

# Public Document Pack

## STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Council Chamber, County Hall, Ruthin and by video conference on Friday, 13 September 2024 at 10.00 am.

### PRESENT

Independent Members – Julia Hughes (Chair), Peter Lamb and Samuel Jones.

Community Council representative Gordon Hughes

County Councillors Bobby Feeley and Jon Harland

### ALSO PRESENT

Monitoring Officer (GW), Deputy Monitoring Officer (SH), Trainee Solicitor (EC), Zoom Host (SW) and Committee Administrator (NH).

#### 1 APOLOGIES

Apologies for absence were received from Independent Member Anne Mellor.

#### 2 DECLARATIONS OF INTEREST

Independent Member, Julia Hughes (Chair) declared a personal interest in Item 5 (Public Service Ombudsman for Wales – “Our Findings”) as she was a member of Flintshire County Council’s Standards Committee.

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

No items of an urgent nature had been raised with the Chair prior to the commencement of the meeting.

#### 4 MINUTES OF THE LAST MEETING

The minutes of the Standards Committee meeting held on the 26 July 2024 were submitted.

#### Accuracy –

Page 7 (item 2) – should state Independent Member, Julia Hughes (Chair) declared a personal interest in Item 5 (Public Service Ombudsman for Wales – “Our Findings”) report as she was a member of Flintshire County Council’s Standards Committee and not a member of the Adjudication Panel for Wales as stated in the minutes.

Page 8 – (item 4) – should read the Monitoring Officer would report back to the Standards Committee at the next meeting and not Standards Committee as stated in the minutes.

Page 9 – (item 5) – should read ‘as the Chair was a member of Flintshire County Council Standards Committee’ and not a member of the Adjudication Panel for Wales as stated in the minutes.

Page 10 – (item 6) - should read that there were difficulties in hearing Councillors who attended remotely however, there was the option of deciding where to sit and there was also the offer to sit around the meeting table.

Page 11 – (item 6) - should include the Monitoring Officer sends written feedback to City, Town and Community meetings attended by Standards Committee members.

Page 11 – (item 8) - should state the new President of the Adjudication Panel for Wales was Eleri Tudor.

Page 11 – (item 8) – should state one of the six North Wales Monitoring Officers would attend a meeting and the feedback to other North Wales Monitoring Officers

Page 12 – (item 8) - should read the PSOW raised questions about the political bias and not the PSOW was keen to establish no political bias as stated in the minutes.

Page 12 – (item 8) – should read ‘The Monitoring Officer agreed to circulate the terms of reference and a copy of the Local Resolution Procedure’.

Page 14 – The conclusion of the meeting by the Chair should include thanks given to the translator present at the meeting.

#### Matter arising –

Page 8 – Social Media Etiquette in Council workshops – The Monitoring Officer stated that the Democratic Services manager had been working on the Council Workshop timetable for the coming 12 months and social media would be included.

Page 9 – Background Papers – The Monitoring Officer stated that it had been agreed that any references to background papers should contain a link in the body of the report or can be attached as an appendix to the report.

Page 10 – Councils for Independent members to visit (allocation reset) – The Monitoring Officer stated that he was still awaiting a response on this and would provide the committee with a response once received.

Page 10 – City, Town and Community Council new or inexperienced Clerks – The monitoring Officer stated that he had asked for a list to be circulated to all members and he would follow this up after the meeting.

Page 12 – Letter to previous Deputy Monitoring Officer – The Monitoring Officer informed the Committee that the letter had been drafted and requested the Chair sign the letter following the meeting.

Page 12 – (item 8) - The Circulation of the PSOW Terms of Reference – The monitoring Officer apologised and stated that this would be circulated.

It was:

***RESOLVED:*** *that subject to the above, the minutes of the meeting held on the 26 July 2024 be received and approved as a true and correct record of the proceedings*

## **5 PUBLIC SERVICES OMBUDSMAN FOR WALES - 'OUR FINDINGS'**

The Trainee Solicitor, Elinor Cartwright, introduced the Public Services Ombudsman for Wales (PSOW): Our Findings report (previously circulated).

The report covered the period from 15<sup>th</sup> July 2024– 27 August 2024.

None of the cases within the report referred to a Councillor within Denbighshire County Council.

Members of the Standards Committee recalled that the Ombudsman had previously published a 'Code of Conduct Casebook' (the casebook) on a quarterly basis which set out a short summary of matters which had been investigated by the Ombudsman and the outcome that had resulted from that investigation.

The Casebook was regarded as a useful tool in giving elected members, the public and the Standards Committees an insight into the types of complaints that were being investigated and the results of those investigations.

The Ombudsman had now ceased the publication of the Casebook and instead created an 'Our Findings' section on her website.

There were no complaints published within the 'Our Findings' section of the Ombudsman's website during the above time period.

The report also covered the period in which decisions had been made by the Adjudication Panel for Wales (APW). The APW dealt with references by the Ombudsman and appeals against Standards Committee decisions. The 'Decisions' section of the APW's website contained a summary of those decisions since April 2024. Since April 2024 there had been two decisions made to the APW in relation to references from the Ombudsman, there were no complaints against Standards Committee decisions.

Appendix 1 contained the relevant extracts from the Decisions Page. None of the cases related to a Councillor within Denbighshire County Council.

The Trainee Solicitor guided members through the two decisions raised by the Ombudsman clarifying the Tribunal Decision.

The Chair gave her thanks for the report.

The Monitoring Officer extended his thanks for the report and for the inclusion of the APW decisions which gave important detail to the Committee.

Members discussed a sanction that had been given to a Councillor by a neighbouring Council's Standards Committee. Members commented that the sanction given had the risk of giving the impression to the public that the behaviour of the Councillor was not serious enough to warrant a more severe sanction. The Monitoring Officer stated that he would raise the Committee's concerns with fellow Colleague Monitoring Officers and feedback to the Committee once a response was received.

**RESOLVED:** that –

- A. *the Monitoring Officer discusses with colleague Monitoring Officers, the concerns expressed by the Standards Committee about the apparent inconsistency in sanctions and*
- B. *the Standards Committee notes the contents of the Public Services Ombudsman for Wales – 'Our Findings' Report*

**Actions –**

The Monitoring Officer to raise the Committees Concerns with Colleague Monitor Officers and feedback to the Committee once a response was received.

## **6 ATTENDANCE AT MEETINGS**

Independent Member, Peter Lamb reported on the meeting of Full Council of Prestatyn Town Council held on the 11 September 2024.

Overall, the meeting was well co-ordinated but with periods of confusion, particularly during review of grant applications. On a number of occasions members were confused with what had been proposed, what they were voting for and the outcome of the vote. There was also confusion as to how to resolve the issue once a vote had occurred.

Throughout the meeting various paper handouts were provided, it was not clarified if those attending the meeting online already had copies of the handouts or that they were additional papers to those included in the agenda. The public in attendance were not offered copies of the papers; nor was there an explanation as to what the papers were related to.

During the Planning item on the agenda, a Councillor stated that they were a neighbour to the property in concern however, no formal declaration of interest was clarified or submitted.

Generally, the meeting achieved its goals, followed the agenda and most conversation was addressed through the Chair. Everyone was respectful of each other with no indication of animosity between members. Proceedings at times went

slightly adrift however, the attending public showed little concern about this. All attendees at the meeting were friendly and welcoming.

**RESOLVED:** *that the Standards Committee note the attendance at meetings update.*

## **7 DISPENSATION REQUESTS**

No dispensation requests had been received.

## **8 TERMS OF OFFICE OF STANDARDS COMMITTEE MEMBERS**

The Monitoring Officer introduced a report on the Terms of Office of Independent Standards Committee Members (previously circulated).

The Standards Committees (Wales) Regulations 2001, as amended, provided for the composition of Standards Committees and the Terms of Office of Independent Members.

A Standards Committee must have no less than five and no more than 9 members. It must have at least one member who represents Town, City and Community Councils, elected members of the County Council and Independent members. The majority of the Committee must be Independent Members.

Denbighshire's Standards Committee had seven members including four Independent members, two County Councillors and one Community Council representative member.

Independent members may be appointed for an initial term and could be reappointed for one consecutive additional term. Independent members must stand down after their second term. Of the Independent members on the Committee, three were in their second year of office. Two of those terms of office, namely those of the Chair and Vice-Chair were due to end in May 2025 and one, that of Peter Lamb, was due to end in May 2026.

Given that the Chair and Vice-Chair's terms of office was due to end in May 2025, the Standards Committee were asked to consider the recruitment process for new Independent members of the Committee. The process was prescribed by law. There must be a public advertisement, following which, there must be a recruitment panel consisting of no more than five members, one of which should be a member of the public. Earlier this year (2024), Council approved the composition of the Recruitment Panel to consist of a member of the public, the two County Councillor members of the Committee, the Community Council representative on the Committee and the Chair of the Committee. The Standards Committee was asked to consider the timing of the commencement of the recruitment process.

The Chair thanked the Monitoring Officer for his report.

Members questioned if the advertisement would include reference to the Welsh Language. The Monitoring Officer explained that the Welsh language could not be made an essential requirement for the role however, it would be noted as being desirable, the advertisement would also be bilingual.

Members discussed that it would be beneficial for newly recruited members to attend meetings to observe the proceedings and complete their mandatory training as soon as possible to avoid any disruption to the Committee's forward work programme.

**RESOLVED:** *that the Committee notes the contents of the report and confirms the requirements for the recruitment of new Independent members.*

## **9 CODE OF CONDUCT TRAINING - OVERVIEW OF DELIVERY FOR COUNTY AND TOWN, CITY AND COMMUNITY COUNCILS**

The Monitoring Officer guided members through a report regarding Code of Conduct Training for County and Town and City and Community Councils.

Appendix 1 attached to the report (previously circulated) set out the dates and attendance levels of the Code of Conduct training events that had been held since the last local government elections in May 2022. While the attendance of County Councillors had been excellent, there were disappointing levels of attendance at the various events held for City, Town and Community Councils. This did not mean that members of City, Town and Community Councils had not been trained. Many Councils were members of One Voice Wales who offered training opportunities, and they may well have availed themselves in those services.

The Monitoring Officer had however, received approaches from City, Town and Community Councils for training events for their members and they had been informed that dates would be arranged in the Autumn of 2024 for further training sessions.

The Monitoring Officer would also be offering a date(s) to clerks for them to attend training specifically for their role.

The Chair thanked the Monitoring Officer for the report and questions were welcomed from members.

Members questioned if training sessions would be delivered bilingually. The Monitoring Officer explained that he would contact the finance department to ascertain if there would be any funding available for translation facilities in some sessions.

**RESOLVED:** *that the Standards Committee note the Code of Conduct Training – Overview of Delivery for City, Town and Community Councils.*

**Actions –**

The Monitoring Officer to contact the finance department regarding funding for translation facilities in some training sessions.

## **10 STANDARDS COMMITTEE FORWARD WORK PROGRAMME**

The Standards Committee Forward Work Programme was present for consideration and members noted and agreed the following –

The Monitoring Officer would look into Policies and Procedures that the Standards Committee would need to review and include them on the forward work programme at that time.

Recruitment of new Independent Members to the Standards Committee was to be added provisionally to the forward work programme for the Committee's 6 December meeting.

The Committee's forward work programme to for the 6 December to be amended to state the Draft Annual Standards Committee Report and not the Draft Annual Standards Report as currently stated.

The inclusion of APW to be included as part of the standing item Public Services Ombudsman for Wales 'Our Findings'.

The Public Ombudsman Review of Local Resolution Processes was to be added to the forward work programme under 'Future items to be Considered'.

***RESOLVED:*** that subject to the above, the Standards Committee Forward Work Programme be agreed.

### **Actions –**

The Monitoring Officer to look into Policies and Procedures that the Standards Committee would need to review and include them on the forward work programme at that time.

## **11 DATE OF NEXT MEETING**

The next meeting of the Standards Committee is to take place on 6 December 2024 at 10.00 a.m.

### **EXCLUSION FROM 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 items of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 12 and 13 of Part 4 of Schedule 12A of the Local Government Act 1972.

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

The Monitoring Officer submitted a confidential report (previously circulated) providing an overview of complaints against members lodged with the Public Services Ombudsman for Wales (PSOW) since 1 April 2023.

There had been no new complaints notified to the Monitoring officer since the last meeting of the Standards Committee.

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

## **13 GROUP LEADERS REPORTS**

The Chair introduced the Group Leaders Reports that had been previously circulated to members.

The Monitoring Officer stated that he had received four out of five Group Leader reports, this was due to one report currently being retrieved from the system. The responses received on the reports outlined similar processes within each group, mainly details of its members and the training members had enrolled on. Each of the reports received were briefly discussed.

The Chair highlighted the need for further information regarding what each Group Leader had individually done, for example had any Group Leader needed to mentor any of their members and what discussions occurred within regular meetings of each group. It was resolved that this information would be gathered when the Standards Committee meet with Group Leaders at a future meeting. The Monitoring Officer stated that he would circulate several potential dates for the meeting to members.

To conclude the discussion, it was noted by the Committee that Group Leaders were very compliant with submitting their reports and engaging with the process.

**RESOLVED:** *that, subject to the above the Group Leaders Reports be received and noted.*

### **Actions –**

The Monitoring Officer to circulate potential dates for the Group Leaders meeting to be held to the Committee.

The Chair thanked members for their attendance and contributions and conveyed her thanks to the Committee Administrators and Translator in attendance at the meeting.

Meeting concluded at 1pm