

STANDARDS COMMITTEE 21/11/22

Present:-

Elected Members:- Councillors Anne Lloyd Jones, Beth Lawton and Dewi Owen.

Independent Members: Mr Aled Jones, Mr Hywel Eifion Jones, Mr Dave Wareing and Dr Einir Young (Chair)

Community Committee Member: Mr Richard Parry Hughes

Also in Attendance: Iwan Evans (Monitoring Officer), Sion Huws (Propriety and Elections Manager) and Eirian Roberts (Democracy Services Officer).

1. APOLOGIES

None to note.

2. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 11 July 2022 as a true record.

3. DECLARATION OF PERSONAL INTEREST

None to note.

4. URGENT ITEMS

No urgent matters were raised.

5. STANDARDS COMMITTEE NATIONAL FORUM

Submitted – the report of the Monitoring Officer inviting the committee to approve the proposed arrangements to support the Standards Committee National Forum, and to agree a draft Terms of Reference for the Forum.

During the discussion, the following matters were raised:-

- The proposal to set up a National Forum in order to establish consistency in the arrangements across Wales was welcomed.
- In response to a question, the Monitoring Officer noted that it was intended to hold the first meeting of the Forum in December, subject to arranging a date. In relation to representation from Gwynedd, it was likely that the Vice-chair of this committee would be asked to attend this time, as the term of the Chair was ending in December, but this was dependent on the exact date of the Forum.
- The Chair suggested, as the Monitoring Officer would not normally attend Forum meetings, that the Chair and the Monitoring Officer should meet soon after each meeting, to allow the Chair to inform the Monitoring Officer of the matters raised, so that the Monitoring Officer could then provide feedback to the Standards Committee.

RESOLVED

- 1. To agree on the draft Terms of Reference, including representation.**

2. To approve the proposed arrangements to support the National Forum.

6. LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021: PROTOCOL ON THE DUTIES OF POLITICAL GROUP LEADERS AND THE STANDARDS COMMITTEE

Submitted – the report of the Monitoring Officer inviting the committee to approve a draft Protocol on the Duties of Political Group Leaders and the Standards Committee.

During the discussion, the following matters were raised:-

- It was suggested that the second bullet point under the Protocol Actions should be strengthened, to note '*Expect* group members to attend relevant development or training opportunities...' rather than '*Encourage*' to do so, thereby placing a duty on the group leaders to make that a priority. In response, the Monitoring Officer noted that this had arisen in the discussions with the Group Leaders, and that the statutory guidance was to suggest 'encourage'. The action referred to working with the Monitoring Officer to arrange that all Group members had attended Code of Conduct training at the beginning of the term. It was not believed that the Group Leaders had powers to enforce this, and it was suggested that a mindset of collaboration was a more practical and constructive method of achieving this.
- It was noted that it could be more difficult for Independent Group leaders to maintain order as they had no political party powers to support them. In response, it was noted by the Monitoring Officer that this was now a statutory requirement, but that it was a vehicle for working with Leaders to promote good standards, conveying key messages and solving problems through discussion, and sooner, and before they intensify.
- Referring to the recommendation to submit a further report on the operation of the Protocol at the June meeting of the Standards Committee, it was noted that it would be desirable to have confirmation that the three Group Leaders had signed the Protocol by then. In response, the Monitoring Officer noted that the intention was to approve the Protocol now, to be signed by the Leaders.
- It was noted that it was difficult for the Standards Committee to monitor the compliance of Leaders as only three committee members were councillors, and the Monitoring Officer was asked to inform the committee in June if any problems had arisen. In response, the Monitoring Officer noted that he did not anticipate that situation, but if he came across a substantial problem, he was duty-bound to report on it to the Standards Committee.
- In response to a concern expressed by a member regarding two matters relating to conduct that had arisen recently, the Monitoring Officer explained that the protocol did not replace the Ombudsman's complaints procedure and complaints under the local resolution procedure, and where it was believed that a member had breached the Code of Conduct, the usual channels would be followed.

RESOLVED

- 1. To approve the Protocol on the Duties of Political Leaders and the Standards Committee to be signed by the Chair of the Committee and the Political Group Leaders.**
- 2. To receive a further report on the implementation of the Protocol at the meeting of the Standards Committee in June.**

7. THE STANDARDS COMMITTEE'S CONSULTATION WITH A SELECTION OF TOWN AND COMMUNITY COUNCIL CLERKS IN RELATION TO THE ETHICAL STANDARDS FRAMEWORK

Submitted:-

- A report by the Chair of the Standards Committee and the Community Committee Member following the completion of a piece of work to better understand the needs of community council clerks in relation to the ethical framework and specifically the functions of the Standards Committee.
- Monitoring Officer's observations on the report.

The Monitoring Officer summarised the conclusions of the report in the context of the Committee's statutory functions in relation to community councils, and the Community Council Member was then invited to comment on his findings.

The Community Committee Member noted:-

- The work with a selection of town and community council clerks had highlighted that clerks sometimes had difficulty in contacting the County Council, and that the County Council should provide a specific helpline for them.
- It would be beneficial if Welsh Government prepared a simple leaflet on the Code of Conduct for town and community council members, and that all members of all councils received a copy of it when signing to become a councillor.
- Community council members were confused about their powers in relation to their relationship with the County Council.

During the discussion, the following matters were raised:-

- The Chair and the Community Council Member were thanked for their significant work in preparing the report, and it was noted that the picture was unsurprising, as councils differed greatly.
- A question was asked about the observation in the Executive Summary that the relationship with Cyngor Gwynedd was more complicated and needed attention. In response, the Chair explained that the clerks knew that they should turn to the Monitoring Officer on matters relating to standards, but found it more difficult to know who to approach in the County Council regarding other issues. Although this did not directly relate to standards, it was a matter that had arisen consistently during the discussions with clerks.
- The Monitoring Officer was requested to present the suggestion of establishing a dedicated helpline for the clerks to the Chief Executive. In response, the Monitoring Officer noted, although he would be happy to convey the request, that he was unclear about the business case behind it, and was of the view that it would be difficult to progress the idea, particularly in the Council's current difficult financial position. He also noted that he did not believe that the report provided a balanced picture in relation to the County Council's current working practices with town and community councils, and that it was likely that there were a number of different points of contact across the county in that respect.
- In response to the observation that it would be beneficial for the Welsh Government to prepare a leaflet on the Code of Conduct for members, the Monitoring Officer noted that there were specific Code of Conduct guidelines for town and community councils on the Ombudsman's website. A member suggested, although he welcomed the idea of a leaflet, that it would be better to provide a training video on YouTube, and that each councillor would have to sign that they had watched the video. Another option would be to provide virtual training to clerks as a starting point. The Chair referred to recommendation 5, that noted there was a need to know exactly what provision was available from One Voice Wales, while noting that it was clear from the discussions that the clerks had great respect for One Voice Wales. Also, as there was already training available, Cyngor Gwynedd's Legal Unit barely needed to provide any specific training.

- A question was asked about whether it was intended to produce an action plan in response to the report's recommendations. In response, the Monitoring Officer noted that there were matters in the recommendations that were beyond the specific scope of the Standards Committee, and some elements that were a national discussion. Therefore, a further report was needed, noting what was practical for the Committee to achieve.
- Emphasis was placed on the importance of ensuring that we paid attention to the clerks' observations during the consultation, so that something concrete derived from the discussions. It was noted that the common theme from the report was that clerks felt isolated, particularly after Covid, and that it was important that they knew what One Voice Wales, Cyngor Gwynedd and the Ombudsman had to offer, without any duplication. It was possible that the clerks' networks had not been reinstated to the same degree post-Covid, but rather than providing a contact point or duplicating anything, that some kind of action plan could be sent to them noting the practical steps that would be taken as a result of the consultation.
- It was noted that it was understood that the Council faced financial pressures, and that expectations should not be raised, but it was suggested that there were some small practical steps that could be taken, such as asking the Welsh Government to provide a leaflet and/or a YouTube video on the Code of Conduct, and draw the attention of the clerks to the Code of Conduct guidelines on the Ombudsman's website. It was also necessary to identify those clerks that were qualified to provide training on conduct, so that they could help other clerks.
- It was noted that one model that worked well was the Partneriaeth Ogwen model, where three community councils paid the Partnership for assistance, and it was suggested that other initiatives within the county could be encouraged to offer similar support.

As a way forward, it was suggested to ask the Monitoring Officer and the Community Committee Member to prepare an action plan that reflected the contents of the report, and a letter was sent to the town and community clerks following the work to highlight what information was available to them.

In his closing remarks at the end of the discussion, the Monitoring Officer noted:-

- That not all community and town councils subscribed to One Voice Wales and benefitted from their services, and care needed to be taken with regard to how exactly this body is promoted or recommended.
- That the Standards Committee's responsibility towards town and community councils needed to be borne in mind, mainly through the Monitoring Officer acting as a point of contact. The importance of the Standards Committee's visibility in these councils needed to be evaluated when identifying alternative provision of training, for example.

RESOLVED to accept the report and ask the Monitoring Officer and the Community Committee Member to prepare an action plan that reflects the contents of the report.

8. ALLEGATIONS AGAINST MEMBERS

Submitted – the report of the Propriety and Elections Manager presenting information about the Ombudsman's decisions on formal complaints against members.

RESOLVED to note the information.

The Chair noted that she was stepping down from the role after this meeting, as her term on the Committee ended in December, and she thanked the Monitoring Officer, the Propriety and Elections Manager and the Democracy Services Officer for all their support over the years.

The members thanked Dr Eimir Young for all her work over the years, and she was wished well for the future.

Finally, the Monitoring Officer thanked Dr Eimir Young personally for her service as a tireless Chair and noted that she had brought vision and leadership to the role.

The meeting commenced at 10.30 am and concluded at 12.00 pm

CHAIR