

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE, HELD AT COUNTY HALL, LLANDRINDOD WELLS ON WEDNESDAY 5th FEBRUARY 2014.

PRESENT: Mrs H. Rhydderch-Roberts (Chair)
Mrs J. Evans, Mrs M. Harris, Mrs S. Jarman, Mr R. Miller, County Councillors S. Hayes, Mrs M, Mackenzie, P. Medicott and G. Williams.

Observers: Community Councillors Ms C. Evans, H. Patrick, D. Pugh.

Officers in Attendance: C. Pinney (Solicitor to the Council), W. Richards (Scrutiny Manager and Interim Head of Democratic Services), Ms S. Tamboo (Solicitor – Corporate) and Mrs E Patterson (Scrutiny Officer).

1.	APOLOGIES	S1 – 2014
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There were no apologies for absence.

2.	MINUTES	S2 – 2014
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The Chair was authorised to sign the minutes of the previous meeting held 6th November 2013 as a correct record subject to the following amendment

To include Cllr G. Williams as having declared a personal and prejudicial interest in the items on Single Farm Payment (Item D2.1 Section 4) as he is in receipt of the payment and the 'Bedroom Tax' (Spare Room Subsidy) (Item D.1.3 Section 4) as he is a private landlord.

3.	DECLARATIONS OF INTEREST	S3 – 2014
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No declarations of interest were received.

4.	REPORT OF THE SOLICITOR TO THE COUNCIL	S4 – 2014
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The Committee received the report of the Solicitor to the Council. (Copy filed with signed minutes)

A General Standards Issues for County Councillors and Co-opted Members

A1 Code of Conduct Training

All County Councillors and Co-opted Members have now received training on the Members' Code of Conduct. However, for two vacancies have arisen for Co-opted Members of the People Scrutiny Committee and training for these Members will be arranged once they have been appointed.

A2 Member Development

- Mandatory training should be kept to a minimum

- Consideration should be given to using Governor training on Child Protection when Members are unable to attend the date for Member training on this issue
- The use of training sessions in neighbouring authorities should be considered for those Members unable to attend Powys County Council training where appropriate
- The training programme for new Councillors should be programmed in time to allow details to be included in candidate packs
- Consideration should be given to offering online training
- Different levels of attendance would be expected from different training offered – potentially:
 - Mandatory – 100%
 - Recommended – 80%
 - Offered – at Members discretion

The levels of expected attendance needed further consideration including how closely it should match the level of attendance expected by Members monitored by Standards Committee (currently 60%)

- Attendance at afternoon sessions could be encouraged by defining the morning and afternoon sessions separately and calculating attendance accordingly
- Attendance would be monitored by Standards Committee
- Potential mandatory training
 - Code of Conduct
 - Data Control
 - Corporate Parenting
 - Treasury Management (1 of 2 per annum)
- It was suggested that Members would not be able to sit on committees until they had undertaken the Code of Conduct training

Recommended that the Member Development Working Group consider the comments and bring a further report to Standards Committee to include categories of training and attendance levels.

B Referral of Councillors to Public Services Ombudsman

B1 County Councillor Referrals

- B1.1** The Ombudsman has concluded investigating complaint Ref 1/13/CC and has determined that there was no evidence to suggest a breach of the code of conduct had occurred.

Ref 6/13CC - the Ombudsman has concluded that there was no evidence that the Member had failed to comply with the Code of Conduct.

C Other Standards Issues

C1.1 Local Resolution Panels

Deferred to the next meeting.

D Dispensations

D1.1 Applications - County Councillors

County Councillor Huw Williams attended to speak in support of his application for dispensation to attend a meeting, speak, seek to influence a decision, make written representations and make oral representations on matters relating to the proposed changes to ALN (Additional Learning Needs) provision for primary age children across Powys.

County Councillor Williams has a personal and pecuniary interest as his wife is a support worker in the ASD Unit at Bro Tawe Primary School. Councillor Williams is also a LEA Governor at Ysgol Golwg y Cwm in his ward which also has ALN units.

Under the proposed changes to ALN provision it is intended to close all the ALN units in the 14 schools which have centres and provide support for pupils in mainstream schools across Powys. This is intended to improve equality of provision for all including for the 67 primary schools in Powys which do not have specialist centres.

It was proposed and seconded that Cllr Williams be granted a dispensation to speak on matters relating to ALN provision for primary schools across Powys. This motion failed and it was

RESOLVED THAT:	REASON FOR RESOLUTION
<p>i) a dispensation not be granted to Councillor Huw Williams in relation to his personal and pecuniary interest in the consultation on ALN provision for primary age children across Powys.</p>	<p>i) that the nature of Councillor Williams' interest is such that under 10 (2) (c) (i) (b) a decision on the matter might reasonably be regarded as affecting his well-being or financial position, or that of a person with whom he lives, to a greater extent than the majority of in all other cases, other council tax payers, rate payers or inhabitants of the authority's area.</p>

E Late payment of expenses

No applications for late payment of expenses have been received.

F Member Attendance

The Committee received a letter from County Councillor Russell George outlining the reasons for his attendance being below 60% were due to work commitments outside of his council duties.

The Committee expressed disappointment that little detail had been provided regarding the particular meetings missed. It was noted that the change of day of meeting of County Council from Thursday to Wednesday would mean Councillor George would find it harder to adhere the attendance level but were of the view that elected members should make every effort to attend meetings of the body to which they were elected.

RESOLVED:

That the Chair write to Councillor George regarding his attendance.

G Indemnity Cap

The minimum level that can be set under the County Council insurance policy has been confirmed as £50,000.

Recommended to County Council:

That a cap on indemnity claims be set for Powys County Council at £50,000.

H Membership of Standards Committee

The process for appointing an Independent (Lay) Member to replace Mrs Harris has commenced with other 100 expressions of interest made to date.

The Appointment Panel consists of the following representatives:

Independent (Lay) Member	High Sheriff Mr Bernard Harris
Chair of Standards Committee	Independent Member Mrs Helen Rhydderch-Roberts
Vice Chair of Standards Committee	Mr Ralph Miller
County Council Representative from Standards Committee	To be appointed
Community Councillor Representative from Standards Sub-Committee	To be appointed

Resolved that County Councillor Mrs M. Mackenzie be appointed as County Council Representative to the Appointments Panel with County Councillor S. Hayes as a reserve.

I Constitution

The following comments on the proposed changes to the constitution were made:

Section 18

- Check numbering
- Check formatting
- Clarify the wording in the following sections:
 - 11 Public Behaviour

- 23.1 Powers of the Standards Committee
- 23.2 Powers of the Standards Committee
- Change 'formerly' to 'formally' in section 24.7.1
- Clarify the wording in section 17.3 to show that the Ombudsman sends a report to the Monitoring Officer and it is the Monitoring Officer who shares it with the Standards Committee

Part 4

- Paragraph 17 Register of Members Interests – include the current value specified by the authority above which it is necessary to provide written notification of receipt.

The comments would be considered by the Constitution Working Group. The draft Constitution would be considered by the Democratic Services Committee before being taken to Full Council for approval.

J Ombudsman's Case Book

The Committee requested further details around cases regarding what is acceptable behaviour in the political arena compared to acceptable behaviour on a personal level.

K Meeting Dates

The following dates for the Standards Committee were confirmed:

9th April 2014
25th June 2014
3rd September 2014
3rd December 2014

All meetings to commence at 10.00am with the option of training available afterwards.

**Mrs H Rhydderch-Roberts
Chair**