

STANDARDS COMMITTEE

13 MAY 2013

Minutes of the meeting of the Standards Committee of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold CH7 6NA on Monday, 13 May 2013

PRESENT:

Mr. C. Bretherton-Watt, Mr. J. Duggan-Keen, Mrs. P.A. Earlam and Mr. E.M. Hughes

APOLOGIES:

Councillors: Hilary McGuill and Arnold Woolley
Mr. R. Dewey and Ms. P.S. Jones

IN ATTENDANCE:

Head of Legal and Democratic Services, Democracy and Governance Manager,
and Committee Officer

60. APPOINTMENT OF CHAIRMAN

Nominations were sought for a Chairman for the Committee. Mr. C. Bretherton-Watt nominated Mrs. P.S. Jones and the proposal was seconded by Mr. J. Duggan-Keen.

RESOLVED:

That Mrs. P.S. Jones be appointed Chairman of the Committee.

61. APPOINTMENT OF CHAIRMAN FOR THE MEETING

In the absence of the Chair, nominations were sought for someone to preside at the meeting.

RESOLVED

That Mr. C. Bretherton-Watt be appointed to preside for the meeting.

62. APPOINTMENT OF VICE-CHAIR

Nominations were sought for a Vice-Chairman for the Committee. Mr. C. Bretherton-Watt nominated Mr. E.M. Hughes and the proposal was seconded by Mr. J. Duggan-Keen.

RESOLVED:

That Mr. E.M. Hughes be appointed Vice-Chairman of the Committee

63. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

There were no declarations of interest.

64. MINUTES

The minutes of the meeting of the Committee held on 8 April 2013 were submitted.

Accuracy

Page 3, minute 56, the word dispensations to be corrected in the title.

RESOLVED:

That subject to the above the minutes be received, approved and signed by the Chairman as a correct record.

65. DISPENSATIONS

There were no requests for dispensation.

66. STANDARDS CONFERENCE 2013

The Head of Legal and Democratic Services distributed summary notes on the Conference and reported on the topics considered. He advised that overall feedback was positive and the majority of delegates had found the Conference useful. He referred to the two plenary sessions which had been held concerning the Public Services Ombudsman for Wales and Local Resolution Procedures and said that the slides used by the Ombudsman and the statistics he circulated would be sent to Committee members. Members were informed that a number of workshops had also taken place and that the following suggestions had arisen from the Conference for further consideration:

- That Standards Committees should monitor/review declaration of interests to improve current procedures and ensure interests were properly declared;
- That Local Authorities across Wales considered adoption of a Local Resolution Procedure to deal with low level complaints in respect of Members.

During discussion the Head of Legal and Democratic Services explained that the Declarations of Interest made by Members should clearly outline details of the interest and whether it was personal or personal and prejudicial. He advised that compliance with the Code of Conduct not only protected Members but prevented the possibility of a complaint arising. Members agreed that an item on Declarations of Interest be added to the Forward Work Programme for future consideration by the Committee. The Head of Legal and Democratic Services also explained that he had drafted a Flintshire Local Resolution Procedure for consideration by Group Leaders.

The Head of Legal and Democratic Services commented on the need to raise awareness amongst elected Members of the significant role of the Standards Committee and the work it undertook. He suggested that members of the Committee may find it helpful to attend other meetings and events held by the Council to increase contact. Conversely elected Members may also find it useful

to attend meetings of the Standards Committee. It was agreed that a copy of the County Council diary of meetings for 2013/14 be distributed to the Committee for information.

RESOLVED:

- (a) That the report be noted; and
- (b) That an item on Declarations of Interest be added to the Forward Work Programme for future consideration by the Committee.

67. LOCAL RESOLUTION PROCEDURE

The Head of Legal and Democratic Services gave an update on the Local Resolution Procedure to deal with complaints in respect of Members. He reported that to date 8 Councils in Wales had adopted a Local Resolution Procedure which appeared to be based on 3 models. He advised that the process was not intended to replace investigation by the Public Services Ombudsman for Wales which remained appropriate for determination of serious breaches of the Code of Conduct, but was to be used to address behaviour which fell short of a breach of the Code or which the Ombudsman would be unlikely to investigate. Members were informed that the Welsh Government and the WLGA had also agreed that local resolution procedures should be adopted.

The Head of Legal and Democratic Services referred to the suggested Flintshire Local Resolution Procedure which had been sent to Group Leaders for consideration and explained that a response to the draft was awaited. In his response to the questions raised by members the Head of Legal and Democratic Services outlined the potential positive and negative aspects of adopting a Local Resolution Procedure.

Members agreed that further consideration of the Local Resolution Procedure be scheduled for the next meeting of the Committee to be held on 10 June 2013. The Head of Legal and Democratic Services said he would distribute copies of the three model procedures used by other Councils in Wales to Committee members for their consideration prior to the next meeting.

RESOLVED:

- (a) That the update be received; and
- (b) That an item on the Local Resolution Procedure be scheduled for the next meeting of the Committee to be held on 10 June 2013.

68. FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services introduced the Forward Work Programme and invited members to put forward items for future consideration.

Members reviewed the current programme and agreed that the following items be considered at the next meeting of the Committee to be held on 10 June 2013:

- Review of Members Code of Conduct
- Local Resolution Procedure

Members also agreed that an item on Declarations of Interest be scheduled for consideration by members at a meeting of the Committee to be held in September 2013.

RESOLVED:

- (a) That the Forward Work Programme be agreed; and
- (b) That an item on Declarations of Interest be scheduled for consideration at a meeting of the Committee to be held in September 2013.

69. ADDITIONAL ITEM

The Chairman announced that he had agreed that the Committee should consider an additional item on the grounds of urgency, as provided for under Section 100 B(4) of the Local Government Act 1972 (as amended). The item was concerning a letter of complaint about the conduct of a Member.

70. COMPLAINT CONCERNING CONDUCT OF A MEMBER

The Head of Legal and Democratic Services distributed copies of a letter of complaint which had been sent to the Committee concerning the conduct of a Member.

Following discussion it was agreed that the Head of Legal and Democratic Services would send a letter of response on behalf of the Committee to resolve the issue raised through informal action.

RESOLVED:

That the Head of Legal and Democratic Services would send a letter of response on behalf of the Committee to resolve the issue raised through informal action.

71. DURATION OF MEETING

The meeting commenced at 6.45 p.m. and ended at 7.35 p.m.

72. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the press or the public in attendance.

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Chairman