

Standards Committee

Meeting Venue
**Committee Room A - County Hall,
Llandrindod Wells, Powys**

Meeting date
Wednesday, 5 October 2016

Meeting time
10.00 am

For further information please contact
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County Hall
Llandrindod Wells
Powys
LD1 5LG

Issue Date
29/09/2016

AGENDA

1.	MINUTES	S14-2016
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To authorise the Chair to sign the minutes of the previous meeting(s) of the Committee held on the following dates(s) as a correct record.

(Pages 3 - 8)

2.	APOLOGIES	S15-2016
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To receive apologies for absence.

3.	DECLARATIONS OF INTEREST	S16-2016
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To receive any declarations of interest from Members relating to items to be considered on the agenda.

4.	REPORT OF THE SOLICITOR TO THE COUNCIL	S17-2016
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To receive the report of the Solicitor to the Council.

(Pages 9 - 12)

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT
COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON
WEDNESDAY, 29 JUNE 2016**

PRESENT

Independent Member Mrs H Rhydderch-Roberts (Chair)

Independent Members: Mrs C Jackson, Mrs J Evans, Mr S Hays, Mrs S Jarman,
P J Medlicott, K M Roberts-Jones, K S Silk and G I S Williams

1.	APOLOGIES	S21-2016
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No apologies for absence were received.

2.	MINUTES	S22-2016
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The Chair was authorised to sign the minutes of the meeting held on 24th February 2016 subject to the following amendments:

PRESENT

Independent Member H Rhydderch-Roberts (Chair)

Independent Members: J Evans, S Hays, C Jackson, S Jarman

County Councillors M Mackenzie, P Medlicott and K Roberts-Jones

County Councillor referrals

01/16/CC *Not investigating*

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Independent Member H Rhydderch-Roberts (Chair)

3.	DECLARATIONS OF INTEREST	S23-2016
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A declaration of interest was received from Independent Member C Jackson with regard to item E1 Member Attendance. Ms Jackson is a friend of Cllr G Ratcliffe and took no part in the debate regarding his attendance.

4.	REPORT OF THE SOLICITOR TO THE COUNCIL	S24-2016
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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

It was still the case that four Members had not undertaken the refresher training despite being offered the opportunity to undertake the training by written response. The Committee expressed concern regarding the lack of response and suggested that the Chair write to those Members requesting an explanation as to why they have failed to undertake the

training. If no response was received the Member/s be invited to attend the next meeting of the Standards Committee.

Resolved that the Chair of Standards Committee write to the four Members yet to complete refresher training on the Code of Conduct asking for an explanation as to why they have yet to complete the training. This response to be considered at the next meeting of the Standards Committee. If no response is received the Member/s be invited to attend the next meeting of the Standards Committee.

A2 Local Government Ethical Framework – Amended Code of Conduct

It was confirmed that the County Council had adopted the revised Code of Conduct on 20th April 2016 and a notice had been published in the press to this effect.

The revised regulations relating to Standards Committees allow for Joint Standards Committees to be formed but no other authority had approached the Standards Committee of Powys in this regard. The Powys Standards Committee could, if they wished, approach another Standards Committee to discuss forming a permanent Joint Standards Committee. There was no intention to make such an approach at this stage.

The Chair advised that she had been invited, along with the Vice-Chair, to an informal meeting of other Chairs and Vice-Chairs of Standards Committees in mid and west Wales. It was proving difficult to find a date for this meeting and at present this was expected to take place in October 2016.

B Referral of Councillors to Public Services Ombudsman

B1 County Council referrals

6/15/CC	Referred to the Standards Committee
8/15/CC	Ombudsman investigating
9/15/CC	Ombudsman investigating
01/16/CC	Not investigating
02/16/CC	Not investigating
03/16/CC	Not investigating
04/16/CC	Ombudsman investigating
05/16/CC	Not investigating
06/CC/CC	Not investigating
07/16/CC	Ombudsman investigating
08/16/CC	Not investigating

C Other Standards issues

None.

D Dispensations

D1 Applications – County Councillors

An application for dispensation had been received from County Councillor Arwel Jones to speak and vote on matters relating to Llanfyllin High School. Councillor Jones holds the Portfolio for Education and is undertaking a review of secondary schools in Powys. He would be responsible for making recommendations to Cabinet and Council on the review of secondary schools.

Councillor Jones advised the meeting that he has two first cousins on the teaching staff at Llanfyllin High school. He confirmed that they lived in the same community as him and he would see them at family gatherings perhaps about every six weeks.

With regard to presentation of reports it was confirmed that in Powys reports are presented by Portfolio Holders rather than by Officers which does take place in some other authorities. Councillor Jones confirmed that another Cabinet Member had acted on his behalf on a recent matter relating to Llanfyllin High School given his interest (in this case the Portfolio Holder for Finance as the matter particularly related to this portfolio). In more general matters the Leader acts on behalf of a Portfolio Holder where an interest arises but whilst the Leader would have an overall understanding of the review of secondary schools he would not necessarily have the in-depth knowledge that the Portfolio Holder for Education has.

Councillor Jones left the room whilst the Standards Committee debated the matter and was invited to return to hear the decision.

RESOLVED THAT:	REASON FOR RESOLUTION
<p>i) a dispensation is not granted to Councillor Arwel Jones in relation to his personal and pecuniary interest in the Llanfyllin High School.</p>	<p>i) that the nature of Councillor Jones' 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, or any person with whom he has a close personal association 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, and</p> <p>ii) that the nature of Councillor Jones' interest is such that under 10 (2) (c) (ii) (bb) a decision on the matter might reasonably be regarded as affecting any employment or business carried on by persons as described in 10 (2) (c) (i) to a greater extent than the majority of in all other cases, other</p>

	council tax payers, ratepayers or inhabitants of the authority's area.
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The Chair explained that the Standards Committee were of the view Councillor Jones would need to think carefully about whether his interests would also apply in relation to the review of other high schools in North Powys where there was a consequential knock on impact arising from the Committee's decision in relation to Llanfyllin High School.

E Attendance

E1 Member attendance

Attendance for Members at main Committees for the period 1st December 2015 to 11th May 2016 had been calculated.

Seven Councillors had attendance below 60% namely:

Cllr G Banks (43%)

Cllr P Harris (50%)

Cllr M Mackenzie (57%)

Cllr J Shearer (57%)

Cllr T Turner (27%)

Cllr A Holloway – known to have had a period of ill health

Cllr G Bowker – maternity leave

Cllr Ratcliffe provided information regarding the previous period for the meetings he had missed and the Committee thanked Cllr Ratcliffe for providing such a detailed response and accepted the reasons given.

Cllr Banks had provided information regarding the period where his attendance had been below 60%. He advised he had some health issues and problems with IT which had led to not picking up when meeting dates had changed. The Committee accepted his response, hoped he was feeling better and that his IT issues had been addressed.

Cllr M Mackenzie had provided an explanation for the meetings she had missed. Members acknowledged that there were times for Members with a busy workload when meetings conflicted and such an explanation was understood and accepted. It was also expected that Members would miss meetings from time to time due to holidays.

Cllr J Shearer had provided an explanation for the meetings she had missed which was accepted.

Cllr P Harris had provided an explanation which referred to previous correspondence. The previous letter was made available to Committee. Members noted the content of the letters and,

Resolved to invite Cllr Harris to provide in writing a full explanation for each absence for the period 1st December 2015 to 10th June 2016.

Cllr T Turner had provided an explanation for the meetings he had missed which were largely due to his shift work with the Ambulance Service. Members accepted the explanation.

E2 Calculating attendance

A new system for managing meetings has been introduced which allows for additional reporting on attendance. There had been some initial issues with using the system which were being addressed. Members were provided with samples of the type of information which was available.

It was noted that Member attendance at all Committees and Working Groups was outlined within the Annual Member Reports which were available online.

Members discussed the opportunities for widening the meetings which are considered when looking at attendance and the merits of using percentage attendance against the number of meetings attended. It was agreed that for the next period the Committee would be provided with a full list of meetings and attendance details. Committee would examine this information and decide whether or not any Members should receive a letter asking for information regarding their attendance levels.

Resolved that with regard to Member attendance absences due to other Council business should be recorded where the Member is attending a meeting to which they have been appointed on behalf of the Council.

Resolved that where individual Members receive correspondence regarding attendance this correspondence should be copied to the Group Leader and Deputy Group Leader of that Member's political group.

F Gifts and Hospitality Register

The Gifts and Hospitality register was received.

G Meeting dates

To note the dates of future meetings as follows:

Wednesday 5th October 2016

The Council diary for 2017 was due for approval at County Council in July 2016 and once this had been confirmed the dates of Standards Committee would be circulated to Members.

Independent Member Mrs H Rhydderch-Roberts (Chair)

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S17-2016

CYNGOR SIR POWYS COUNTY COUNCIL.

Standards Committee

5th October 2016

REPORT BY: Solicitor to the Council

SUBJECT: Standards Issues

REPORT FOR: Decision, Information and Discussion

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

A1 Code of Conduct Training

It was reported to the last meeting that arrangements were made for the remaining four Members to receive this refresher training by means of the Members providing written responses to 3 or 4 questions considered at the refresher training sessions. The scenarios were sent to the four Members. Only one Member had attempted the scenarios but seems unclear as to what response is required. The other 3 Members have not responded.

At the last meeting the Committee agreed that the Chair write to those four members (County Councillors G.M. Jones, G.D. Price, W.D. Powell and M.J. Dorrance) seeking a response as to why they had not completed this training. A verbal update of responses received will be provided at the meeting.

B. Referral of Councillors to Public Services Ombudsman

B1. County Councillor Referrals

B1.1 The current position regarding existing matters with the Ombudsman is as follows:

6/15/CC	Referred to the Standards Committee
8/15/CC	Ombudsman investigating
9/15//CC	Ombudsman investigating
04/16/CC	Ombudsman investigating
07/16/CC	Ombudsman investigating

Since the last meeting the following referrals have been received and the current position is shown:

09/CC/2016	Ombudsman investigating
10/CC/2016	Ombudsman investigating
11/CC/2016	Not investigating
12/CC/2016	Not investigating
13/CC/2016	Not investigating

14/CC/2016 Not investigating
15/CC/2016 Ombudsman investigating
16/CC/2016 Ombudsman investigating
17/CC/2106 Ombudsman investigating
18/CC/2016 Not investigating

C. Other Standards Issues

None.

D Dispensations

D1. Applications - County Councillors

No applications for dispensation have been received from County Councillors.

E. Attendance

E.1 Member attendance

At the last meeting of Standards Committee the following resolution was made:

Resolved to invite Cllr Harris to provide in writing a full explanation for each absence for the period 1st December 2015 to 10th June 2016.

Cllr Harris has provided a response to the Chair which will be reported to the meeting.

F Late payment of expenses

Claims for payment of expenses have been submitted by the following Members:

Councillor David Jones – a claim for mileage expenses submitted on 11th August 2016 for April and May 2016.

Details will be provided at the meeting and the Member has been invited to attend.

G Ombudsman's Casebook

The Ombudsman has published Code of Conduct Casebooks for the following periods:

- July 2015 – September 2015
- September 2015 – December 2015
- January 2016 – March 2016
- April 2016 – June 2016

Copies of the Casebooks can be accessed from the website of the Public Services Ombudsman for Wales at:

<http://www.ombudsman-wales.org.uk/en/publications/The-Code-of-Conduct-Casebook.aspx>

H. Meeting Dates

To note dates of future meetings as follows:

Wednesday 15th February 2017

Wednesday 28th June 2017

Wednesday 4th October 2017

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

Contact Officer Name:	Tel:	Fax:	Email:
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