
STANDARDS COMMITTEE 25/01/16

Present:-

Elected Members:- Councillors Lesley Day, Michael Sol Owen and Eryl Jones-Williams.

Independent Members:- Ms Jacqueline Hughes, Miss Margaret Jones (Vice-chair chairing in the Chair's absence) and Mr David Wareing.

Also in Attendance: Iwan Evans (Monitoring Officer), Siôn Huws (Senior Solicitor) and Eirian Roberts (Member Support and Scrutiny Officer).

Apologies:- Dr Einir Young and Mr David Clay.

1. DECLARATION OF PERSONAL INTEREST

No declarations of interest were received from any members present.

2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 5 October, 2015 as a true record, subject to rectifying the reference under item 5 to the Integrated Well-being, Health and Social Care Act to read "*Future Generations Well-being Act and Integrated Health and Social Care Act*".

3. LOCAL GOVERNMENT BILL (WALES) 2015 PART 4

Submitted:-

- The report of the Monitoring Officer inviting the committee's observations on Part 4 of the Local Government Bill (Wales) 2015, in so far as it related to the functions of the Standards Committee, to be considered as part of the preparation of the corporate response to the Bill.
- Part 4 of the draft Bill.

The Monitoring Officer explained that:-

- Part 4 of the Bill imposed new duties on standards committees to deal with complaints that members of new prospective county councils had breached the statutory duties imposed upon them in terms of the performance of their functions, such as attending meetings, holding regular ward surgeries, answering correspondence, completing compulsory training courses and publishing an annual report.
- Standards committees were also expected to monitor the compliance of leaders of political groups with their duties to take reasonable steps to promote and maintain high standards of conduct by members of their group and also to advise, and arrange relevant training.
- Standards committees would also have a duty to provide an annual report to the Council describing how they have implemented those functions during the year.
- The procedure for handling complaints about an alleged failure by a councillor to abide by the duties imposed, required the Monitoring Officer to refer the matter to the chair of the Standards Committee. Should the Monitoring Officer and the chair both consider that a matter should not be investigated, no investigation could take place, but should either the Monitoring Officer or the chair consider that a matter

should be investigated, the Monitoring Officer would have to investigate it and provide a report of the investigation to the Standards Committee.

RESOLVED to submit the following observations on Part 4 of the Local Government Bill (Wales) 2015 to be considered as part of the preparation of the corporate response to the Bill:-

- **The idea of introducing statutory duties is supported as it sets a framework that should be worked within, but more clarity is required regarding the element of flexibility, e.g. is it acceptable for a member to explain that he/she is not holding surgeries as he/she is undertaking the work in another manner, and are members expected to acknowledge receipt of correspondence or provide a full response within 14 days?**
- **Members of the new prospective county councils will sign up to this procedure and will therefore be aware of what is expected of them.**
- **The investigation and enforcement procedure leads the Monitoring Officer and the Standards Committee into the field of managing the performance of individual members and it must be questioned whether or not the Standards Committee is the best resource to deal with under-performance within the Council and alternative methods of ensuring performance should be considered, such as the allowances procedure.**
- **There is a concern regarding the implications of the proposed procedure, especially in terms of the Monitoring Officer and the Chair of the Standards Committee as the requirements are very broad and could nearly change the Chair's function into a full-time job and make it difficult to get people applying to become members of the Standards Committee.**

4. ALLEGATIONS AGAINST MEMBERS

Submitted, for information – the report of the Monitoring Officer on formal complaints made against members.

Further to the report, the Senior Solicitor noted that another two complaints had come to hand since the report had been written and that he would report on them at the next meeting.

RESOLVED to note the report.

5. WALES STANDARDS CONFERENCE 2015

Submitted, for information:-

- The report of the Monitoring Officer on the Standards Conference Wales 2015, held in Cardiff in October.
- A report on the conference prepared by Cardiff City Council who hosted the event.

She thanked the members who attended the Conference, the Monitoring Officer and the staff for making the arrangements and noted that it had been very beneficial to have the opportunity to share opinion with members of other standards committees.

The Monitoring Officer thanked the members for attending the Conference and provided a summary of the main messages that derived from the presentations and workshops.

RESOLVED to accept the report with thanks.

6. OBSERVING MEETINGS

Independent members were invited to provide verbal feedback following their experience of observing the meetings of Gwynedd Council or town / community councils.

Mr David Wareing referred to difficulties he had when he attempted to observe a community council meeting as the Council in question operated in Welsh only. If he had turned up unannounced, he explained that he could not have followed the discussion and that non-Welsh speakers would be excluded. In response, the Monitoring Officer explained that community councils were expected to operate in accordance with their language plans which set out their procedures with regards to matters such as simultaneous translation. However, he suggested that members should ascertain what those procedures were beforehand as he was aware that the situation varied from one council to another in terms of when and how translation services are provided. He added that any complaint regarding lack of provision should be referred to the community council in question.

Independent members were reminded that they were able to observe a number of Gwynedd Council committees and the full council meeting in the webcast section on the Council website.

The meeting commenced at 11.00 am and concluded at 12.15 pm

CHAIRMAN