

Standards Committee

Meeting Venue

Hybrid meeting - Zoom - County Hall

Meeting date

Wednesday, 21 June 2023

Meeting time

Note – this meeting will follow the Standards Community sub-committee meeting which starts at 11.00 am



County Hall
Llandrindod Wells
Powys
LD1 5LG

For further information please contact

Carol Johnson

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15 June 2023

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod.

Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting.

Please inform us of which language you wish to use by noon, two working days before the meeting.

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	MINUTES
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To authorise the Chair to sign the minutes of the previous meeting held on 8 February 2023 as a correct record.

(Pages 3 - 6)

3.	DECLARATIONS OF INTEREST
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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 HEAD OF LEGAL AND MONITORING OFFICER
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To receive the report of the Head of Legal and Monitoring Officer.

(Pages 7 - 14)

5.	ANNUAL MEETINGS WITH GROUP LEADERS REGARDING THEIR NEW DUTIES
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To consider the summary of the meetings. The final document will be included in the Committee's Annual report.

(Pages 15 - 16)

6.	ANNUAL REPORT
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To consider and agree the Annual report.

(Pages 17 - 34)

7.	ANNUAL REVIEW OF REGISTER OF INTEREST OF MEMBERS, CO-OPTED MEMBERS AND CHURCH AND PARENT GOVERNOR REPRESENTATIVES AND OFFICERS
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To consider the report.

(Pages 35 - 40)

8.	ANNUAL REVIEW OF THE USE OF GENERAL DISPENSATIONS
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To receive a verbal report.

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT BY ZOOM
ON WEDNESDAY, 8 FEBRUARY 2023**

PRESENT: Mr S Hays (Chair)

Independent Members: Mrs C Moore, Mr J Goolden, Mr R Stafford-Tolley and Mr N Steward

1. APOLOGIES

Apologies for absence were received from County Councillor I McIntosh and L Rijnenberg.

2. MINUTES

The Chair was authorised to sign the minutes of the meeting held on 5 December 2022 as a correct record.

3. DECLARATIONS OF INTEREST

No declarations were received.

4. REPORT OF THE HEAD OF LEGAL AND MONITORING OFFICER

The Committee received the report of the Head of Legal and Monitoring Officer (copy filed with signed minutes).

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

There was no update.

B. Referral of Councillors to the Public Services Ombudsman**B1. County Council Referrals**

The current position regarding matters with the Ombudsman is as follows:

02/CC/2020 Ombudsman referred to Standards Committee

04/CC/2021 Ombudsman investigating

C. Dispensations**C1. Applications - County Councillors**

No applications for dispensation have been received from County Councillors.

D. Ombudsman Wales – Our Findings

The Committee noted the [Ombudsman Wales - Our Findings](#)

E. National Forum for Standards Committees

The first meeting of the Forum took place on 27 January 2023. The Chair reported that the 22 Councils, three Fire Authorities and three National Park Authorities participate in the Forum. The Welsh Local Government Association [WLGA] would provide secretariat support. Clive Wolfandale, ex Chief Constable of North Wales was appointed as Chair and Jason Bartlett, Cardiff City Council Standards Committee was appointed Vice Chair. Decisions would be by consensus. The minutes would be circulated to the Committee and added to the Standards Committee's next agenda.

The Chair highlighted the following issues from the Public Service Ombudsman Wales' [PSOW] presentation:

- There are 750 public bodies in Wales.
- In the year to 31st March 2022 there were more complaints than in the previous 10 years. 67% of referrals were in respect of Community Councils. 70% of cases concluded within a year.
- The current year is also very busy and is likely to be similar to last year.
- The threshold for consideration is the Public Interest Test. The main issues were around:
 - The lack of respect
 - Public v private role
 - Media use is catching a lot of people out.
- There is a correlation between complaints and training.
- The Forum will be a sounding board for Standards Committees.
- The PSOW will be able to pick up patterns and hopefully anticipate early interventions.

The Welsh Government [WG] has advised that:

- There is to be a 12-week consultation on the Penn report recommendations that the WG may take forward.
- They are considering the issues around publication of members' addresses.
- Anyone having worked for the council at any time cannot be an independent member.
- They will be adopting some aspects of the Penn Report.

Comments were made that the Forum would be an opportunity to share good practice and also an opportunity to draw issues to the Welsh Government's attention.

F. Group Leaders Duty to Promote Good Conduct

The Committee considered the draft template to be used by Group Leaders in evidencing the performance of their new duties. It was noted that the template was based upon one prepared by the Chair and one used in other Welsh Local Authorities.

The Head of Legal and Monitoring Officer advised that the final version of the template would be sent to Group Leaders asking them to complete in preparation for a meeting with the Standards Committee.

The following comments were made on the draft template:

- The Nolan principles should be grouped together and comments/actions should relate to the whole rather than individual principles
- Information about the Nolan principles should be included in the template
- Guidance notes should be provided to Group Leaders on what is expected of them
- Under the comments section Group Leaders would be asked to provide brief details of any actions taken to resolve any issues, without identifying any individuals
- Register of Interests of members should be added to the template asking Group Leaders to confirm that they are satisfied that their members are keeping their interests up to date.

It was suggested that the guidance issued to the Group Leaders with the template should state that the Standards Committee is available to support Group Leaders at any time, informally or in private. Reference to the meeting between the Standards Committee and the Group Leaders would be included in the guidelines rather than the template.

The Committee noted that the format and content of the template would be kept under review using the feedback from the Group Leaders. The Head of Legal and Monitoring Officer agreed to amend the draft template and circulate for approval by email.

G. Meeting Dates

The 2023 meeting dates were noted:

14 June at 2pm

25 October at 2pm

5.	STANDARDS COMMITTEE DRAFT ANNUAL REPORT 2022-2023
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The Committee considered the draft Annual report 2022-23.

The following suggestions were made:

- In the section “The Committee’s work in 2022-23” reference should be added to the review of the Whistleblowing policy; that lay members had been recruited to a number of vacancies and the Committee had commented on the Independent Review of the Ethical Standards Framework in Wales – The Penn report
- Biographies of members should be included, if they wish
- A county councillor vacancy now exists due to the resignation of a member from the largest political group
- The Committee monitored the completion of the Code of Conduct training and was proactive in ensuring that the training was completed by any member unable to attend the original session. The training was completed by such members by watching a recording.
- Within the details of the Committee’s role the Committee considers any late claims for expenses submitted by members.

The Committee agreed that the informal meeting with Group Leaders should take place in May and that the completed template should be available to the Committee at least two weeks beforehand. Twenty minutes should be scheduled with each Group Leader. Support to Group Leaders to complete this review of how they have addressed their new duties would be available from the Head of Legal and Monitoring Officer and from the Standards Committee. The Committee agreed it would reflect on the meetings with Group Leaders at its meeting in June and the annual report should be amended and finalised at this meeting.

Resolved:	Reason for Recommendation:
<ol style="list-style-type: none"> 1. That the draft Annual Report be amended to include the additional information detailed above and 2. That the meeting with Group Leaders to report on how they have undertaken their new duties will be held in May and 3. That the final report be approved by the Committee at its meeting on 14 June 2023, to enable it to include its reflections on its meeting with Group Leaders regarding their new duties. 	<p>To ensure the report is approved to enable it to be considered at the Full Council meeting on 20 July 2023.</p>

6. WORK PROGRAMME

The Committee noted the amended Work Programme.

The Committee noted that at the last Standards Community Sub-Committee it had been agreed to invite Once Voice Wales to its meeting in June. It was agreed that reference to the work of the Sub-Committee should be added to the Standards Committee's Work Programme. The Work Programme would be amended to include the extra meeting to be scheduled in May for the meetings with Group Leaders.

A lay member highlighted that there were a number of emerging topics such as lack of respect, use of social media and correlation of training and referrals and it was suggested that the Committee could issue guidance / briefing notes for Group Leaders to cover such topics. It was agreed to add this to the Work Programme.

In response to a question about how the use of dispensations are monitored, the Head of Legal and Monitoring Officer advised that he or the Deputy Monitoring Officer was present at all Full Council or Cabinet meetings, where dispensations are usually used. The use of dispensations would be recorded in the minutes. It was noted that a report on their use was included in the Work Programme.

Mr S Hays (Chair)

CYNGOR SIR POWYS COUNTY COUNCIL
Standards Committee
21 June 2023

REPORT BY: Head of Legal and Monitoring Officer

SUBJECT: Standards Issues

REPORT FOR: Decision, Information and Discussion

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

No update required.

B. Members attendance

Attendance for Members at main Committees for the period 9 May 2022 to 17 May 2023 inclusive has been calculated. Six councillors had an attendance below 60%. Of these, three have had absences due to personal reasons. The Chair wrote to the other three members and asked them to check that their attendance details were correct and also for an explanation for their absences. On checking one member's attendance has been corrected which has brought their attendance above 60%, one member has explained that their absence was due to personal reasons and one member has not provided an explanation and is now on holiday.

The Committee is asked to note the above and that the Monitoring Officer will contact the member for an explanation, when they return from holiday.

C. Referral of Councillors to Public Services Ombudsman

C1. County Councillor Referrals

The current position regarding matters with the Ombudsman is as follows:

02/CC/2020 Ombudsman referred to Standards Committee

04/CC/2021 Referred to Adjudication Panel for Wales [APW] - APW hearing regarding former Councillor Karen Laurie-Parry will be held on 6 July 2023.

03/CC/2022 Ombudsman investigating

04/CC/2022 Ombudsman not investigating

05/CC/2022 Ombudsman investigating.

D. Dispensations

D1. Applications - County Councillors

No applications for dispensation have been received from County Councillors.

E. Appointments to the Standards Community Sub-Committee

A postal election (nominations followed by ballot) has been held to elect a Town and Community Councillor to the vacancy to represent Brecknockshire. The closing date for the postal election is 4.00pm on 19 June 2023.

The Committee will be advised verbally of the successful candidate.

RECOMMENDED:	
1. That the successful community councillor, elected by the Town and Community Councils in Brecknockshire, be appointed to the Standards Community Sub-Committee.	To constitute the Standards Community Sub-Committee.
2. That the term of office of the Town and Community Councillor be for the maximum term permitted by the existing regulations or by any amending regulations (currently a maximum of five years) or until they cease to be a Councillor or resign whichever shall first occur.	

As the Committee was previously advised by email, the community councillor elected by Town and Community Councils in Radnorshire, Councillor Nigel Dodman has resigned as a Community Councillor and so a replacement is now needed for this vacancy.

The timetable for the election is detailed below and the Committee is asked to note this, which will enable an appointment to be made at the meeting in October.

Letter to T/CCs requesting nominations	Week commencing 12 June 2023
Return of nominations – usually 8 weeks	4pm 18 August 2023
Letter to T/CCs re ballot	Week commencing 28 August 2023
Return of ballot papers	4pm 23 October 2023
Letter to T/CCs regarding outcome of ballot	Week commencing 23 October 2023
Appointment by Standards Committee	25 October 2023

F. Ombudsman Wales – Our Findings

Details of cases are available in [Ombudsman Wales - Our Findings](#)

It should be noted that “Our Findings” covers all matters investigated by the Ombudsman and not just Code of Conduct matters. “Our Findings” is updated on a monthly basis.

‘Our Findings’ contains a search facility, which includes “Subject”. Under the “Subject” heading the following categories of the Code are listed:

- Integrity
- Promotion of equality and respect
- Disclosure and registration of interest
- Duty to uphold the law
- Selflessness and Stewardship

G. National Forum for Standards Committees

The first meeting of the Forum took place on 27 January 2023 and the minutes are attached, Appendix 1. The next meeting is scheduled for 30 June 2023.

H. Consultation on the Penn Review response (Local Authorities Ethical Standards Framework and Code of Conduct)

The consultation on the recommendations of the Independent Review of Ethical Standards Framework concludes on 23 June 2023. The Committee’s views on the recommendations is sought.

[Recommendations of the Independent Review of the Ethical Standards Framework \(Richard Penn report\) | GOV.WALES](#)

I. Meeting Dates

To note dates of meetings in 2023 as follows:
25 October at 2pm

Contact Officer Name:	Tel:	Fax:	Email:
Clive Pinney – Head of Legal and Monitoring Officer	01597 826746	01597 826220	clive.pinney@powys.gov.uk

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National Standards Forum Committee

Friday, 27th January 2022

1. Election of Chair

- Clive Wolfendale elected as Chair.

2. Election of Vice Chair

- Jason Bartlett elected as Vice Chair.

3. Role and Terms of Reference

- The forum consists of all local government organisations in Wales. There will be 4 MO's at any one meeting from principle councils, 1 MO from Fire and 1 from NPAs – these have been taken from the CJC regions.
- Secretariat by WLGA.
- Frequency of meetings 2 per year.
- MOs will suggest agenda items at Lawyers in Local Government meetings.
- The forum is essentially a voluntary members association, any work undertaken by MOs will be done on a voluntary basis. The forum may benefit from having a dedicated MO resource.
- Cardiff deputy MO will be able to support the forum if needed.

Comments

- The idea of having a MO is sensible, Chair of BBNPA Pam Hibbard supports this decision.
- Point of clarification – on the occasion when a Chair is not available to attend a meeting, can a Vice Chair stand in as substitute?
 - Yes, Vice Chair is welcome as a sub.

ACTION: Secretariat to circulate the ToR.

4. Discussion on implementation of the new duty on Group Leaders and how this will be reported as part of the Standards Committee Annual Report

- The new duty was introduced under LG & Elections Wales Act 2021, came into effect in May 2022. Will impact at the end of this municipal year when preparing the Annual Report. There has been statutory guidance produced by WG, expectations on Group Leaders to promote standards rather than be responsible.

ACTION: Secretariat to circulate Annual Report pro-forma

Comments

- Standards committee met with Group Leaders in Newport before Christmas. Issued the stencil to the Group Leaders, will be going through the document with the Leaders individually at the next Standards Committee meeting.
- MTCBC have had the introductory meeting with Group Leaders, a very positive meeting. Agreed on regular meetings with Group Leaders for continuity. Have been invited to the next Council meeting to give an update.
- Duty in the Act is new, in Swansea there has been a similar process for a number of years. Have been meeting with Group Leaders on a formal basis. In discussions about meeting informally with the Group Leaders to see if that will bring out any other issues which can be raised informally.
- WLGA have received requests from Councils around providing group leader support/training around the new duty. Can be organised online or in person.

ACTION: WLGA to circulate training offers.

- Pembrokeshire Standards Committee Chair and Vice Chair are planning on meeting with Group Leaders. 35 independent Councillors in Pembrokeshire, 22 consider themselves to be their own groups, with 13 identifying as one group. Will have to ask each individual for their own report.

ACTION: WLGA to give thought to how communication is made via Chairs.

- Ethical Liaison meetings in Flintshire – a few councils have said they are doing something similar.
- Denbighshire have adopted a similar system to Flintshire, have had a useful meeting with Group Leaders, helped and amended the template.

5. Guest Speaker: Michelle Morris, Public Service Ombudsman for Wales

- Investigating complaints that service users and members of the public make, also a key role in driving improvement in public services in Wales and ethical standards in public life.
- In terms of current work – April 21-March 22 was a busy year, more complaints than in the last decade, just under 300 complaints, 240 complaints were not taken forward to investigations.
- A lot of breaches are about lack of respect for others, about behaviours, over 50% of the complaints.
- Helpful for the forum to be a sounding board for advice and guidance.

Comments

- OVW have not had additional funding to help support Town and Community Councils, is there something that this forum can do?
- Ceredigion did undergo some training, detailed process.

- Quarterly reports have been changed into a search engine, the reports were very useful to analyse trends across Wales, will you revert to the reports or upgrade the search engine?
 - Useful feedback, planning to do some work on the website and how information is provided.

6. Penn Report, Lisa James, Welsh Government

- The Minister has not made any further announcements or decisions since thanking Richard for the report.
- The next stage will be a 12 week consultation seeking views on the recommendations of the report. Some things have moved on like the publication of Members addresses which was resolved prior to the elections.
- In terms of membership of Standards Committees, ban on those who have been a Member of a Council or an employee of the Council – worth asking questions around this again.
- Powers of standards committees to summon witnesses.

Comments

- Have started to implement things from the Penn Report.

7. AOB

- Members Annual Reports – it is not a statutory requirement to do them but encourage Members to do so in Anglesey. What is the practice for other Standards Committees across Wales?

ACTION: Secretariat to establish baseline figures for 2021/22 Councillor Annual Reports via the Heads of Democratic Services Network

- Chairing Skills for Chairs and Vice Chairs of Standards Committees.

ACTION: WLGA to work with Chair and Vice Chair to develop training for Chairs of Standards Committees

ACTION: Secretariat to scheduled next meeting for late June / early July

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Standards Committee meeting with Group Leaders to discuss the Group Leaders duties - 3 May and 12 June 2023

The following is a summary of the main points from these meetings. The Standards Committee welcomed the opportunity to meet with the Group Leaders, either in person or online. The Standards Committee agreed that this was a reasonable first step and that both it and the Group Leaders are in a learning process.

Issues for consideration by the Standards Committee

Although the new duty is a responsibility of Group Leaders, the Committee may wish to consider inviting the Chief Whip of a party, where one exists and the Chief Whip is responsible for conduct issues, to attend the meeting with the Group Leader to support them when discussions relate to Code of Conduct issues.

Relationship between the Standards Committee and Group Leaders needs to develop. A mid-year review meeting may be appropriate rather than leaving issues to an annual meeting.

Review the form and also the process for the annual meeting with Group Leaders to meet the individual needs of the Group Leaders. The Monitoring Officer will discuss the content of the form with colleagues in Wales.

Consider developing a set of questions to ask all Group Leaders at these meetings, so consistency.

Group Leaders are generally reactive to any Code of Conduct issues raised, rather than being proactive in Groups.

The role of the Standards Committee to develop members' understanding. The Committee will review the information provided in its Annual Report.

The Monitoring Officer will add an item on the agenda of the next Group Leaders meeting seeking their feedback on this first meeting with the Standards Committee.

A Guide for Group Leaders on what could be included on Group meeting agendas, which would assist them in their duties - issues the Standards Committee consider as good practice for discussion at Group meetings.

Independent Members will observe Council meetings on a rota to observe Code of Conduct, standards and ethical issues at meetings.

Issues for consideration in other areas:

No reference to pastoral care, wellbeing of members or continuing professional development – refer to Democratic Services Committee.

Training on effective behaviour and ways of asking questions and constructively challenging a policy rather than the individual should be considered – refer to Democratic Services Committee.

Information needs to be provided for anyone considering standing at an election regarding the role of a councillor and what it entails and signposting candidates to

the Code of Conduct and Ethical requirements – refer to Democratic Services Committee and Elections Section. Prior to the 2022 election information on such issues was made available on the Council website for candidates.

Difficulties completing online training on the NHS eLearning platform - refer to Democratic Services Committee.

Councillor attendance at meetings – information on how Group Leaders access members' attendance at meetings on the Moderngov system will be sent to them.

Issues to add to the Member development programme:

Role of the Standards Committee and Ombudsman – discuss requirements with the Monitoring Officer.

Training & skills development – Welsh language and information on bilingualism – discuss requirements with member and Welsh Language Officer.

Powys County Council Standards Committee Annual report 2022-23

Chair's statement

Add in

Introduction

The Local Government Act 2000 requires Councils to establish a Standards Committee to promote and maintain high standards of conduct and probity in the conduct of Councillors. The Local Government & Elections (Wales) Act 2021 introduced a mandatory requirement for Standards Committees to present an annual report to full Council. The annual report is to relate to the financial year, that is, the 12 month period ending on 31st March. However, the Committee has agreed to report its activities for the period 1 April 2022 – 12 June 2023 to enable it to report on its first meeting with Group Leaders.

This statutory report must describe how the Committee has discharged its functions during the previous year and must include a summary of any reports, actions or recommendations made or referred to the Committee. Full Council must consider the Committee's annual report within three months from receiving the report.

Membership of the Standards Committee and Community Sub-Committee

The Committee comprises five Independent (Lay) Members together with four County Councillors. The Committee has a Sub-Committee dealing with all standards relating to town and community councillors. The five Independent (Lay) Members sit on this Community Sub-Committee together with one of the County Councillors on the main Standards Committee and three town community councillors, one from each area Brecknockshire, Radnorshire and Montgomeryshire.

The Chair and Vice Chair of the Standards Committee must be appointed from amongst the independent lay members.

The membership of the Committees during 2022-2023 [1 April 2022 – 12 June 2023] was as follows:

Standards Committee:

Independent (Lay) Members [5]:

- Stephan Hays, Chair
- Claire Moore, Vice Chair
- Jonathan Goolden [from 22 July 2022]
- Russell Stafford-Tolley
- Nigel Steward

County Councillors[4]:

- Councillor Matt Beecham [from 19 May 2022 and resigned 19 January 2023]

- Councillor Iain McIntosh [from 19 May 2022]
- Councillor Liz Rijnenberg from 19 May 2022]
- Councillor Beverley Baynham [from 18 May 2023]
- Councillor William Powell [from 18 May 2023]
- Councillor Amanda Jenner [to 8 May 2022]
- Councillor Susan McNicholas [to 8 May 2022]
- Councillor Kath Roberts-Jones [to 8 May 2022]
- Councillor Kathryn Silk [to 8 May 2022]

Standards Community Sub-Committee:

Independent (Lay) Members: as above

County Councillors [1]:

- Councillor Iain McIntosh

Town and Community Councillors [3]:

- Councillor Nigel Dodman [from 17 November 2022 to 15 May 2023]
- Councillor Richard White [from 17 November 2022]
- Vacancy [from May 2022]
- Councillor Margaret Morris [to 8 May 2022]
- Councillor Hugh Pattrick [to 8 May 2022]
- Councillor Joy Shearer [to 8 May 2022]

Biographies of current members, where they wish to provide one, are provided in Appendix 1

Principles of public life

The ten general principles of public life based on the principles originally set down by the Nolan Committee in 1995 are detailed in Appendix 2.

Role of the Committees

The Standards Committee has a role in respect of the 68 councillors and the Co-opted members of Powys County Council.

The role of the Standards Committee in relation to County Councillors and Co-opted Members of the County Council, as laid down in the Local Government Act 2000 and the Local Government and Elections (Wales) Act 2021, is as follows:

- (1) promoting and maintaining high standards of conduct by councillors and co-opted members and
- (2) assisting the councillors and co-opted members to observe the Members' Code of Conduct.

In particular the Committee has the following specific functions:

- (3) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (4) monitoring the operation of the Members' Code of Conduct; and

- (5) advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct.

In addition, the Committee also:

- (i) grant dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct.
- (ii) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
- (iii) oversee the Council's "Whistle-blowing" regime.
- (iv) providing advice to individual councillors on such issues as the treatment of personal interest and on conduct matters generally.
- (v) determine appropriate action on matters referred to it by the Public Services Ombudsman.
- (vi) overseeing the Register of Interest of Members and co-opted members.
- (vii) overseeing the Council's rules and protocols on accountability of members.
- (viii) overseeing the attendance of Members and Co-opted Members at committees.
- (ix) overseeing the training of Members serving on all committees of the Council.
- (iix) ensuring group leaders have access to advice and training to support them in duties to promote and maintain high standards of conduct and to monitor group leaders' compliance with those duties.
- (iiix) after the end of each financial year make an annual report to the authority describing how the committee's functions have been discharged during the financial year and setting out an overview of conduct matters within the council.

The Committee also considers any late claims for travel expenses submitted by members.

The Standards Community Sub-Committee has a role in respect of the 1041 community councillors on the 110 town and community councils in Powys. In respect of town and community councillors the Sub-Committee has a role in respect of 1 – 5 and (i) and (ii) above.

The Committee's Work in 2022-2023

Code of Conduct training – after the Council election in May 2022 Code of Conduct training was held on 16 May 2022 for all councillors and co-opted members. Eight County Councillors and four co-opted/ lay members were unable to attend this training. The Standards Committee was advised that these individuals had completed the required training by watching the recording and completing a short questionnaire.

Dispensations – the Committees consider general dispensations and agreed that dispensations for the following issues will remain in place until the first meeting of the

Committees after the next election in 2027 unless the Committees revoke, amend or alter the dispensation.

Dispensations for county councillors:

- School Modernisation and School Transport Reviews
- Renewable Energy
- School Governors
- Membership of Voluntary Organisations
- Lobbying - Principles regarding applications for dispensation relating to
- lobbying
- Spare Room Subsidy (“Bedroom Tax”)
- Single Farm Payments
- Wool Production
- Farming and agriculture

Dispensations for town and community councillors:

- School Modernisation and School Transport Reviews
- Renewable Energy
- School Governors
- Membership of Voluntary Organisations

The Committees also agreed to delegate non-controversial applications for dispensation to the Chair and Vice-Chair of the Standards Committee in consultation with the Monitoring Officer to grant a temporary dispensation subject to confirmation at the Standards Committees.

Complaints of breach of the Code of Conduct – the Committees receive reports on the complaints made to the Public Service Ombudsman for Wales (PSOW), in respect of county councillors and town and community councillors and the status of the complaints. During the period of this report the Ombudsman received and considered the following number of complaints:

5 in respect of County Councillors:

- not investigating - 3
- investigating - 2

3 town and community councillors:

- not investigating - 4
- deciding whether or not to investigate - 1

The Committees receive links to the Ombudsman’s [Ombudsman Wales - Our Findings](#), which is updated on a monthly basis.

Recommendations made by the Public Service Ombudsman for Wales (PSOW) or Adjudication Panel for Wales [APW] – a complaint regarding a former County Councillor was referred by the Ombudsman for consideration by the Standards Committee. The Standards Committee held an initial hearing in July 2022 and agreed to proceed to a hearing. A preliminary hearing was held in January 2023 and a hearing will take place in late June 2023.

A complaint in respect of former County Councillor Karen Laurie-Parry was referred to the APW and the latter will consider the complaint in July 2023. Complaints in respect of two former Community Councillors were also referred to the APW. The APW resolved that former Councillor Sheila Jenkins [St Harmon Community Council] be disqualified for 12 months from being or becoming a member of the Relevant Authority or any other relevant authority within the meaning of the Local Government Act 2000. The APW will consider a complaint in respect of former Councillor Donald Jenkins [St Harmon Council] in July 2023.

Whistleblowing Policy – having previously reviewed the Whistleblowing Policy in 2019 the Standards Committee reviewed and commented on the revised Policy.

National Standards Committee Forum - The first meeting of the Forum took place on 27 January 2023. The Chairs of the Standards Committees of the 22 Councils, three Fire Authorities and three National Park Authorities participate in the Forum. The purpose of the Forum is to share best practice and provide a forum for problem solving across Wales. The Forum will meet twice each year.

Annual meeting with Political Group Leaders regarding their new duties to promote and maintain high standards of conduct – a hybrid meeting was held with all but one Group Leader in May 2023 and the final meeting took place in early June 2023. The Committee welcomed the opportunity to meet with Group Leaders to consider their new duties and how these had been addressed. Appendix 3 provides a summary of the meetings [to add after Committee meeting on 21 June 2023]. The Committee has identified a number of issues which will be actioned and will report on these in its next annual report.

Committee meetings and attendance record – details of the number of meetings held during the period 1 April 2022 – 12 June 2023 and attendance details are provided in Appendix 4.

Future work priorities

The Committee has developed a Work Programme (Appendix 5) identifying work to be considered at each meeting. The Programme will be updated at each meeting.

Standards Committee**Independent Members****Claire Moore**

Independent Member of Standards Committee since May 2019 and Deputy Chair of Standards Committee.

Claire has a degree in politics and has extensive experience in the public sector which includes specialising in strategy development, expanding and leading multi-agency partnerships and commissioning services for large organisations.

Claire lives on her family farm in the Brecon Beacons and is currently an independent member of Brecon Beacons National Park Authority Standards Committee, Chair of governors at Sennybridge Primary School and a trustee at Brecon MIND.

Jonathan Goolden

Jonathan's roots are in the Mid Wales Marches. He is a solicitor and partner in a large regional law firm in England and splits his time between Welshpool and Lincolnshire. He is the Monitoring Officer for a national park authority in England and advises local authorities, schools and businesses on a range of governance, ethics and regulatory issues as well as conducting complex investigations in the public sector.

Russell Stafford-Tolley

Russell served as a Royal Engineer Officer from 1973 to 2001. During this time he served in the UK and Germany and then with Commando Forces deploying to the Falkland Islands as an operations officer. Other appointments included unit command, an instructor at the Royal School of Military Engineering from where he led unit training in Gibraltar, Hong Kong, Cyprus, Brunei and Columbia, before taking command of Sennybridge Training Area which at the time required the coordination of a £20M refurbishment programme on the ranges and the early development of the Army Training Estate Wales and West Midlands. Russell was the first Joint Regional Liaison Officer for Headquarters 160 (Wales) Brigade based in Brecon, working with local authorities and emergency services across Wales, before retiring in November 2006 when he then became Commandant to Gwent and Powys Army Cadet Force (ACF). There followed a spell as the Army Cadet Force Association OUTREACH Coordinator for Wales, helping to develop and inspire young people, and then Chairman before his second retirement in 2013. He is married to Susan, lives near Brecon and interests include horses, sheepdog trials, tractors, walking and singing with a local male voice choir.

Nigel Steward

Nigel has worked in the public and charitable sectors for more than 40 years. He originally specialised in financial control and computer audit and latterly gained

considerable experience covering GDPR as well as corporate governance and performance management. His last role was acting as a Deputy Chief Executive Officer of a Charity Infrastructure Organisation.

He holds professional qualifications in finance and computer audit and is a Fellow of the Chartered Management Institute.

Having visited the Brecon Beacons for more than 40 years, he and his wife moved to Powys in 2018. Since their move he has enjoyed being a trustee, treasurer and vice-chair of several small organisations and charities and has recently been elected as a Trustee of ScoutsCymru.

County Councillors

Councillor Beverley Baynham – asked if they wish to provide a biography

Councillor Iain McIntosh

Councillor Iain currently sits as the elected Powys County Councillor for the Yscir with Honddu Isaf and Llanddew ward, just to the North of Brecon in Powys. Since taking this role in June 2017 he spent time as a Cabinet member, with responsibilities for Housing, Planning and Economic Regeneration. Councillor Iain has been a member of the following Council committees; 'Planning, Taxi Licencing and Rights of Way', 'Licensing Act 2003', 'Economy, Residents and Communities Scrutiny', 'Learning and Skills Scrutiny', and 'Standards'. He has also represented Powys County Council as a member of the Bannau Brycheiniog/Brecon Beacons National Park Authority.

Outside my Council commitments Iain runs family business in Brecon, established in April 1994.

Councillor Liz Rijnenberg

Councillor Liz Rijnenberg, Welsh Labour, was elected to Powys County Council in November 2019. She is a member of the Standards, Health and Social Care and Economy Residents and Communities Committees.

Councillor Liz represents Powys County Council on the Dyfed Powys Police and Crime Panel and has recently been nominated to join the Powys County Council Foster Panel.

After completing a degree in Social Policy and Administration at Nottingham University Liz completed an MA in Social Work. She later joined the Probation Service where she worked as a practitioner, subsequently moving into strategic roles including CEO positions in both England and Wales. During her working career Liz developed community services for women offenders as alternatives to custody and served on the Advisory Board for Female Offenders. She completed a MSt in Criminology at Cambridge University which included research into the impact of parental imprisonment on children. She was made an OBE in 2016 in recognition of her services to Probation.

Councillor William Powell – asked if they wish to provide a biography

Standards Community Sub-Committee

Community Councillor

Councillor Richard White – asked if they wish to provide a biography

Conduct of Members – The Principles¹ [Extract from the Council Constitution]

SELFLESSNESS

18.2.1 Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

HONESTY

18.2.2 Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

INTEGRITY AND PROPRIETY

18.2.3 Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

DUTY TO UPHOLD THE LAW

18.2.4 Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

STEWARDSHIP

18.2.5 In discharging their duties and responsibilities Members must ensure that their authority's resources are used both lawfully and prudently.

OBJECTIVITY IN DECISION-MAKING

18.2.6 In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

EQUALITY AND RESPECT

18.2.7 Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.

OPENNESS

18.2.8 Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

¹ The Conduct of Members (Principles) (Wales) Order 2001 – S.I. 2276

ACCOUNTABILITY

18.2.9 Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

LEADERSHIP

18.2.10 Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

Protocol - Standard of Conduct Expected by Members

18.3 This protocol sets out the standards of conduct expected from Members within Powys County Council in dealing with each other. It should be read in conjunction with the Members Code of Conduct ²and the Member-Officer Protocol³. It adds to these documents and does not detract from them.

Members are expected:

PUBLIC BEHAVIOUR

- 18.3.1.1 to show respect to each other;
- 18.3.1.2 not to make personal abusive comments about each other;
- 18.3.1.3 not to publish anything insulting about each other;
- 18.3.1.4 not to make malicious allegations against each other;
- 18.3.1.5 not to publish or spread any false information about each other;
- 18.3.1.6 to show respect to diversity and equality;

BEHAVIOUR IN MEETINGS

- 18.3.2.1 to behave with dignity;
- 18.3.2.2 to show respect to the Chair and obey his/her decisions;
- 18.3.2.3 not to use indecent language nor make racial remarks or remarks which prejudice any section of society;

CONFIDENTIALITY

- 18.3.3.1 to keep the confidentiality of exempt papers and any other documents which are not public;
- 18.3.3.2 not to release confidential information to the press or the public;
- 18.3.3.3 not to use confidential information for purposes other than intended;

LOCAL MEMBERS

- 18.3.4.1 to work with Members of adjoining electoral divisions for the benefit of the locality;
- 18.3.4.2 if dealing with any matter relating to another electoral division:
 - to explain to anyone seeking assistance that he/she is not the local Member;

² See Section 18.1 above.

³ See Section 21.

- to inform the local Member, unless it would lead to a breach of confidentiality.

Summary of meeting with Group Leaders

- add in version approved by Committee on 21 June 2023

Attendance record

The Committees usually meet on a quarterly basis with ad hoc meetings held as required. Standards Community Sub-Committee meetings follow the Standards Committee meetings.

The meetings in the period 1 April 2022-12 June 2023 [inclusive] were as follows:

17 November 2022 – Standards Committee only

5 December 2022

8 February 2023

3 May 2023 – meeting with Group Leaders

12 June 2023 – meeting with Group Leader

In addition, the Standards Committee met on 15 July 2022 and 27 January 2023 to consider a referral of a complaint from the PSOW. Attendance at these meetings are indicated as “plus” in the table below.

Committee Member	Attendance at Standards Committee	Attendance at Standards Community Sub-Committee
Stephan Hays, Chair	5 plus 2	2
Claire Moore, Vice Chair	5	2
Jonathan Goolden	5	2
Russell Stafford-Tolley	4 plus 1	2
Nigel Steward	5 plus 2	2
Councillor Beverley Baynham	1	N/A
Councillor Matt Beecham	0	N/A
Councillor Iain McIntosh	4 plus 2	1
Councillor William Powell	1	N/A
Councillor Liz Rijnenberg	3 plus 2	N/A
Town/Community Councillor Nigel Dodman	N/A	1
Town/Community Councillor Richard White	N/A	1
Town/Community Councillor - vacancy		

There were no meetings during the period 1 April 2022 – 8 May 2022 the following had no attendance details to record:

County Councillors Amanda Jenner, Susan McNicholas, Kath Roberts-Jones and Kathryn Silk and Community Councillors Margaret Morris, Hugh Pattrick and Joy Shearer.

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Standards Committee Work programme

Standing items on agendas:

- Monitoring Officer report – Code of conduct training, Attendance, Referral of Councillors to Public Services Ombudsman, Dispensation requests.
- Other items – Ombudsman Wales – Our Findings reports and Committee’s Work Programme and National Standards Forum.

14 June 2023

Topic	Objective	Who is responsible	Outcome
Annual report	Approval of Annual report for submission to Council	Committee	Presentation of Annual report at the Council meeting on 20 July 2023
Monitor members’ attendance at relevant meetings	To review members attendance at relevant meetings and consider any whose attendance is below 60%	Committee	Complete an annual review
Oversee the Register of Interest of Members, Co-opted members and Church and Parent Governor Representatives and Officers	To review the Register of Interest	Committee	Complete an annual review
General Dispensations	To review the use of General dispensations over the previous 12 months.	Committee	Complete an annual review.

25 October 2023

Topic	Objective	Who is responsible	Outcome
Oversee the Council's rules and protocols on accountability of members	Review Section 21 [Protocol on Member / Officer Relations] and Section 25 [Local Resolution Process] of Constitution	Committee	Two yearly review
Monitor and review the acceptance of gifts and hospitality by Members	To review the register	Committee	Complete an annual review
Guidance / briefing notes for Group Leaders on emerging topics	To highlight issues around any emerging topics to support Group Leaders in their role	Committee and Monitoring Officer	As required
Code of Conduct, standards and ethical issues at Council meetings	On a rota basis, Independent Members to observe Council meetings and report back to Committee	Committee and Monitoring Officer	Ongoing support to members to observe the Code etc
Whistleblowing Policy	To review an anonymised report on the number of whistleblowing cases and outcomes over the previous 12 months.	Committee	Complete an annual review

2024

The following topics will be allocated to meetings in 2024, as appropriate, when the Council meetings diary has been agreed. Further topics will be added as required.

Topic	Objective	Who is responsible	Outcome
Annual meeting with Group Leaders regarding duties	To monitor compliance by Group Leaders and assist them in their duties	Committee and Monitoring Officer	
Annual report	Approval of Annual report for submission to Council	Committee	Presentation of Annual report at the Council meeting
Monitor members' attendance at relevant meetings	To review members attendance at relevant meetings and consider any whose attendance is below 60%	Committee	Complete an annual review
Oversee the Register of Interest of Members, Co-opted members and Church and Parent Governor Representatives and Officers	To review the Register of Interest	Committee	Complete an annual review
Whistleblowing Policy	To review an anonymised report on the number of whistleblowing cases and outcomes over the previous 12 months.	Committee	Complete an annual review
General Dispensations	To review the use of General dispensations over the previous 12 months.	Committee	Complete an annual review.

Topic	Objective	Who is responsible	Outcome
Monitor and review the acceptance of gifts and hospitality by Members.	To review the register	Committee	Complete an annual review
Guidance / briefing notes for Group Leaders on emerging topics	To highlight issues around any emerging topics to support Group Leaders in their role	Committee and Monitoring Officer	As required
Code of Conduct, standards and ethical issues at Council meetings	On a rota basis, Independent Members to observe Council meetings and report back to Committee	Committee and Monitoring Officer	Ongoing support to members to observe the Code etc

Standards Community Sub-Committee Work programme

Standing items on agendas:

- Monitoring Officer report – Referral of Councillors to Public Services Ombudsman, Dispensation requests.
- Other items – Ombudsman Wales – Our Findings reports and Committee’s Work Programme

14 June 2023

Topic	Objective	Who is responsible	Outcome
One Voice Wales – Civility & Respect Project	To increase knowledge of the project	Committee and Monitoring Officer	To support role in respect of town and community councils

25 October 2023

Topic	Objective	Who is responsible	Outcome

CYNGOR SIR POWYS COUNTY COUNCIL

Standards Committee
21 June 2023

REPORT BY: Head of Legal and Monitoring Officer

SUBJECT: Annual review of Register of Interest of members, Co-opted members and Church and Parent Governor representatives and Officers

REPORT FOR: Decision

1. Purpose of Report

1.1 The Committee is asked to complete the annual review.

2. Background

2.1 The Committee has a role in respect of the Register of Interest as detailed in Section 8 of the Constitution:

8.8.11 overseeing the Register of Interest of Members, Co-opted members and Church and Parent Governor Representatives and Officers.

2.2 Paragraphs 15 – 16 of Section 18 - Code of Conduct for Members of the Constitution refers to The Register of Members' Interests. Members are required to complete a Register of interest form within 28 days of their election. A copy of the form is attached at Appendix 1. Members are required to keep their Register up to date throughout their term of office and update the form within 28 days of any new interests or becoming aware of changes required to interests detailed on the Register.

3 Members

3.1 The Register of Interest is a public document and is found on the Members' respective pages on the Council website – an example is found in the following link: [Register of interests for Baynham, Beverley Cyngor Sir Powys County Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/register-of-interests-for-baynham-beverley-cyngor-sir-powys-county-council)

3.2 At the election in May 2023, newly appointed members completed their Register of Interest forms and this information was transferred to their page on the Council website. Returning members were asked to review their information on the website and confirm whether it was correct or to update their entries. This was completed by all new and returning members.

3.3 In January 2023, an email was sent to members asking them to review their Register of interests as part of the preparatory work for closing of the Council's accounts. They were asked to complete the review by 31 March

2023. Where this was not completed a further email was sent on 12 April 2023 and Group Leaders were copied into this, asking that the review be completed by 21 April 2023. All members had completed a review or updated their interests by 25 April 2023.

4 Co-opted members and Church and Parent Governor Representatives

4.1 Co-opted members and Church and Parent Governor Representatives were emailed on 9 May 2023 asking them to review their current form and/or complete the new form to reflect their current interests. They were reminded that they should declare any interests when they relate to matters under consideration at a meeting, as required under the Council's Code of Conduct and that they should also update the information contained on their Register, when they occur.

The above were asked to return the forms by 9 June 2023. To date 9 of the 12 Co-opted members and Church and Parent Governor Representatives have returned their new forms. Reminders have been sent to the others.

5 Officers

The Monitoring Officer has emailed Heads of Service asking them to review the declarations of interest made by officers, which are held by each Service. The Monitoring Officer has the right to audit the Declaration Forms at any time.

Recommendation:	Reason for Recommendation:
<p>1. To note the report</p> <p>2. To require the Monitoring Officer to continue to remind the 3 Co-opted members and Church and Parent Governor Representatives to return their new forms.</p>	<p>To ensure the Committee undertakes an annual review of the Register of Interest of members, Co-opted members and Church and Parent Governor representatives and Officers as part of its work programme.</p>

Relevant Policy (ies):	
Within Policy:	Y
Within Budget:	Y

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Clive Pinney
Date By When Decision To Be Implemented:	

Contact Officer Name:	Tel:	Fax:	Email:
Clive Pinney – Head of Legal and Monitoring Officer	01597 826746	01597 826220	clive.pinney@powys.gov.uk

Appendix 1

I _____ (FULL NAME)
being a Member of Powys County Council give notice that I have the following financial and other interests which are required to be recorded in the statutory public register, as set out below:

1. Details of any employment or business carried on by you?

Name of Employer or Body	Description of Employment Activity

2. Name of any person who employs or has appointed you, name of any firm in which you are a partner and / or name of any company for which you are a remunerated director

Name of Person / Firm / Company

3. Details of any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member

Name of Person / Body Making Payments

4. Details of any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body.

Name of Body / Company

5. Details of any contract for goods, services, or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a corporate body specified in (4) above

Name of Firm / Company / Corporate Body	Type of Contract (i.e. goods, services or works)

6. Details of any land in which you have a beneficial interest and which is in the area of your authority

Address / Description of Land	Nature of Interest in Land

7. Details of any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in (4) above.

Address / Description of Land	Name of Firm / Company / Corporate Body

8. Details of any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer

Address / Description of Land

9. Details of any body to which you have been elected, appointed or nominated by your authority

Name of Body	Position

10. Details of membership of any public authority or body exercising functions of a public nature

Name of Public Authority / Body	Position Held

11. Details of membership of any company, industrial and provident society, charity or body directed to charitable purposes

Name of Company / Society / Charity or Body	Position Held

12. Details of membership of any body whose principal purposes include the influence of public opinion or policy

Name of Body	Position Held

13. Details of membership of any trade union or professional association

Name of trade union / professional association	Position Held

14. Details of membership of any private club, society or association operating within Powys County Council's area, where you hold a position of general control or management

Name of club, society or association	Position Held

Signature: _____ Date: _____

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