

## 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

<b>5.</b>	<b>STANDARDS COMMITTEE DRAFT ANNUAL REPORT 2022-2023</b>
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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.

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