

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE, HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 4TH APRIL 2012.

PRESENT: Mrs H. Rhydderch-Roberts (Chair)

Mrs J. Evans, Mrs M. Harris, Mrs S. Jarman, Mr R. Miller. County Councillors K.W. Curry, and M.D. Hodges.

Observers: Community Councillors Ms C. Evans, H. Evans and Revd A. Jevons.

Officers in Attendance: C. Meredith (Strategic Director – Law and Governance), G. Petty (Strategic Director – Finance and Infrastructure), Ms J. Kealey (Head of Legal, Scrutiny and Democratic Services), Ms S. Tamboo (Solicitor – Corporate), W. Richards (Scrutiny Manager) and Mrs E Patterson (Scrutiny Officer).

1.	ELECTION OF CHAIR	S6 - 2012
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RESOLVED that Mrs Rhydderch-Roberts be elected Chair for the remainder of her term of office until 13th May 2015.

2.	APOLOGIES	S7 - 2012
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Apologies for absence were received from County Councillor F. Barker and Miss V.E. Evans.

3.	MINUTES	S8 - 2012
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The Chair was authorised to sign the minutes of the previous meeting held on 1st February 2012 as a correct record subject to the amendment of the number of each minute to read 2012.

4.	DECLARATIONS OF INTEREST	S9 - 2012
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There were no declarations of interests from Members.

5.	REPORT OF THE STRATEGIC DIRECTOR – LAW AND GOVERNANCE	S10 - 2012
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The Committee received the report of the Strategic Director – Law and Governance. (Copy filed with signed minutes)

A. General Training for Members.

A1. Training of County Council Members – Member Development Strategy / Programme.

The minutes of the Member Development Working Group of 17th February 2012 were circulated for information. It was confirmed that training on Chairing meetings would be made available to all Members.

B. Referral of Councillors to the Public Services Ombudsman.

The following notifications had been received from the Ombudsman since the last meeting:-

New complaint - 1/12/CC – Ombudsman will not investigate

New complaint – 2/12/CC – Ombudsman yet to decide whether to investigate

The Strategic Director – Law and Governance confirmed that he was involved in a working group looking at the potential for introducing local resolution of ethical issues which the Ombudsman was keen to progress.

C. Other Standards Issues

C1 Social Networking

The Political Group leaders were considering this policy and the Member Development Working Group would consider their comments before drafting a final report for adoption by the Council.

D. Minutes of meetings

D1 Meeting of Chairs and Vice-Chairs of Scrutiny, Audit and the Standards Committee

A summary of the recent work of the Joint Chairs was appended to the report. It would be recommended to Council that the Joint Chairs meeting be convened in future as the Joint Chairs Steering Group which would comprise of the Chairs and Vice-Chairs of the two proposed scrutiny committees and the Audit Committee.

E. Dispensations

No applications for dispensation had been received.

F. Renewable Energy Issues.

The Committee noted the additional responses which had been received since the last meeting. It was disappointing that not all Members had responded but it was considered that with only 4 weeks until the County Council elections there would be little benefit in pursuing this further at this time.. It was noted that it would be necessary to consider blanket dispensations relating to this issue and the schools modernisation issue shortly after the elections.

G. Independent Remuneration Panel – Care Allowances.

The Strategic Director – Law and Governance and the Strategic Director – Finance and Infrastructure tabled a paper regarding the payment of Care Allowances (copy filed with signed minutes). The meeting adjourned for half an hour to enable Members to consider the paper.

The Committee was reminded of the background to this matter and supplied with copies of previous minutes and the original report together with a letter from a councillor sent to the former chair outlining his concerns including those around the

fact that during 2010/11 the monthly ceiling figure of £403 had been exceeded; that receipts were not being supplied for every claim and that claims more than 2 months old had been paid.

The Independent Remuneration Panel (IRP) in a response last September had stated that

“They agreed that the cost of care allowances may vary across the months of the year and it was not their intention to penalise those with variable monthly costs. They will consider annualising the allowance in the final version of the report“

However their report produced in December 2011 for 2012/13 continued to stipulate a monthly figure for care allowances and made no reference to an annual sum. As to why they had not decided to annualise the care allowance for 2012/13 their recent reply was

“The Panel's determination not to annualise the care allowance was because they feel it is in keeping with public acceptability, probity and transparency. Also, in their view the process would be less open to abuse by reimbursement on a monthly basis. Care allowance should be seen as a contribution towards the cost of care subject to the production of receipts, to better enable councillors to do their work.

The committee noted that the overpayments during 2010/11 were, as previously reported, restricted to one member with two monthly claims. The total claimed by that member for the whole of 2010/11 was considerably less than the total potentially claimable at the rate of £403 per month for that 12 months. One of these two claims had been supported by receipts.

The committee were supplied with the responses received from other Welsh authorities which indicated that there was some support for annualising the care allowance.

RESOLVED	Reason for Resolution
<p>(i) That the Chair of the Standards Committee write to the IRP expressing the concerns of the Standards Committee that the care allowance was not being converted into an annual allowance and asking the IRP to reconsider annualising the Care Allowance</p>	<p>To bring the care allowance into line with other allowances such as the mileage allowance, to reflect the varied time commitments and caring commitments of Members over the year and to help address the democratic deficit.</p>
<p>(ii) To re-affirm their previous decision and recommend that the council should not seek reimbursement from the councillor in respect of the two payments which exceeded</p>	<p>There was no evidence that the member had acted improperly; that the problem was due in no small measure to the uncertainties that existed at the time as to the annualised position of this</p>

<p>the monthly limit of £403 during 2010/11</p>	<p>allowance; that the two sums were relatively small and the total claimed during the relevant 12 month period by the member was significantly below the total that was potentially claimable.</p>
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This resolution was passed with 6 votes in favour and one vote against.

The Committee noted that the 2 month time limit for submitting care allowance claims was not a requirement of the IRP but of the council in its allowances scheme which stipulated that such claims should only be paid if authorised by the Standards Committee. The Committee endorsed this requirement in the council's allowances scheme as this assisted budgetary control and remained content with its decision at the November meeting to sanction the payment of late claims during 2010/11 by two members.

The Strategic Directors confirmed that in line with the present stance of the IRP and the views of the Committee the care allowance scheme going forward would be operated strictly on the monthly ceiling basis; that receipts would always be required and claims over 2 months old would be submitted to the Standards Committee for determination.

H. Meeting Dates

The following dates for the Standards Committee were confirmed:

4th July, 2012
5th September, 2012
5th December, 2012

The Chair advised that she would agree a date for the Standards Committee to meet early in the new Council year to consider blanket dispensations.

<p>6.</p>	<p>SUCH OTHER ITEMS OF BUSINESS AS IN THE OPINION OF THE CHAIRMAN ARE OF SUCH URGENCY TO WARRANT CONSIDERATION</p>	<p>S11 - 2012</p>
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No issues were raised.

**Mrs H Rhydderch-Roberts
Chair**