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To: Edward Michael Hughes (Chairman)

Councillors: David Cox, Hilary McGuill and Arnold Woolley

Co-opted Members

Robert Dewey, Jonathan Duggan-Keen, Phillipa Ann Earlam and Kenneth Harry Molyneux

2 February 2016

Dear Member

You are invited to attend a meeting of the Standards Committee which will be held at 6.30 pm on Monday, 8th February, 2016 in the Clwyd Committee Room, County Hall, Mold CH7 6NA to consider the following items

Please note that a training session for the Standards Committee members will be held from 6.00pm until 6.30pm

A G E N D A

1 APOLOGIES

Purpose: To receive any apologies.

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

3 MINUTES (Pages 3 - 6)

Purpose: To confirm as a correct record the minutes of the meeting held on 7 December 2015.

4 DISPENSATIONS

Purpose: To receive any requests for dispensations.

5 **REVIEW OF PROTOCOL ON COUNCILLOR NEWSLETTERS** (Pages 7 - 10)

For the Committee to confirm that current arrangements for Councillor newsletters and annual reports are sufficient and do not require amendment.

6 **FORWARD WORK PROGRAMME** (Pages 11 - 12)

Purpose: For the Committee to consider topics to be included on the attached Forward Work Programme.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Evans', with a long horizontal stroke extending to the right.

Peter Evans
Democracy & Governance Manager

STANDARDS COMMITTEE **7 DECEMBER 2015**

Minutes of the meeting of the Standards Committee of the Flintshire County Council held at County Hall, Mold, on Monday, 7 December 2015.

PRESENT: Edward Hughes (Chair)

Councillors:

David Cox, Hilary McGuill and Arnold Woolley

Co-opted Members:

Jonathan Duggan-Keen and Ken Molyneux

APOLOGIES:

Robert Dewey and Phillipa Earlam

IN ATTENDANCE:

Deputy Monitoring Officer and Team Manager – Committee Services

28. DECLARATIONS OF INTEREST (including whipping declarations)

None were received.

29. MINUTES

The minutes of the meeting held on 2 November 2015 were submitted.

RESOLVED:

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

30. DISPENSATIONS

None had been received.

31. REVIEW OF LOCAL RESOLUTION PROCEDURE

The Deputy Monitoring Officer introduced the report which provided details on the six cases that had been handled under the Local Resolution Procedure (LRP) since it was adopted by County Council on 25 June 2013. It was now an appropriate juncture to review the effectiveness of the procedure since its inception.

The information showed that where both parties worked in good faith the procedure could work swiftly and successfully to resolve an issue. The speed at which complaints were handled was important in resolving an issue whilst it was still relevant and whilst parties were willing to participate. There was no current mechanism for preventing delay.

The Chair referred to feedback received from Mr Robert Dewey from the Standards Conference Wales on 20 October 2015 where Rhondda Cynon Taff County Borough Council imposed a 30 day time limit for complaints. He explained that the current procedure at Flintshire County Council imposed a 12 month time limit on bringing a complaint but there was no upper limit on how long they took to resolve.

A discussion took place on the current arrangements and Councillor Woolley suggested that a time limit be imposed on the time required to resolve a complaint which could include a caveat to extend that time period if required, which was supported. Following advice from the Deputy Monitoring officer, it was agreed that a 30 day time limit be imposed for referring a complaint to the Monitoring Officer. This must be within 30 days of the incident giving rise to the complaint coming to the attention of the complainant. From receipt of the complaint there should be a 12 month limit for resolution and both time limits could be extended at the discretion of the Monitoring Officer.

The Deputy Monitoring Officer explained that any changes to the LRP would need to be considered by the Constitution Committee and Council prior to adoption.

RESOLVED:

- (a) That a 30 day time limit be imposed for referral to the Monitoring Officer from the date that the complainant becomes aware of the incident giving rise to the complaint, with a 12 month time limit for resolution under the Local Resolution Procedure, and both time limits could be extended at the discretion of the Monitoring Officer; and
- (b) That the proposed changes to the Local Resolution Procedure be reported to the Constitution Committee and Council for approval.

32. FORWARD WORK PROGRAMME

The Chair invited any items from members of the Committee for the Forward Work Programme.

Councillor Woolley suggested that, following the Welsh Government elections in May 2016 and the topic of training that had been received prior to the meeting, an item be submitted to a future meeting on the Local Government Act 2000 – Part III, Conduct of Local Government Members. He also suggested that prior to the May 2016 elections the Committee receive training on what was permitted by Members during the election purdah period.

Mr Duggan-Keen referred to the Code of Conduct training that was scheduled for 26 January 2016 for Town and Community Councils. The training would be hosted by the Monitoring Officer and was taking place at Cymau Community Centre, Cymau, Near Wrexham.

RESOLVED:

- (a) That the Forward Work Programme be noted;
- (b) That a future item be submitted on the Local Government Act 2000 – Part III, Conduct of Local Government Members; and
- (c) That training on what was permitted by Members during the election purdah period be received prior to the Welsh Government elections in May 2016.

33. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

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

The meeting commenced at 6.30pm and ended at 6.58pm.

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Chairman

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STANDARDS COMMITTEE

Date of Meeting	Monday, 8 February 2016
Report Subject	Review of Protocol on Councillor Newsletters
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

In 2012 the Committee considered whether to introduce a protocol on councillors using council resources to produce newsletters in their wards. It made recommendations to Council which Council chose not to adopt, preferring instead to prohibit the use of council resources for such purposes.

On a similar note, Section 5 of the Local Government (Wales) Measure 2011 requires the Council to make arrangement for every member to prepare an annual report, which it must then publish. Guidance published in May 2013 allowed councils to set conditions/limits on what it contained within such reports, and also for councils to decide how the reports would be published.

On 17 July 2013 the Democratic Services Committee resolved:

- (a) That the following conditions be imposed as part of the arrangements under Section 5 of the Local Government (Wales) Measure 2011:
- (i) That annual reports by Members must comply with the statutory guidance including the standard template referred to in paragraph 1.6 of that guidance.
 - (ii) That the contents of the annual report are not defamatory in the opinion of the Council's Monitoring Officer
- (b) That there are sufficient arrangements for publishing the annual reports and publicising their availability if they are published on the appropriate part of the Council's website and their availability publicised on it.

Since July 2013 there has been little interest in or take up of annual reports. The number published for 2014/15 was three.

By contrast councillors are (anecdotally) known to be regularly producing their own newsletters without support or assistance from the Council. Therefore, there seems no need to amend either the arrangements for newsletters or annual reports. However, it would be useful to have clear data on the number of councillors producing their own newsletters and the frequency.

RECOMMENDATIONS

1	That the Committee confirms that the current arrangements for councillor newsletters and annual reports are sufficient and do not require amendment.
2	That all councillors be asked to confirm whether they produce newsletters and how often.

REPORT DETAILS

1.00	COUNCILLOR NEWSLETTERS
1.01	The Code of Conduct requires councillors to act in accordance with the Council's requirements when using resources allocated to them. The current protocol on newsletters means it would be a breach of the code to use a council computer to produce such a newsletter.
1.02	The original report on newsletters promoted a wider review of how council resources are used. The Council adopted a protocol on the use of Council IT in 2013.

2.00	RESOURCE IMPLICATIONS
2.01	Whilst the protocol on newsletters remains as currently drafted, there are no resource implications. If Council IT were used to draft but not print newsletters again the implications would be minimal.
2.02	There are 55,000 ca households in Flintshire. Clearly, there would be a significant cost if councillors printed just a single page newsletter for every house once a year.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	If the Committee wishes to change the rules on newsletters or annual reports then a report to Council would be necessary.

4.00	RISK MANAGEMENT
4.01	Not permitting the use of Council resources to be used for producing newsletters might have an impact on unwaged councillors. However, the view of the majority of councillors was that this was a small cost that should be covered from the basic allowance.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Report to Standards Committee 3 September 2012</p> <p>Report to Democratic Services Committee 17 July 2013</p> <p>Statutory Guidance on Annual Reports published by Welsh Government 16.5.13</p> <p>Report to Council 25 October 2012</p> <p>Contact Officer: Gareth Owens, Chief Officer (Governance) Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	None

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FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME

Date of Meeting	Topic	Notes/Decision/Action
October 2016	<ul style="list-style-type: none">• Training on Code of Conduct	Joint meeting with Town and Community Councils including a training session on the Code of Conduct
February 2016	<ul style="list-style-type: none">• Training• Dispensations• Review protocol on production of Councillor newsletters	
January 2016	<ul style="list-style-type: none">• Training• Dispensations	Training evening for Members of Town and Community Councils on Code of Conduct

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