

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held in Conference Room, Ty Nant, Prestatyn on Friday, 11 January 2013 at 10.00 am.

PRESENT

Independent Members Ms Margaret Medley, Rev Wayne Roberts and Mr Ian Trigger (Chair), Community Councillor David Jones, and County Councillors Bill Cowie and Colin Hughes

ALSO PRESENT

Deputy Monitoring Officer (LJ) and Democratic Services Officer (RH)

1 APOLOGIES

Apologies had been received from Mrs Paula White and the Monitoring Officer, Gary Williams.

The Chair welcomed everybody to the meeting and wished everyone a happy new year.

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 the Standards Committee meeting held on Friday 30th November 2012 were submitted and approved as an accurate record. The committee wished to commend the minute clerk for producing an accurate and comprehensive account of the meeting.

***RESOLVED** that the minutes of the meeting held on 30th November 2012 were a true and accurate record.*

5 ATTENDANCE AT MEETINGS

Members of the committee were invited to feedback from the county, town and community council meetings that they had recently attended and members took the opportunity to offer a summary of how effectively their respective community councils operated.

Councillor Bill Cowie said that he was a member of St Asaph City Council and mentioned that the meetings were always very well run, with an excellent clerk. Councillor Colin Hughes noted that Henllan Community Council meetings were good, friendly and business-like, and that Denbigh Town Council meetings consisted of excellent debate and also had a very good clerk. Councillor David Jones said that the members of Llanferres Community Council were all friends but that the meetings were well structured and operated effectively, and that there were usually two or three members of the public in attendance. Councillors Cowie and Hughes noted that public participation in County Council meetings was infrequent, with public attendance usually relating directly to specific issues, particularly those considered by the Planning Committee.

The Deputy Monitoring Officer (DMO) was positive about developing links with town and community councils and the committee suggested that they would be willing to visit other community councils in the local area if a full list of meetings and the relevant clerks' contact details were provided. Members of the committee were reminded of the importance of using their discretion if they witnessed incidents at such meetings that would potentially give rise to code of conduct challenges.

The DMO advised the committee that quotes were being obtained for training in chairing skills to be made available to members of town and community councils. This was well received by the committee and the importance of training in raising standards in public meetings was emphasised.

RESOLVED that

i) the feedback submitted from recent meetings was noted; and

ii) a list of all town and community council meetings for the calendar year, and the contact details for the clerks for every town and community council, are to be circulated to members of the committee.

6 CODE OF CONDUCT TRAINING

The DMO presented a report (circulated prior to the meeting) which gave an overview of the training delivered to county, town and community councils on the Code of Conduct since the local elections in May 2012. The Standards Committee had previously emphasised the importance of providing a comprehensive and accessible training programme on the Code of Conduct and the Monitoring Officer and Deputy Monitoring Officer had arranged events to deliver training at a number of venues, both during the day and the evening.

The DMO noted that the Code of Conduct had been amended to make this training mandatory for Denbighshire County Councillors and of the 47 councillors elected last May, 45 had attended at least one of the training sessions. Some of the town and community councils had also decided to make the training mandatory and 99 of the 349 eligible town and community councillors had attended training sessions. This level of attendance was considered to be quite good in comparison with the rest of Wales, but the Committee agreed that opportunities for improving attendance should be explored.

It was noted that the statistics did not include training provided independently by town and community council clerks, through One Voice Wales - the national representative body for town and community councils in Wales, or by the North Wales Association of Town and Larger Community Councils. The committee asked if these figures could be provided at their next meeting so that a fuller picture could be established. Councillor Jones had attended the training offered by One Voice Wales and considered it to be very good. The DMO added that the training offered by One Voice Wales was similar to that offered by Denbighshire and that it had been well received, but pointed out that their training was not always delivered by a legally qualified officer.

The Chair requested that the DMO write to the clerks of town and community councils on behalf of the Standards Committee to offer a reminder of the value and availability of the training offered by the Council.

The prospect of video recorded training sessions being provided to town and community councils was discussed as an option for allowing greater flexibility in training but the committee agreed that this would not be satisfactory and face-to-face training events were considered to be far more effective.

The Chair congratulated the Monitoring Officer and the Deputy Monitoring Officer for their hard work in developing and delivering the training programme and expressed the Standards Committee's appreciation.

RESOLVED that the Standards Committee

- i) note the progress made in delivering Code of Conduct training;*
- ii) agree that a further training session on the Code of Conduct should be made available to county councillors (including co-opted members), with a clear message to be sent to those who have not yet attended training reminding them of their obligations;*
- iii) agree to write to One Voice Wales requesting attendance details for Denbighshire town and community councillors at their training sessions; and*
- iv) agree to write to the clerks of the town and community councils in Denbighshire to remind councillors of the availability of training and the importance of the training in supporting strong governance.*

7 NORTH WALES STANDARDS COMMITTEES FORUM

The DMO gave a verbal report of the matters discussed at the North Wales Standards Committees Forum held on 7th January, which she attended along with the Chair and Vice-Chair.

The DMO explained that the first part of the meeting had focused on the provision of governance and ethical advice for town and community councils by local authorities. The jurisdiction of local authority monitoring officers was stated as not

extending to giving legal advice to town and community councils, but DCC officers offered informal guidance on issues concerning standing orders and procedures on a reasonably regular basis. This was considered to be a positive way of developing links with community councils and the advice had been well received, so the Monitoring Officer was keen for this to continue. Councillor Bill Cowie confirmed that the quality of advice given to St Asaph City Council was very good. The Council's Standards Committee was also recognised as having an effective role in promoting ethics in the work of the county, town and community councils.

The forum had then received a presentation from Dilys Phillips, the Monitoring Officer for Gwynedd Council, in which she explained the significance that the decision in *Calver v The Adjudication Panel for Wales* [2012] would have for Standards Committees in interpreting the requirements of the Code of Conduct in the context of the right to freedom of expression, protected by the Human Rights Act 1998. The forum was advised that the Ombudsman had raised the threshold of acceptable comment when considering the merits of commencing an investigation in to complaints made between members.

The committee were notified that the Standards Conference Wales 2013 would take place on 19th April at Venue Cymru in Llandudno, which would include a number of workshops on matters such as self-regulating protocols, and would be attended by the Public Services Ombudsman for Wales, Peter Tyndall. There would be capacity for four representatives of each Standards Committee across Wales and the committee agreed that the Chair, Vice-Chair and Councillor David Jones would attend, and that Mrs Paula White would be contacted to see if she was interested in attending.

The Chair reported that he had suggested to the forum that options could be explored to raise the profile of the Standards Conference Wales, such as inviting senior figures in Welsh politics to the conference.

RESOLVED that the Standards Committee

i) note the developments reported from the North Wales Standards Committee Forum; and

ii) nominate Councillor David Jones, Rev Wayne Roberts, Mr Ian Trigger and Mrs Paula White to attend the Standards Conference Wales 2013, subject to Mrs Paula White confirming her availability.

8 DATE OF NEXT MEETING

Members noted that the Standards Committee's next meeting had been scheduled for 10.00 a.m. on Friday 22nd February 2013, to take place in Conference Room 1a, County Hall, Ruthin.

9 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000

The DMO introduced a confidential report, prepared by the Monitoring Officer and circulated prior to the meeting, which provided an overview of complaints against

members lodged with the Public Services Ombudsman for Wales since 1st April 2012. There had been no developments since the previous update report was submitted at the Standards Committee meeting before Christmas and the committee discussed factors causing a delay in one case.

The DMO reported that there had been a downward trend in the number of on-going cases, with 3 cases currently subject to investigation by the Public Services Ombudsman for Wales, down from approximately 20-30 at the same time last year.

The Chair questioned whether it was usual for investigations to take over 12 months, and the DMO explained that the large amount of work necessary for each investigation had created a backlog that the Ombudsman had acknowledged needed to be addressed.

RESOLVED that report be received and noted

The Chair took the opportunity to thank the members of the committee and the officers for their attendance.

The meeting concluded at 11.30 a.m.