

## **STANDARDS COMMITTEE**

Minutes of a meeting of the Standards Committee held in Conference Room 1a, County Hall, Wynnstay Road, Ruthin LL15 1YN on Friday, 18 July 2014 at 10.00 am.

### **PRESENT**

Ian Trigger (Chair), Ms Margaret Medley and Mrs Paula White together with Councillors Bill Cowie and David Jones

### **ALSO PRESENT**

Deputy Monitoring Officer (LJ) and Committee Administrator (SLW)

#### **1 APOLOGIES**

Monitoring Officer (GW), Councillor Colin Hughes and Reverend Wayne Roberts

#### **2 DECLARATION OF INTERESTS**

No declarations of personal or prejudicial interest were raised.

#### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

No urgent matters were raised.

#### **4 MINUTES OF THE LAST MEETING**

The minutes of Standards Committee held on Friday 9 May 2014 were submitted.

***RESOLVED** that the minutes of the meeting held on 9 May 2014 be received and approved as a correct record.*

At this juncture, Mrs Paula White requested the Standards Committee papers be sent out to Members 7 working days prior to the meeting to enable adequate time for perusal of papers. Members agreed to the request.

The Deputy Monitor Officer agreed to take the request to the Democratic Services Manager.

#### **5 FORWARD WORK PROGRAMME AND REVIEW**

The Deputy Monitoring Officer (DMO) submitted a report (previously circulated) presenting the Forward Work Programme and Review for consideration and adoption.

The DMO detailed the reasoning behind the production of a Forward Work Programme. The majority of Committees within the Council utilised a Forward Work Programme.

Members of the Committee were proactive, such as attending in person at County, City, Town and Community Council meetings. Feedback, following attendance at meetings, was presented at the Standards Committee meetings.

Within the report had been a list of indicative areas of work that the Committee were to discuss to make the decision whether to adopt within the Forward Work Programme.

In-depth discussion took place with the following points being raised:

- Training members on the Code of Conduct.
  - Face to face training by the Monitoring Officer (MO) and the DMO. There would be limited capacity to deliver the training throughout the year. Members suggested on attendance at City, Town and Community meetings, they could produce the training cd and elaborate on the same with the members.
  - E-learning – code of conduct training had been filmed. There was a possibility the film could be edited and copied for the Clerks to distribute to members.
  - Training of Clerks – this would be delivered by the MO and DMO. The Clerks would then be in a position to deliver training to their members. Members agreed specific training sessions could be held for the Clerks in County Hall, Ruthin.
  - Co-ordinated training via NW Standards Committee for City, Town and Community Councils. The training could be delivered and the costs shared.
- Raising awareness of the Code.
  - The DMO confirmed raising awareness of the Standards Committee and the Code could be achieved within a letter together with the enclosure of a cd. The City, Town & Community Council Clerk would be notified in advance of a request for a Member of Standards Committee to attend the meeting to raise the awareness of the Committee, and to include training. Ms Margaret Medley suggested a return receipt form be added at the bottom of the letter as acknowledgement from the Clerk that the letter and cd had been received.

It was agreed the draft letter together with a sample cd be presented at the next Standards Committee meeting.

It was also agreed the Code of Conduct be sent to all City, Town and Community Council Clerks electronically. The Clerks would be requested to print copies and to circulate to members.
- Standards Committee Report from the Chair to all City, Town and Community Councils with reference to PSOW case studies.
  - It was agreed to a copy of the case book which had been produced by the Ombudsman to be enclosed with the letter from the Chair.
- Review Standards Committee Terms of Reference.
  - A recommendation was made to approach the Corporate Governance Committee for their opinion regarding Standards Committee tackling more issues which were currently covered by their Committee.

- Annual Report to Full Council.
  - It had been agreed the Chair of Standards Committee present an Annual Report to Full Council at either the September or October meeting.
- Monitoring of Complaints across the County at Community and County level.
  - This was currently a standing item on the Standards Committee Agenda and all members agreed to the continued inclusion of this item.
- Attendance at meetings.
  - A checklist of all City, Town and Community Councils to be produced at the next Standards Committee meeting to enable Standards Committee members to indicate their preference, in advance, which meeting they would attend.
- Mandatory Code training.
  - This was already adopted at county level within the Code and the Council Constitution. It had been agreed training for City, Town and Community Council members would not be mandatory as there would be a possibility it could act as a deterrent to some members which could cause a problem in attracting people to become City, Town and Community Councillors.
- Publicly promoting work of Standards Committee.
  - Report to Full Council would raise awareness and promote the Standards Committee.
- Use of Social Media.
  - Work currently ongoing by the MO. This item would be added to the Forward Work Programme for a future meeting.

It was agreed that the Forward Work Programme become a standing item on the Agenda of all future Standards Committee meetings.

**RESOLVED** that subject to Members' comments and observations above, the Forward Work Programme be adopted by the Standards Committee.

## **6 PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL REPORT 2013/2014**

The Deputy Monitoring Officer (DMO) presented a report (previously circulated) informing members of the Annual Report of the Public Services Ombudsman for Wales for the year 2013/14. The Ombudsman's Report had been included as an appendix.

The previous Ombudsman, Mr Peter Tyndall, had moved on to take up a new role as Irish Ombudsman and Information Commissioner. The Public Services Ombudsman was appointed by the Crown on the recommendation of the National Assembly for Wales. Nick Bennett, currently the Chief Executive of Community Housing Cymru, had been nominated by the National Assembly for Wales as the next Ombudsman. Royal approval for Mr Bennett's appointment was being sought at the time of the writing of the Ombudsman's Annual Report.

The Report had been prepared by the Acting Ombudsman, Margaret Griffiths, who had taken on the role in December 2013. The Acting Ombudsman would remain in post until such time as the new Ombudsman was able to take office.

Members' attention had been drawn to the following:

- Complaints received in respect of alleged breaches of the Code of Conduct fell by 22% compared to the previous year. Of those 228 complaints received, 115 related to City, Town or Community Councils, 111 related to Unitary Authorities and 2 related to Fire Authorities. No complaints had been received in respect of National Park Authorities.
- The majority of the complaints received during 2013/14 related to matters of "equality and respect" which accounted for 36% of complaints received. This was compared to a figure of 35% in 2012/13.
- The next largest areas of complaint related to disclosure and registration of interests which accounted for 21% of complaints and integrity which accounted for 20% of complaints.
- 229 cases were closed in 2013/14. Of those 229 complaints, 176 were closed following initial consideration.
- 33 investigations were completed, of which 10 concluded that there had been no evidence of breach. 17 concluded there was no action necessary, 5 were referred to Standards Committees and 1 had been referred to the Adjudication Panel for Wales.
- The number of cases referred to either a Standards Committee or to the Adjudication Panel had fallen significantly from 20 in 2012/13 to only 6 in 2013/14.
- The Ombudsman confirmed the practice of writing to local Monitoring Officers where the Ombudsman was minded not to investigate a complaint, or having commenced the investigation, was minded to close the case, had continued. In these circumstances, it was for the local Monitoring Officer to consider whether they took a different view to the Ombudsman on the likelihood of the Standards Committee applying a sanction. If the Monitoring Officer was of the view that the local Standards Committee may apply a sanction then they were able to have the investigation transferred to them for local consideration. During the year 2013/14, 16 complaints were referred to Monitoring Officers by the Ombudsman of which only 1 was called in for local investigation.
- In Denbighshire 4 complaints were received by the Ombudsman in respect of County Councillors. 2 were withdrawn and 2 were closed following initial consideration.
- 9 complaints were received in respect of Prestatyn Town Council, of which 8 were closed following initial consideration and 1 had been withdrawn.

***RESOLVED*** that the contents of the Public Services Ombudsman for Wales Annual Report 2013/14 be noted.

## **7 ATTENDANCE AT MEETINGS**

Members of the Standards Committee reported upon their attendance at meetings as follows:-

**Skills Workshop** – Councillor David Jones reported upon his attendance together with the Chair at the Skills Workshop presented by Julie Wright. The Workshop had been well presented and had been extremely informative. It was recommended that the event be held again in the future but Julie Wright would not be available as she was due to retire.

There were cost implications to running the Workshop but if the take-up was low then the Workshop would be cancelled.

**Code of Conduct** - Councillor David Jones reported upon his attendance at the Code of Conduct local investigations and hearings held at Anglesey County Council. Peter Keith Lucas had been the speaker at the event. The presentation had been very well executed and a wealth of detail had been presented regarding hearings held over the past two years in both England and Wales.

***RESOLVED** that the verbal reports from members' attending meetings be received and noted.*

## **8 DATE OF NEXT MEETING**

Members noted the Standards Committee's next meeting had been scheduled for 10.00 a.m. on Friday 17 October, 2014 in Conference Room 1a, County Hall, Ruthin.

The Deputy Monitoring Officer informed Members of the closure of Ty Nant offices in Prestatyn. As a consequence, there were no planned meetings of the Standards Committee in the north of the county.

## **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.*

## **9 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000**

The Deputy Monitoring Officer presented a confidential report (previously circulated) providing an overview of complaints against members lodged with the Public Services Ombudsman for Wales since 1 April 2012.

There were two ongoing complaints.

Regarding the first, a letter had been received from the Ombudsman with an explanation this had been the initial stage.

Regarding the second, contact from the Ombudsman had been awaited.

Members agreed it was adequate to bring to the Committee the cases covering the previous 12 months.

***RESOLVED*** that the report be received and noted.

**The meeting concluded at 11.45 a.m.**

At this juncture, a presentation was made to Margaret Medley to wish her well on her retirement from the Standards Committee. Members expressed their gratitude to her for her hard work over the years on behalf of the Standards Committee.