

CYNGOR SIR POWYS COUNTY COUNCIL.

Standards Committee 12 February, 2020

REPORT BY: Head of Legal and Democratic Services

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

Mid-term mandatory Code of Conduct training has been arranged for 5 June, 2020. This training is for Councillors, Independent Members of Standards Committee and Town and Community Council members of the Standards Community Sub-Committee and Independent Members on Scrutiny Committees. Officers will support participants to discuss various code of conduct scenarios. If anyone is unable to attend, a further session with officers, will be provided to ensure that all undertake this mandatory development.

A2 Mandatory Training

All Councillors have now completed the Equalities and Diversity mandatory training provided by officers. As required by the Standards Committee at its last meeting, Councillor Liam Fitzpatrick has completed the mandatory Corporate Safeguarding training.

B. Referral of Councillors to Public Services Ombudsman

B1. County Councillor Referrals

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

01/CC/2018 APW suspended for four months – 20/11/19 – 20/03/20
12/CC/2018 Concluded no breach. Review requested. – No further action and case closed

04/CC/2019 Ombudsman deciding whether or not to investigate
05/CC/2019 Not investigating
06/CC/2019 Concluded not investigating
07/CC/2019 Concluded not investigating

C Dispensations

C1 Applications - County Councillors

No applications for dispensation have been received from County Councillors.

D Late Payment of Expenses

There are no late claims for expenses.

E Independent lay Member on Standards Committee

The term of office of an Independent Member of the Standards Committee, Mrs Claire Jackson, ends on 21 June, 2020. Mrs Jackson will have completed one term of six years. Although she is eligible to be appointed for a further term of four years, she has advised that she does not wish to continue.

The Council agreed the recruitment process at its meeting on 23 January, 2020 and a copy of the report and process is attached Appendix 1.

A press release was published and adverts placed in the County Times and the Brecon and Radnor Express during the week of 3 February, 2020.

Applications will be considered by an Appointments Panel of five members:

- two of the current Independent (Lay) Members of the Standards Committee,
- one of the four county councillors sitting on the Standards Committee,
- one Town/Community Councillor sitting on the Standards Community Sub-Committee

and one lay person who will act as Chair. The Standards Committee is requested to nominate Members of the Committee to sit on the Appointments Panel.

F Ombudsman's Casebook

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

- April – June 2019
- June – September 2019

A copy of the Casebooks are attached at Appendix 2.

Back copies of the casebooks can be accessed from the website of the Public Services Ombudsman for Wales at:

<https://www.ombudsman.wales/code-of-conducts/>

G The North Wales Standards Committee Forum

On reviewing the minutes of the last two Forum meetings, it was noted that in June 2018 it was: RESOLVED to ask everyone to consult with their Standards

Committees regarding potential items for the next meeting and feedback any suggestions, through the Monitoring Officer, to the next host authority.

In light of the above the Forum Members have been asked for potential items for the next meeting, which will be collated and forwarded to the Monitoring Officer and when they would like a meeting in either March or April.

The Committee is asked to suggest potential items for the Agenda.

H Draft Local Government and Elections (Wales) Bill

The Committee should note that the draft Local Government and Elections (Wales) Bill makes two proposals that will affect the Standards Committee.

First, the Bill seeks to introduce a new duty on leaders of political groups to take steps to promote and maintain high standards of conduct by members of their groups. In doing so, a group leader must co-operate with the council's standards committee in the exercise of its functions to promote and maintain high standards of conduct. In turn, a standards committee has new functions under the Bill to ensure group leaders have access to advice and training to support their new duties and to monitor group leaders' compliance with those duties.

Secondly, standards committees will be required to review their work periodically and report significant matters they have dealt with and any emerging trends to their council. Standards committees will be required after the end of each financial year to 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 council will be obliged to consider the report and any recommendations made by the standards committee within 3 months of receipt.

I Correspondence

The President of the Adjudication Panel for Wales has issued a Practice Direction - APW/PD/01/2020. The letter and Practice Direction are attached at Appendix 3.

J Meeting dates

To note dates of future meetings as follows:
Wednesday 10 June 2020
Wednesday 7 September 2020

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