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Contact Officer:
Sharon Thomas / 01352 702324
sharon.b.thomas@flintshire.gov.uk

To: Edward Michael Hughes (Chairman)

Councillors: Patrick Heesom, Paul Johnson and Arnold Woolley

Co-opted Member:

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

30 January 2018

Dear Sir/Madam

You are invited to attend a meeting of the Standards Committee which will be held at 6.30 pm on Monday, 5th February, 2018 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 - 8)
Purpose: To confirm as a correct record the minutes of the meeting on 8 January 2018.
- 4 **DISPENSATIONS**
Purpose: To receive any requests for dispensations.
- 5 **SOCIAL MEDIA PROTOCOL** (Pages 9 - 12)
Purpose: To consider whether the Council needs to adopt a Social Media Protocol or whether the Guidance issued by WLGA is sufficient.

6 TRAINING FOR TOWN AND COMMUNITY COUNCILLORS (Pages 13 - 14)

Purpose: To update the Committee on the training arranged and provided for town and community councillors, including numbers in attendance

7 CODE OF CONDUCT FOR SCHOOL GOVERNORS (Pages 15 - 18)

Purpose: That Members note the report.

That Members who are themselves school governors ensure they are aware of their school's own code of conduct.

8 FORWARD WORK PROGRAMME (Pages 19 - 20)

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

Yours faithfully



Robert Robins
Democratic Services Manager

STANDARDS COMMITTEE **8 JANUARY 2018**

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 8 January 2018

PRESENT: Edward Hughes (Chairman)

Councillors:

Paul Johnson and Arnold Woolley

Co-opted members:

Rob Dewey, Phillipa Earlam, Julia Hughes and Ken Molyneux

APOLOGIES: Jonathan Duggan-Keen and Councillor Patrick Heesom

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Democratic Services Officer

44. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

45. MINUTES

The minutes of the meeting held on 4 December 2017 were submitted.

As a point of accuracy, it was noted that the meeting had been held at County Hall.

Matters Arising

On minute number 37, it was confirmed that a letter of thanks had been sent to Noelle Jones for her participation on the interview panel.

On minute number 38, the Monitoring Officer had been advised that the next meeting of the North Wales Standards Forum was likely to be hosted by Gwynedd Council rather than Flintshire. He would seek confirmation and report back to the Committee.

On minute number 39, a summary of the points raised during the discussion had been agreed with the Chairman and Vice-Chairman and would be circulated to the Committee.

RESOLVED:

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

46. DISPENSATIONS

The Committee was asked to consider a request for dispensation submitted by County Councillor Christine Jones who wished to speak at Planning Committee on application number 057808 which related to the erection of six dwellings. As a member of the Planning Committee, she had declared a personal and prejudicial interest due to the application site being located to the rear of her home. The application for approval of reserved matters would usually be dealt with through Delegated Powers given to the Chief Officer, however the strength of public views on the application meant that it may require consideration by the Planning Committee.

The Deputy Monitoring Officer explained that in such cases, Members were advised to ask another Member of the Planning Committee to act as ward Member on their behalf and that Councillor Ian Dunbar had been asked in this instance. Councillor Jones would be entitled to speak for three minutes (the same as members of the public) but was seeking dispensation for five minutes which was the same as Committee Members. The Deputy Monitoring Officer had advised Councillor Jones to apply to speak for the additional two minutes which would allow sufficient time and was in line with similar requests previously granted to other Members.

It was explained that the planning application had previously received outline approval. At that stage, Councillor Jones had requested to speak at Planning Committee for five minutes and to make written and oral communications to officers on the matter. However, on 8 December 2014, the Standards Committee had decided to grant dispensation to speak only for three minutes which was felt to be sufficient. The request for dispensation to communicate with officers no longer applied as this was now permitted under the Code of Conduct.

Councillor Arnold Woolley referred to the importance of consistency in decision-making on dispensation requests.

Following a query by Mr. Rob Dewey, it was clarified that the land - which was not in Councillor Jones' ownership - was to the rear of her property. Mr. Dewey expressed concerns about granting dispensation, given the proximity of the application site and indicated his intention to abstain from the vote.

Ms. Julia Hughes suggested comparison with other successful requests to establish any precedent on proximity to the application site. Officers explained that this should not be a factor in decision-making as dispensation had previously been granted to Members where they owned the application site in question. The Committee could be guided by precedents but must consider each request on its own merits. In response to further comments, it was explained that in Flintshire, it was the choice of Members seeking dispensation whether they wished to attend the meeting to aid the debate.

Following discussion, Mr. Ken Molyneux spoke in support of granting dispensation for Councillor Jones to speak for five minutes at Planning Committee on the matter before leaving the room. On being put to the vote, this was agreed.

The Monitoring Officer clarified that the dispensation applied for 12 months and would include matters that he considered similar to application 057808.

RESOLVED:

That Councillor Christine Jones be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak for five minutes as local Member at Planning Committee on planning application 057808, or any application which, in the opinion of the Monitoring Officer, is similar. Councillor Jones is to leave the meeting after speaking, before the application is debated and voted on. The dispensation to be granted for 12 months, ceasing on 8 January 2019.

47. REVIEW OF CODES AND PROTOCOLS

The Monitoring Officer presented a report to consider a timetable for reviewing the codes and protocols within the Council's Constitution which were under the remit of the Committee. A draft timetable was shared, acknowledging that there may be a requirement for additional reviews as and when necessary.

Councillor Paul Johnson referred to the protocol on the production of councillor newsletters and said that greater focus should be given to the risks involved in using social media. During discussion, the Monitoring Officer agreed to circulate guidance published by the Welsh Local Government Association (WLGA) and to schedule a future item to discuss in more detail.

The resolution of the report was agreed by the Committee, subject to amendment of a typographical error and the future item on social media.

RESOLVED:

- (a) That the timetable for reviewing codes and protocols is adopted; and
- (b) That an item on councillors' use of social media is scheduled on the Forward Work Programme following circulation of the WLGA guidance.

48. INDUCTION AND TRAINING FOR THE STANDARDS COMMITTEE

The Monitoring Officer presented a report to consider the training and development needs of members of the Committee, some of whom had joined during the current municipal year.

Ms. Julia Hughes requested training on the Members' Code of Conduct. She referred to the remit of the Committee and asked how members could be assured of the training given to church and parent governor representatives on upholding the standards. The Monitoring Officer would seek confirmation on this support which was provided by the Education & Youth portfolio. Ms. Hughes suggested that the Committee consider details of training programmes and attendance levels, particularly given the concerns about training attendance statistics of town and community council representatives. She made reference to the practice in Denbighshire Council for

independent members of the Standards Committee to attend town and community council meetings on a rotational basis. This was promoted as a support mechanism to observe and report back the findings to the Committee, and to highlight the work of both parties.

Mr. Rob Dewey spoke in support of adopting similar arrangements in Flintshire, as did Councillor Paul Johnson who said that training would be required to enable Committee members to undertake this role.

Councillor Arnold Woolley suggested that town and community councils be consulted first. He said that the reasons for lack of attendance at training sessions should be established to identify a way forward.

Following discussion, the Monitoring Officer agreed to write to town and community councils to seek views on (i) a consistent approach for the visits and (ii) possible reasons for the lack of attendance at training sessions. The responses would be reported back to a future meeting.

In respect of the Members' Code of Conduct, the Monitoring Officer explained that training on various aspects could be split across different meetings, including the Flintshire standard and differences locally from the national model.

It was agreed that training on the Council's Indemnity Scheme would be best provided at a time when it was most needed, due to the low number of hearings. The Monitoring Officer suggested a training session to provide an overview of the principles of national justice.

RESOLVED:

- (a) That training be provided across future meetings to cover elements of the Members' Code of Conduct: Flintshire standard and differences locally from the national model, together with an overview of the principles of national justice;
- (b) That information on the Code of Conduct training and guidance given to church and parent governor representatives by Education & Youth be shared to give the Committee assurance; and
- (c) That the Monitoring Officer write to town and community councils to seek views on (i) a consistent approach for the visits and (ii) reasons for the lack of attendance at training sessions. The responses to be reported back to a future meeting.

49. FORWARD WORK PROGRAMME

As a result of earlier discussion, the items to be scheduled were:

- Councillors' use of social media.
- Refresher training covering elements of the Members' Code of Conduct.
- Clarification on Code of Conduct training and guidance provided to church and parent governor representatives.

- Responses from town and community councils on the proposed visits and possible reasons for lack of attendance at training sessions.

Following suggestions by Ms. Julia Hughes, the Monitoring agreed to schedule a summary log of Code of Conduct complaints (nature and stages of allegations) as a standing agenda item. An item on lessons learnt from the Public Services Ombudsman Wales Casebook would also be scheduled for twice yearly.

In response to a query from Councillor Paul Johnson, it was clarified that a Record of Dispensations was published on the website (under the 'Agendas, Reports, Minutes' link on the Council & Democracy section).

RESOLVED:

That the Forward Work Programme be updated.

50. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6pm and ended at 7.45pm)

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Chairman

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STANDARDS COMMITTEE

Date of Meeting	Monday, 5 February 2018
Report Subject	Social Media Protocol
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

The code of conduct does not contain any specific provision relating to the use of social media however it does contain obligations on:

- treating people with respect
- compliance with equalities legislation; and
- not bringing one's council or position into disrepute
- use of council resources for party political purposes

These provisions only apply where a member is acting in an official capacity and so purely private use of social media does not fall within the ambit of the code.

To date the Council has not adopted a separate social media protocol, and has instead circulated to members the guidance published by WLGA which addresses the issues raised by social media clearly and comprehensively. That guidance is 4 years old. The WLGA is currently reviewing the guidance and is open to comments on how it might be improved or updated.

RECOMMENDATIONS

1	That the Committee continues to rely on the WLGA social media guidance
2	That the Committee submits any suggestions for updating or improving the guidance to the WLGA.

REPORT DETAILS

1.00	HOW THE CODE APPLIES TO SOCIAL MEDIA
1.01	<p>The code only applies to Members who are acting in an official capacity. This includes acting or giving the impression of acting in the role of Member. Thus if a Member mentions public issues or Council activity on social media then those comments are likely to be perceived as having been made in an official capacity. Purely personal use of social media, especially where visibility is closed and not public (e.g. limited to friends only on Facebook), will fall outside the ambit of the code.</p>
1.02	<p>The code of conduct does not specifically include any obligations in relation to social media. At their essence social media are simply means of mass communication and so the following obligations in the code are potentially relevant:</p> <ul style="list-style-type: none">• Paragraph 4(a) have due regard to the need for equality of opportunity• Paragraph 4(b) show respect and consideration for others• Paragraph 5(a) do not disclose confidential information• Paragraph 6(1)(a) not to bring office or authority into disrepute
1.03	<p>The WLGA published a very clear and comprehensive guide to social media that was circulated to all Members when it was published and circulated to members of the committee. The guidance contains:</p> <ul style="list-style-type: none">• A short explanation of the different social media• A positive explanation of the benefits of using social media• Guidance on style and “do’s and don’ts”• Guidance on possible code issues• Commentary on predetermination• A reminder not to use council IT equipment for party political purposes
1.04	<p>The WLGA guidance is now four years old. The WLGA is currently considering updating and refreshing it. Members may wish to comment on ways in which the guidance could be updated or improved. For example it does not give any advice on how Members can look after their own safety and well-being on social media.</p>

2.00	RESOURCE IMPLICATIONS
2.01	None associated with this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	The purpose of social media guidance is to enable Councillors to benefit from the use of social media whilst minimising the associated risks such as reputational damage, breaching the code of conduct.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>WLGA Social Media Guidance - http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=344</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	<p>Welsh Local Government Association (WLGA) represents the interests of local government and promotes local democracy in Wales. It represents the 22 local authorities in Wales and the 3 fire and rescue authorities and 3 national park authorities are associate members.</p> <p>The WLGA's primary purposes are to promote better local government and its reputation and to support authorities in the development of policies and priorities which will improve public services and democracy.</p>

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STANDARDS COMMITTEE

Date of Meeting	Monday, 5 February 2018
Report Subject	Training for Town and Community Councillors
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

This report is to advise the Committee of the level of attendance by Town and Community Councillors at training events that have been delivered regarding conduct and good governance of Town and Community Councillors and Councils, following the elections in 2017.

RECOMMENDATIONS

1	To put the slides produced for the training that was delivered to new and returning Town and Community Councillors, and a link to the Public Service Ombudsman for Wales' (PSOW) video about his role in relation to matters of Councillor conduct, on the Council's website, so that they can be viewed by Town and Community Councillors.
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REPORT DETAILS

1.00	
1.01	Four training events, aimed at informing or reminding new and returning Town and Community Councillors about the Members' Code of Conduct and principles of good governance, were organised for Town and Community Councillors on the 25 th and the 30 th May 2017, the 1 st June 2017, and the 14 th of September 2017.
1.02	Attendance lists for the training sessions show the total attendance for all four sessions was 63, with 59 of the attendees being Town or Community Councillors. There are 34 Town and Community Councils and 441 Town and Community Councillors in total within Flintshire. This means the total turnout (assuming that all members attending did sign the attendance sheet) was around 13% of the total number of Town and Community Councillors in Flintshire.

1.03	It may be helpful for Town and Community Councillors to be able to access the training slides used for the training in the event they have been unable to attend the training, or for those Members who wish to refresh themselves on certain matters that were covered in the training sessions. This may assist in more Councillors benefitting from the training.
1.04	The PSOW recorded a video (which is available via YouTube) to inform Town and Community Councillors and County Councillors about his role regarding the conduct of Councillors, and it may also be useful to provide a link to this video on the Council's website so that this can be viewed by Town and Community Councillors.

2.00	RESOURCE IMPLICATIONS
2.01	None

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	N/A

4.00	RISK MANAGEMENT
4.01	N/A

5.00	APPENDICES
5.01	N/A

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>The training slides used for Training Town and Community Councillors in 2017.</p> <p>The PSOW's video for new and returning Members.</p> <p>Contact Officer: Matthew Georgiou, Deputy Monitoring Officer Telephone: 01352 702330 E-mail: matthew_georgiou@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	PSOW – Public Services Ombudsman for Wales



STANDARDS COMMITTEE

Date of Meeting	Monday, 5 February 2018
Report Subject	Code of Conduct for School Governors
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

To inform Members on what is advised in respect of a code of conduct for school governors and the availability of training and support.

RECOMMENDATIONS

1	That Members note the report.
2	That Members who are themselves school governors ensure they are aware of their school's own code of conduct.

REPORT DETAILS

1.00	Explaining a Code of Conduct for School Governors
1.01	Governors of schools in Wales are responsible for the conduct of the school with a view to promoting high standards of educational achievement. In order that governing bodies may discharge their responsibilities and duties effectively and efficiently, governing bodies are required to agree a Code of Conduct.
1.02	A model code of conduct for governing bodies is available from Governors Wales, the national support body for school governors in Wales.
1.03	In adopting a code of conduct, a governing body should consider the following content:

- ensure that their actions reflect the considered, best interests of the school and its pupils;
- attend governing body meetings regularly;
- on appointment / election attend induction training, data training and chair training (for chairs only) provided by the Local Authority, if the criteria set out in *The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013* applies;
- on appointment / election, familiarise themselves with work of the school and keep this knowledge up to date;
- maintain their knowledge of current education policy, regulations and guidance and extend their skills by participating in training programmes including whole governing body training and other events;
- demonstrate a commitment to equality of opportunity and reflect this in developing and applying the policies the school is required to have in respect of sex, sexual orientation, marital or civil partner status, gender reassignment, race, religion or belief, disability or age (as defined in the Equality Act 2010);
- act as a critical friend towards those with professional responsibilities in the school, bearing in mind the governing body's own responsibility to promote high standards of educational achievement;
- be conscious of, and act within, the limits of the responsibilities of the governing body and when necessary, seek and give due consideration to professional information, advice and guidance;
- respect the responsibility of the head teacher for the day-to-day decisions in the management of the school;
- observe collective responsibility by supporting, once determined by democratic means, the decisions of the governing body;
- respect the governing body's right to deem certain matters to be confidential, restricting discussion of such matters, whether inside or outside governing body meetings, solely to governor colleagues and in appropriate cases solely to discussion within governing body committees;
- develop with colleagues on the governing body, a clear vision for the school;

- focus their contribution to governing body decisions upon what is in the best interests of pupils, and be conscious that the welfare of pupils should always come first in terms of child protection, health and safety and helping each child to develop their full potential;
- encourage and participate in systems which provide for open and effective communication, helping to establish a clear vision of the school's development;
- be aware that all governors are equal and respect others' views and behave accordingly in dealings with governor colleagues;
- be aware of their accountability to parents and others in the local community and seek to devise effective dialogue with all those interested in the conduct and standards of the school;
- observe all protocols and procedures agreed by the governing body;
- be open, honest, objective, fair and impartial and prepared to confront the personal prejudices that may hinder informed decision-making including conflicts of interest.
- With the rise in popularity of social networking sites such as Facebook and Twitter, governors should remember that they are a representative of the governing body and part of a corporate body. It is therefore sensible for governors to maintain a certain level of separation on social networking sites, as this may create a conflict / difficult situation in the future;

1.04

In accordance with *The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013*, the Authority provides access to on-line training and a termly training programme for governors. The statutory scope and content of the training includes reference to the Seven principles of Public Life/Principles of Conduct.

1.05

In accordance with *The Government of Maintained Schools (Training Requirements for Governors) (Wales) Regulations 2013*, governing bodies are required to suspend /remove any governor who has not completed the statutory training within the require timeframe.

The Authority has not been made aware of any governor who has been suspended by their governing body for failing to complete the statutory training.

2.00	RESOURCE IMPLICATIONS
2.01	None arising from this report

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None arising from this report

4.00	RISK MANAGEMENT
4.01	None arising from this report

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>www.governorswales.org.uk</p> <p>Contact Officer: Kim Brookes, Senior Manager Business Change & Support Telephone: 01352 704025 E-mail: k.brookes@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	None

FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME

Date of Meeting	Topic	Notes/Decision/Action
June 2018	<ul style="list-style-type: none"> • Training • Dispensations • Review of the Members' Code of Conduct 	To review the Members' Code of Conduct as part of the Committee's programme of review of the Council's Constitution
May 2018	<ul style="list-style-type: none"> • Training • Dispensations 	
April 2018	<ul style="list-style-type: none"> • Training • Dispensations • Update on Members' Annual Reports 	To consider a template annual report to be circulated to members in May
March 2018	<ul style="list-style-type: none"> • Training • Dispensations • North Wales Standards Forum 	To discuss items for the agenda for the North Wales Standards Forum to be held in May 2018 and hosted by the Council
February 2018	<ul style="list-style-type: none"> • Training • Dispensations • Social Media Protocol • Training Governors on the Code of Conduct • Details of Training for Town and Community Councillors 	<p>To consider whether the Council needs to adopt a Social Media Protocol or whether the Guidance issued by WLGA is sufficient</p> <p>That Members who are themselves school governors ensure they are aware of their school's own code of conduct.</p> <p>To update the Committee on the training arranged and provided for Town and Community Councillors, including numbers in attendance.</p>

Date of Meeting	Topic	Notes/Decision/Action
January 2018	<ul style="list-style-type: none"> • Training • Dispensations • Review of Constitution • One Voice Wales (?) 	<p>To set a new programme for the rolling review of the document</p> <p>OVW may wish to discuss the committee's work with town and community councils and the role of their representative</p>
December 2017	<ul style="list-style-type: none"> • Training • Dispensations • NW Standards Forum • Appointment of independent member • Case tribunal decision 	<p>Sentencing guidelines from the Adjudication Panel for Wales and examples from the PSOW's case book to form part of future training session(s)</p> <p>Report back from Vice Chair</p> <p>Results of panel interviews</p> <p>Report of decision on former Councillor Halford</p>