Conference 2022

2. What is the reason for making this report?

2.1. To inform members of the Committee about the content of the Standards Conference held on 9th February 2022

3. What are the Recommendations?

3.1. That the Committee notes the content of the report.

4. Report details

4.1. Prior to the Covid-19 pandemic there had been a Standards Conference arranged on an annual basis for independent members of standards committees in Wales. Due to the restrictions imposed as a result of the pandemic it had not possible to hold a conference.

4.2. In order to re-establish the conference it was agreed that a remote conference would be held, organised by the North Wales local authorities. The conference was held via Zoom on 9th February 2022. The theme of the conference was the Independent Review of the Ethical Framework in Wales, commissioned by the Welsh Government and conducted by Richard Penn.

- 4.3. The conference was attended remotely by over 100 delegates from across Wales. The conference was opened by Julia Hughes in her capacity as Chair of Flintshire's Standards Committee who welcomed delegates on behalf of the North Wales authorities.
- 4.4. The conference received a keynote address from Richard Penn during which he presented the main findings of his review and then took questions from the floor.
- 4.5. A representative from Welsh Government, Lisa James, Deputy Director Local Government Democracy, then presented to the conference in respect of the potential changes to the ethical framework that may be considered as a result of the review following which there was an opportunity for delegates to ask questions.
- 4.6. The conference also received presentations from the Public Services Ombudsman for Wales, Nick Bennett, Paul Egan of One Voice Wales, and Eimir Young, Chair of Gwynedd County Council's Standards Committee who all gave their reflections on the review. There was then a panel discussion and question and answer session for delegates.
- 4.7. The conference was closed by Julia Hughes who thanked all involved for what had been a very successful, conference.
- 4.8. The overall conclusion of the conference was that the review of the framework had been welcome as had the finding that a major overhaul of the framework was not required. Delegates expressed their gratitude that the framework had been maintained in Wales and their wish that it should continue with some small amendments. While there was overwhelming support for the principle of local resolution, particularly in response to the large number of complaints emanating from town and community councils, there were some concerns expressed at the resources required for monitoring officers to be able to deal with the volume of complaints if they were expected to try and resolve all such complaints.
- 4.9. There was a consensus among delegates that the current good practice identified in the form of the North and Mid Wales Standards Forum should be extended to become an All Wales Standards Forum.

4.10. The Monitoring Officer will give a fuller, verbal report on the conference at the meeting of the committee.

5. How does the decision contribute to the Corporate Priorities?

5.1. There is no direct impact on the corporate priorities.

6. What will it cost and how will it affect other services?

6.1. There are no direct costs associated with this report.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. An assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. There have been no consultations with Scrutiny.

9. Chief Finance Officer Statement

9.1. There are no direct financial implications of this report

10. What risks are there and is there anything we can do to reduce them?

10.1. There are no particular risks associated with this report.

11. Power to make the decision

11.1. No decision is required.

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|------------------------------|---|
| Report to | Standards Committee |
| Date of meeting | 4 th March 2022 |
| Lead Member / Officer | Gary Williams, Monitoring Officer |
| Report author | Gary Williams, Monitoring Officer |
| Title | Process for Recruiting Independent Members of Standards Committee |

1. What is the report about?

1.1. The report is about the process for recruiting independent members of Standards Committees.

2. What is the reason for making this report?

2.1. To inform the Committee of the requirement to recruit independent members of the Standards Committee and the process by which this must be done.

3. What are the Recommendations?

3.1. That the Committee notes the contents of the report and endorses the proposed approach to the recruitment of independent members of the Committee.

4. Report details

4.1. The Standards Committees (Wales) Regulations 2001 set out provisions regarding the size and composition of standards committees. Standards committees must have no less than five members and no more than nine.

4.2. The Denbighshire Standards Committee (the Committee) is made up of seven members. The Regulations provide that where the membership of a standards committee is an odd number, there must be a majority of independent members. There are therefore four independent members of the Committee.

The remainder of the Committee is made up of two County Councillors and a Community Council member.

- 4.3. Independent members of the Committee may serve up to two terms. It is possible for a council to reappoint an independent member at the end of their first term, for one more term without having to repeat the recruitment process. In May 2021, Council reappointed Julia Hughes and Anne Mellor for a second term to expire in May 2025.
- 4.4. The first term of office of Peter Lamb is due to expire in May 2022 and it is proposed that a report be taken to County Council seeking his reappointment for a second term.
- 4.5. The Chair of the Committee, Ian Trigger, who is also an independent member is approaching the end of his second term of office which is due to expire in May 2022. It will therefore be necessary for the Council to set in motion a recruitment process for an independent member. The Regulations require that the vacancy be advertised in at least two newspapers circulating in the area. The Council must establish a panel of no more than five people, to include at least one community councillor and one lay member. In previous recruitment exercises Council has been asked to nominate three county councillors to sit on the panel in addition to the lay member and community councillor. The Panel will interview applicants and make a recommendation to Council. Council will be asked to appoint the recommended candidate.
- 4.6. The Community Council representative on the Committee, Gordon Hughes was appointed for a first term in February 2018. A Community Council representative's term of office must come to an end at the local government election following his or her appointment. It is possible for a Community Council representative to serve a second term provided that they remain a city, town or community councillor. Before a community council representative may be reappointed it is a requirement that the Council consults city, town and community councils in its area. This is a process that can be considered following the local government elections.

5. How does the decision contribute to the Corporate Priorities?

5.1. A fully functioning and representative Standards Committee which upholds the high standards expected of Members helps underpin the Council's exercise of its democratic functions

6. What will it cost and how will it affect other services?

6.1. Independent members are entitled under the law to a daily fee and to have travel expenses reimbursed as set out in the Independent Remuneration Panel for Wales' report each year.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. An assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. There have been no consultations with Scrutiny or others.

9. Chief Finance Officer Statement

9.1. The financial implications of this report will be funded from existing budget allocations.

10. What risks are there and is there anything we can do to reduce them?

10.1. The Council Constitution stipulates that there are to be four independent members. The risk of not appointing members to the Standards Committee is that a reduced membership may increase the likelihood of the Committee being inquorate

11. Power to make the decision

11.1. Standards Committees (Wales) Regulations 2001 as amended.

Standards Committee Forward Work Plan

| Meeting | Item (description / title) | | Purpose of report | Author – Lead member and contact officer |
|--------------------------|----------------------------|--|---|--|
| 17 June 2022 | 1 | Standing Item: Attendance at Meetings | To note the attendance by members of the Standards Committee at County, Town and Community Council and to receive their reports | N/A – the item is member of the committee led. |
| | 2 | Standing Item: PSOW Code of Conduct Casebook | To inform the committee of the most recent edition of the Ombudsman’s Code of Conduct Casebook. | Gary Williams (Monitoring Officer) |
| | 3 | Standing Item: Standards Committee Forward Work Programme | To consider the Standards Committee Forward Work Programme | Gary Williams (Monitoring Officer) |
| | 4 | Standing Part 2 Item: Overview of Complaints in Denbighshire | To provide the committee of an overview of complaints against members lodged with the Public Services Ombudsman for Wales. | Gary Williams (Monitoring Officer) |
| | 5 | Appointment of Chair and Vice Chair | To appoint a chair and vice chair for the Standards Committee | Gary Williams (Monitoring Officer) |
| | | | | |
| 16 September 2022 | 1 | Standing Item: Attendance at Meetings | To note the attendance by members of the Standards Committee at County, Town and Community Council and to receive their reports | N/A – the item is member of the committee led. |
| | 2 | Standing Item: PSOW Code of Conduct Casebook | To inform the committee of the most recent edition of the Ombudsman’s Code of Conduct Casebook. | Gary Williams (Monitoring Officer) |
| | 3 | Standing Item: Standards Committee Forward Work Programme | To consider the Standards Committee Forward Work Programme | Gary Williams (Monitoring Officer) |

Standards Committee Forward Work Plan

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|------------------------|---|--|---|--|
| | 4 | Standing Part 2 Item: Overview of Complaints in Denbighshire | To provide the committee of an overview of complaints against members lodged with the Public Services Ombudsman for Wales. | Gary Williams (Monitoring Officer) |
| | 5 | Draft Annual Report of Standards Committee | To receive the draft annual report of the Standards Committee | Gary Williams (Monitoring Officer) |
| | | | | |
| 2 December 2022 | 1 | Standing Item: Attendance at Meetings | To note the attendance by members of the Standards Committee at County, Town and Community Council and to receive their reports | N/A – the item is member of the committee led. |
| Page 52 | 2 | Standing Item: PSOW Code of Conduct Casebook | To inform the committee of the most recent edition of the Ombudsman's Code of Conduct Casebook. | Gary Williams (Monitoring Officer) |
| | 3 | Standing Item: Standards Committee Forward Work Programme | To consider the Standards Committee Forward Work Programme | Gary Williams (Monitoring Officer) |
| | 4 | Standing Part 2 Item: Overview of Complaints in Denbighshire | To provide the committee of an overview of complaints against members lodged with the Public Services Ombudsman for Wales. | Gary Williams (Monitoring Officer) |

Standards Committee Briefing Forward Work Plan

Briefings to be held 20 minutes prior to the Standards Committee

| Meeting | Item (description / title) | | Purpose of report | Author – Lead member and contact officer |
|--------------------------|----------------------------|----------------|---|--|
| 4 March 2022 | 1 | Dispensations. | To give members a brief update on the dispensation process. | Gary Williams (Monitoring Officer) |
| | | | | |
| 17 June 2022 | | | | |
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| 16 September 2022 | | | | |
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| 2 December 2022 | | | | |
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By virtue of paragraph(s) 12, 13 of Part 4 of Schedule 12A of the Local Government Act 1972.

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