

STANDARDS COMMITTEE
4 DECEMBER 2017

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 4 December 2017

PRESENT: Edward Hughes (Chairman)

Councillors:

Patrick Heesom and Paul Johnson

Co-opted members:

Robert Dewey, Phillipa Earlam and Ken Molyneux

APOLOGIES: Jonathan Duggan-Keen and Councillor Arnold Woolley

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Democratic Services Officer

35. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

36. MINUTES

The minutes of the meeting held on 2 October 2017 were submitted.

RESOLVED:

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

37. APPOINTMENT OF INDEPENDENT MEMBER

The Chairman introduced a report on the appointment of an independent member to the Committee, following the joint recruitment exercise undertaken with the North Wales Fire & Rescue Authority (who were seeking to fill two vacancies).

He provided an update on the outcome of the interviews which had taken place since publication of the agenda. Of the eight applications submitted, five candidates had been shortlisted for interview from which Julia Hughes had been recommended for appointment to the Committee. A brief pen portrait drafted by Julia was circulated detailing information on her background and experience.

The Monitoring Officer referred to the composition of the joint panel and explained that the inclusion of Councillor Woolley (in his capacity as Town Councillor) in place of Jonathan Duggan-Keen who had been unavailable, had met the legislative requirements. The recommended term of office for the new member would coincide with one other independent member, thus reducing recruitment costs.

In response to queries, the Chief Officer provided information on the recruitment process. The statutory requirement for advertisements in the local press in the area of the Authority was viewed as expensive, despite this cost being shared with the Fire & Rescue Authority on this occasion. In addition, this method had been the least successful in attracting applications when compared with advertising on social media and the Council's website. Efforts to explore shared advertising opportunities with other councils for appointments to Standards Committees had generated no interest.

The Committee supported the appointment of Julia Hughes and the suggestion that a letter of thanks be sent to Noella Jones, the 'lay person' on the panel.

RESOLVED:

- (a) That Council be recommended to appoint Julia Hughes to the Standards Committee until the end of May 2022; and
- (b) That Noella Jones be thanked for her participation.

38. NORTH WALES STANDARDS FORUM

Mr. Robert Dewey presented his report on the recent meeting of the North Wales Standards Forum, which he had attended on behalf of the Committee.

In summarising the key points of his report, he suggested that the new video due to be produced by the Public Services Ombudsman for Wales (PSOW) could be shown at a future Standards Committee meeting. He felt it was important to encourage more Town/Community Councils to take advantage of training opportunities and referred to the approach of the Standards Committee in Anglesey in engaging with Town/Community Councils at their meetings.

As it was Flintshire's turn to host the next meeting of the Forum in May 2018, the Monitoring Officer would begin preparations in March/April to identify a date and agenda items. In relation to attendance at the recent meeting, it was noted that the primary aim of the Forum was to support independent members, although councillors were also able to attend.

Mr. Dewey was thanked for his report and feedback.

The Monitoring Officer made the following responses to the issues raised:

- Member training sessions - as previously agreed, attendance was recorded but was not available on the Council's website.
- Handling complaints against Members - a statutory process allowed for a hearing with case tribunal subject to meeting specific criteria. It was possible that Member could be suspended pending the outcome, however a careful approach was needed to take account of range of factors including presumption of innocence. Councils were able to take steps informally to protect governance where an accusation was made against a Member. There were plans for the

PSOW office to publish for consultation certain criteria that they would take into account to show transparency.

RESOLVED:

That the report be noted.

39. DECISION OF CASE TRIBUNAL

The Monitoring Officer presented a report on the case tribunal decision relating to the former Councillor Alison Halford, who had been disqualified for 14 months (even though she had retired at the May 2017 Elections). Decisions were reported to the Committee to consider whether there were any lessons arising which could be shared with other Members to assist them in following the Code of Conduct.

A brief summary was given on the findings of the case tribunal which had determined that Councillor Halford had breached the Code of Conduct by (i) using inappropriate language, (ii) using incorrect channels to raise her concerns and (iii) choosing the wrong audience.

During discussion, the Monitoring Officer provided details of the indemnity insurance scheme which was available to Members who chose to opt in.

Ms. Phillipa Earlam felt that the Committee had a duty to comment on the decision once the time limit for an appeal had ended. Officers confirmed that the deadline had lapsed.

Councillor Paul Johnson asked about attendance levels at the Member induction sessions which included information on the Code of Conduct. The Monitoring Officer referred to the statistics previously been reported to the Committee which had reflected a high turnout of new Council Members. The training had also been available to returning Members, some of whom may have attended sessions in previous years.

Concerns were raised by Mr. Robert Dewey that some Members may be 'slipping through the net' in respect of training, particularly on the Code of Conduct. The Monitoring Officer said it was the responsibility of individuals to ensure they kept up-to-date with training made available to them.

The Monitoring Officer agreed to share a draft of the points raised before circulating to Members.

RESOLVED:

- (a) That the judgement of the case tribunal be noted; and
- (b) That the Monitoring Officer prepare a draft summary of the points raised by the Committee to share with Members.

40. DISPENSATIONS

None were received.

41. FORWARD WORK PROGRAMME

The current Forward Work Programme was received.

On items scheduled for the next meeting in January 2018, the Monitoring Officer provided background to the request by One Voice Wales for information on the role of the Town/Community Council member on the Committee. A response had been provided with an invitation to attend the meeting and discuss further if needed.

The Committee was asked for suggested training topics for the next meeting, which would be attended by the new independent member.

Following a suggestion by Mr. Robert Dewey, it was agreed that sentencing guidelines published by the Adjudication Panel for Wales and mitigating features would form part of the training session, along with example cases taken from the Ombudsman's Casebook.

RESOLVED:

That the Forward Work Programme be noted.

42. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 6pm and ended at 7pm)

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Chairman