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## STANDARDS COMMITTEE, 17.01.11

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**Present:-**

**Elected Members:-** Councillors Stephen Churchman, Keith Greenly-Jones and Margaret Griffith.

**Independent Members:-** Mr John Pollard (Chairman), Mr Gwilym Ellis-Evans, Mr Malcolm Jones and Mr Gwyn Williams.

**Community Committee Member:-** Mr David Clay.

**Also Present:** Dilys Phillips (Monitoring Officer), Siôn Huws (Propriety Officer) and Eirian Roberts (Committee Officer).

**Apology:-** Mr Sam Soysa (Independent Member).

**1. DECLARATION OF PERSONAL INTEREST**

No declarations of personal interest were received from any member present.

**2. MINUTES**

The Chairman signed the minutes of the previous committee meeting held on 11 October 2010, as a true record.

**3. STANDARDS COMMITTEE ANNUAL REPORT**

Copies of the Standards Committee Annual Report were distributed.

The Propriety Officer reported that an article had been contained in Newyddion Gwynedd that drew attention to the Standards Committee, and notified readers that the Committee's Annual Report was available on the Council's website.

Some members noted that they had had difficulty finding the Annual Report on the website and the Monitoring Officer and the Propriety Officer agreed to look into the matter.

It was suggested that it would be a good idea to send copies of the Annual Report to the county's secondary schools, for the attention of the school councils.

It was also suggested that it would be beneficial to invite observations on the content and format of the Annual Report from any individual or body that received a copy of the document, including the school councils.

The Monitoring Officer noted that any feedback would be of great assistance to form the committee's next annual report in the autumn.

It was suggested to ask the Chief Executive to prepare a brief foreword for the next annual report.

It was also suggested that it would be useful to include a copy of Gwynedd Standard as an appendix to the report.

#### **RESOLVED**

- (a) To distribute copies of the Annual Report to all members of Gwynedd Council, to every community/town council within the county, and via an electronic link to the county's secondary schools, for the attention of the school councils, and invite observations on the content and format of the document.**
- (b) To ask the Chief Executive to prepare a brief foreword to the next annual report.**
- (c) To include a copy of Gwynedd Standard as an appendix to the report.**

#### **4. STANDARDS CONFERENCE WALES 2010**

Submitted – the report of the Monitoring Officer appending notes prepared by those who had been present on behalf of this committee at the 2010 Standards Conference Wales – 'Theory Into Practice' held at City Hall, Cardiff on 14 October, 2010.

The Monitoring Officer noted that it would be beneficial if the committee were to touch on some of the messages derived from the conference, and especially so the need for the committee to be proactive in maintaining standards. She reminded members that the committee's current work programme came to an end in April this year, therefore the committee should begin thinking about establishing a new work programme for the coming year. She noted further that Powys County Council would be arranging the 2011 Conference. It was likely that the conference would be held in Llandrindod and that would increase the number who would be able to attend from Gwynedd.

A member noted that, although there had been benefits from attending the 2010 Conference, they had not succeeded in discussing many headings due to lack of time, and suggested that, this year, the Conference's organisers should be asked to give priority to the discussion sessions.

Reference was made to the suggestion during the conference that some independent members should sit in on the Council's meetings, and it was asked whether it would be possible to establish such an arrangement in Gwynedd as it was important that the independent members were aware of members' conduct and actions during the various meetings of the Council.

The Chairman expressed some doubt about such an arrangement on the grounds that it would be difficult for an independent member who had witnessed misconduct to partake in a subsequent hearing before the Standards Committee.

In response to this observation, the Monitoring Officer noted that it would be very unlikely that an independent member would witness an example of misconduct in a committee, as the majority of complaints submitted to the Ombudsman referred to members' conduct outside committees. With that, she did not think that there would be any conflict.

A member expressed concern that the presence of an independent member of the Standards Committee at the Council's meetings could create a more false atmosphere. However, he acknowledged that everyone was entitled to attend a meeting as a member of the public, without warning.

Some members noted that they did not have identification badges and the Monitoring Officer noted that she would secure a badge for everyone. She also noted that she would arrange a further copy of the calendar of Council committee meetings to anyone who required it. She explained that the committee agendas were on the Council's website and that it was possible for anyone who intended to attend a meeting to have a hard copy of the agenda. She also asked that anyone who intended to attend a meeting contacted her, or the Propriety Officer, beforehand so that they could be briefed. She noted further that the Administrative Officer in the Committees Unit was able to send a link to the independent members to notify them when a committee agenda had been posted on the Council's website.

Members discussed the type of committees that independent members could attend, and it was suggested that the most interesting and beneficial committees in terms of standards matters would be the Planning Committee, the Council Board, the full Council and the Area Committees.

The Monitoring Officer referred to the audit by Cardiff Council's Standards and Ethics Committee on hospitality and suggested that there were matters that this committee could examine too, e.g. gifts and hospitality and the declaration of interests register. To this end, she suggested that this matter could be included in the work programme for the coming year. Should members wish to examine more matters, that could be looked at as well.

Reference was made to the leaflets that had been distributed for the discussion session on standards committee hearings and it was suggested, should this committee require to conduct a hearing in the future, that it would be a good idea to hold a training session beforehand, using these leaflets.

The Chairman suggested that training could be held in the form of a mock hearing.

The Monitoring Officer noted, assuming that there would be no need for a hearing before the committee's next meeting, that a model for conducting hearings could be submitted to the committee in April.

In response to an enquiry, the Monitoring Officer noted that the remit of this committee was included in the Council's Constitution and that she would distribute copies of the document to the members so that they could submit observations on the content at the next meeting. She further noted that this document was common to all standards committees throughout Wales, but additions could be made to it, and that it should also be checked whether this committee was adhering to its remit.

A member noted that he only had a draft copy of Gwynedd Standard. The Monitoring Officer agreed to send a copy of the final document to everyone.

Referring to the discussion session on the Code of Conduct, a member expressed disappointment that there had been no discussion on the section on interests, as it would have been beneficial to question the Ombudsman on different types of interest. He also noted that, in his opinion, neither of the discussion workshops had been managed very well, as many matters had not been addressed.

The Chairman noted that there was a risk for people to lose confidence in the system as the Ombudsman decided not to investigate many complaints. To this end, he suggested that perhaps there was a need for someone to view the complaints quickly before submitting them.

The Monitoring Officer noted that the main risk in the system was the time it took to conduct investigations, and she detailed some of the reasons for the delay.

#### **RESOLVED**

- (a) **To note the contents of the report.**
- (b) **To notify the organisers of the 2011 Conference that the discussion workshops is the most beneficial and interesting element of the conference, and that sufficient time should be allowed for discussion, rather than receiving presentations.**
- (c) **To send a link to committee agendas to the independent members on this committee, and to ask them to contact the Monitoring Officer or the Propriety Officer beforehand if they wish to attend a meeting.**
- (ch) **To arrange identification badges for every member of the Standards Committee and a further copy of the calendar of Council committee meetings to anyone who needs it.**
- (d) **To include the following matters on the committee's work programme for the coming year:-**
  - **Complete an audit of a specific matter, such as gifts and hospitality / the declaration of interests register.**
  - **Review the procedures for conducting hearings.**
- (dd) **To distribute copies of the Standards Committee remit to each member of the committee, and invite observations on the content.**
- (e) **To distribute final copies of Gwynedd Standard to each member of the committee.**

#### **5. NORTH WALES STANDARDS CONFERENCE**

Submitted – the oral report of the Monitoring Officer noting that Conwy County Borough Council had proposed that all north Wales standards committees should convene for half a day to discuss, jointly, the standards field. She explained that only a percentage of the members could be present in the Standards Conference Wales, and it meant a lot of travelling for the representatives. It was also difficult to get to grips with matters as there were so many present.

She further noted that the agenda for the regional conference would be slightly less formal than that for the whole of Wales, and the aim would be for everyone to learn from each other. It was required for each standards committee in turn to give a short presentation, before dividing into discussion groups.

As a first step, it was intended to invite the Chair and Vice-chair of each standards committee to a preliminary meeting in April to discuss the establishment of the conference.

**RESOLVED to noted the information, and if the Chair and Vice-chair can not be present at the preliminary meeting in April, to ask the Monitoring Officer to contact whoever will be available to attend on the day.**

#### **6. ADJUDICATION PANEL FOR WALES ANNUAL REPORT**

Submitted – the report of the Monitoring Officer appending a copy of the 2009/10 Annual Report of the Adjudication Panel for Wales.

The Monitoring Officer noted further that the panel could take several months to hear cases, but the recent appointment of additional members to serve on the panel would facilitate the situation. She also noted that the result of a hearing was awaited from Ceredigion, with regard to a situation of conflict between ward interests and the interests of the county in a wider sense and she would report back on that at the next meeting.

Attention was drawn to the fact that representation on the panel was very disproportionate, with only one of the eight members coming from north Wales.

**RESOLVED to note the content of the report.**

## **7. TRAINING ON THE CODE OF CONDUCT**

Submitted – the report of the Monitoring Officer asking the committee to consider options for introducing training on the code of conduct for Gwynedd Council members, and for members and clerks of the county's community and town councils.

The Propriety Officer noted further that 18 May had been earmarked as a training day for Gwynedd Council members. He then elaborated on two options, namely the creation of a training module and a DVD, and referred to the costs of developing and maintaining the two types of resources. In terms of the possibility of collaborating, he noted that he was waiting for the National Training Officer of One Voice Wales to contact him.

The Monitoring Officer suggested that they could ask the Wales Local Government Association for financial and practical support for the initiative, as the training would be relevant to all councils in Wales.

The Chairman suggested asking the Assembly for financial support also.

A member suggested that Gwynedd Council could produce a bilingual resource and could sell it to other councils.

There was a discussion regarding what kind of resource would be best, as not everyone had access to the internet. There was a general consensus in favour of creating a module on the Council's website, as it would be easier to recover the cost and there would be a means of keeping a record of who has undertaken the training.

The Chairman emphasised the importance of this training, and stated that everyone should be committed to this.

The Propriety Officer noted that a specific page could be assigned for the standards field on the Council's website, so that all relevant document were available in one place. He also noted that officers were looking at the possibility of installing videos on the website, and there was a potential to take advantage of this kind of opportunity in future.

**RESOLVED to ask Gwynedd Council to produce a standard, easy to use training module on the Code of Conduct on the Council's website for a reasonable price and sell / distribute it to other councils in Wales, fire authorities and national park authorities.**

## **8. ALLEGATIONS MADE AGAINST MEMBERS**

Submitted – the report of the Monitoring Officer notifying the committee members of the developments in relation to allegations against members since her last report.

The Monitoring Officer noted that case 3.1 in the report had been before the Ombudsman for nearly a year, and that a decision was expected very soon. Should the case come before the committee in due course, she would arrange training for the members.

**RESOLVED to accept the report.**

At the end of the meeting, Mr Gwilym Ellis Evans gave thanks for the privilege of being re-appointed as an independent member of the Standards Committee for a further period of four years.

The meeting commenced at 11.00am and concluded at 12:05pm.