

Report To: Full Council

Date of Meeting: 2nd July 2019

Lead Member / Officer: Ian Trigger, Chair of Standards Committee

Report Author: Gary Williams – Monitoring Officer

Title: Standards Committee Annual Report

1. What is the report about?

This is the fourth Annual Report of Standards Committee to the Full Council and covers the calendar years 2017 and 2018. It was agreed that the Chair will present their report on this basis annually to the Full Council, in order to keep Members informed of trends; issues in respect of compliance with the Members Code of Conduct generally across the County and the work of the Committee in driving up standards of behaviour at the County level, but also at Town, City and Community levels. It was not possible to bring a report last year, therefore this report covers a two year period.

2. What is the reason for making this report?

It was agreed by Standards Committee that an Annual Report should be presented on the work of the committee and its findings and observations, to all Council Members as part of the Committee's drive to increase standards of ethical behaviour and compliance with the Members Code of Conduct.

3. What are the Recommendations?

That Members note the contents of the report.

4. Report details

- 4.1 Standards Committee's main role is to monitor adherence to the Members Code of Conduct. All members are aware that their Code is founded on principles by which Members should conduct themselves based upon the 7 Nolan Principles of Public Life. In Wales there are ten principles which are set out in Appendix 1 to this report.
- 4.2 The Standards Committee consists of the following Member types – 2 County Councillors, 4 Independent (co-opted) Members, and 1 Community Council Member (who is not also a twin hatted Member). The majority of the Members

are therefore not elected, but are recruited from members of the public as per the requirements of the standards legislation in Wales. The Committee can also only be quorate when at least half of those Members present are the Independent members.

Independent members are recruited via a public advert, which is open to all save for strict criteria in respect of not previously being an Officer or Member of the Council within certain time frames, being of good standing and having certain attributes as laid down in the legislation. Other than this the opportunity is open to persons from all walks of life, in order to represent the views of the public with regard to the standards they expect of their elected members.

4.3 During the period covered by this report the Committee met on 7 occasions. There are a number of standing items received by the Committee:

(a) Attendance at Meetings

Reports from Standards Members in respect of their attendance and observations at Committee and Council meetings whether at County or Community level. Denbighshire County Council Standards Committee has a proactive approach to raising standards and awareness of the Code of Conduct. Committee Members attend to observe conduct and general effectiveness of the meetings; will then feed back to the Committee, who may make recommendations in respect of any training needs or trends or patterns of conduct. The Committee is keen to make it clear that their approach in attending in person at meetings is to provide support and education, in order to target resources to improve standards and the public's confidence in the vital work being done at community level, on a voluntary basis, and not from any enforcement or critical angle. The Committee fully recognises the value such councils and their members add to local communities.

(b) Overview of Complaints lodged against Members with the Public Services Ombudsman for Wales (the Ombudsman).

The report is presented in a closed session and members are provided with a limited amount of detail in respect of ongoing complaints as well as those that have been turned down by the Ombudsman for investigation. Sufficient detail is provided to enable members to consider if training or other actions can be recommended to particular town, city and community councils which are experiencing issues or an increase in complaints.

There has been a general increase in the number of complaints made to the Ombudsman over the past two years. The majority of these complaints relate to complaints against members of Town, City and Community Councils and are very often brought by other members of the same council. The vast majority of these complaints have not been investigated by the Ombudsman who applies a two stage test, firstly whether there is any evidence to suggest that a breach of the Code has occurred, and secondly,

whether it is in the public interest for his office to commit resources to an investigation.

(c) Forward Work Programme.

This encourages a more strategic approach to the role of the Committee as a proactive one not just reactive to complaints.

(d) Code of Conduct Casebook.

The Ombudsman produces a quarterly summary of complaints that have been considered by his office setting out what action has been taken in respect of the complaints, and where relevant, the sanction imposed.

- 4.4 The Committee has considered a number of other matters during this reporting period. These include the consideration of applications for dispensations by members of Bodelwyddan Town Council and Llanbedr Dyffryn Clwyd Community Council in order that they may take part in debates on matters of importance to their communities. The Committee has also reviewed its procedures for the granting of dispensations and introduced a standard application form.

The Committee has also reviewed the training materials used in training elected members on the Code of Conduct following the production of a training pack by WLGA. In addition the Committee has reviewed the Council's Local Resolution Procedures for dealing with low level member on member complaints at County Council.

The Committee has considered the Council's Social Media Guidance insofar as it relates to the conduct of elected members. Social media is increasingly becoming a source of complaint by the public and elected members in respect of the conduct of members.

During this reporting period the Committee has also received reports on the Sanctions Guidance produced by the Adjudication Panel for Wales, and as a result, has amended the Council's Hearing Procedures for dealing with complaints referred to the Standards Committee by the Ombudsman following his investigation of a complaint.

- 4.5 During this period there have been two meetings of the North Wales Standards Committee Forum (the Forum). The Forum was comprised of the Chairs and Vice-Chairs of the Standards Committees of each of the 6 North Wales Councils together with the Snowdonia National Park and the North Wales Fire and Rescue Service. The Forum meets to discuss common interests and the Ombudsman attends occasionally. Ceridigion and Powys & Mid-West Fire and Rescue Authority have now joined the forum.

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

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?

There are no implications for other services as a result of this report. .

7. What consultations have been carried out?

No consultations have been carried out save that Standards Committee has been consulted on the content.

8. Chief Finance Officer Statement

Not required.

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

There are no identified risks.

10. Power to make the Decision

The Local Government Act 2000; the Standards Committee (Wales) Regulations 2001 and the Standards Committee (Wales) (Amendment) Regulations 2006.