

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.