

STANDARDS COMMITTEE
5 SEPTEMBER 2016

Minutes of the meeting of the Standards Committee of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Monday, 5 September 2016

PRESENT: Edward Hughes (Chairman)

Councillors:

Hilary McGuill and Arnold Woolley

Co-opted members:

Robert Dewey, Jonathan Duggan-Keen, Phillipa Earlam and Ken Molyneux

APOLOGY: Councillor David Cox

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer and Committee Officer

7. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were made.

8. MINUTES

The minutes of the meeting of the Committee held on 4 July 2016 were submitted.

Matters Arising

Minute Number 3: Dispensations - the Monitoring Officer advised that written confirmation of the decisions had been sent to the three Members and the respective Clerks. A standard letter was now being used to confirm the details of decisions where dispensation was granted by the Committee.

RESOLVED:

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

9. DISPENSATIONS

There were no applications for dispensation.

10. PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL REPORT

The Deputy Monitoring Officer presented a report summarising the headline matters of the 2015/16 Annual Report of the Public Services Ombudsman for Wales (PSOW) with a particular focus on matters relating to

standards of county and town/community councillors. As a point of accuracy, two typographical errors were noted in the covering report.

Whilst there had been a reduction in the number of public services complaints, the PSOW had expressed disappointment at the rise in complaints on potential breaches of the Code of Conduct which was attributed to an increased number of referrals from town and community councils. However, the PSOW had made reference to the effectiveness of the public interest test in helping to deal with these complaints more effectively. The key messages from the PSOW were set out in the report, including some changes to the Model Code of Conduct and the introduction of a new Bill.

The Chairman questioned whether the training provided to town and community councils at joint meetings of the Standards Committee had in any way influenced the number of referrals to the PSOW. It was explained that referrals had increased across Wales and that only one complaint had been submitted in Flintshire.

Mr. Robert Dewey referred to the provision to refer reports of misconduct investigations to another Authority's Standards Committee. Whilst recognising the benefits in this approach, he felt that those issues could be regarded as less important than if they had been determined by the PSOW. In respect of the Annual Report, he was disappointed at the lack of detail on referral issues and felt that the report relied too heavily on statistics.

The Chairman said that this point would be raised under the next agenda item.

Further information was sought by Mrs. Phillipa Earlam on the proposal to accept oral complaints which formed part of the draft PSOW Bill. The Deputy Monitoring Officer agreed to look into the content of the draft Bill and provide a response at the next meeting.

Following a question by Councillor Arnold Woolley on the draft Bill, officers discussed the possible timing of the introduction of the new legislation and referred to the new three year strategic plan which was available on the PSOW website.

RESOLVED:

That the Annual Report be accepted and the contents noted.

11. VISIT OF PSOW TO NW STANDARDS FORUM

Since discussion at the previous meeting, it had been confirmed that the Public Services Ombudsman for Wales (PSOW) had been invited to attend the North Wales Standards Forum Conference, to which the Chairman and Vice-Chairman would be attending. Members were invited to suggest any questions they wished to be put to the PSOW in addition to the following topics raised at the previous meeting:

- Possibility of a joint North Wales Standards Committee
- Standing reports to Standards Committees
- Approaches to requests for dispensation
- Local Resolution Procedures
- Training for newly elected Members in May 2017
- Annual Report from the Adjudication Panel for Wales

In terms of training for new Members, it was noted that the PSOW had produced guidance for the Welsh Local Government Association as part of the induction process.

A further topic was Mr. Robert Dewey's suggestion that the PSOW Annual Report could contain more trend analysis on the nature of complaints rather than focussing on numbers, and to derive learning from that.

Councillor Hilary McGuill suggested that the Committee could offer mediation services to town and community councils to help filter the number of referrals to the Ombudsman. The Monitoring Officer raised concerns about the level of resources required to do this, and said that other Authorities were likely to share this view. Councillor McGuill suggested that the PSOW could be asked whether this element of funding could be passed to Authorities to enable Standards Committees to take on that role. The Deputy Monitoring Officer shared the concerns about resources but pointed out that the PSOW welcomed an extension to the Local Resolution Procedures. It was therefore agreed that Councillor McGuill's question would be included in the list of topics.

The Chairman asked that any further questions be forwarded to him and that he would liaise with the Vice-Chairman and officers to review the full list.

RESOLVED:

That any further questions be sent to the Chairman to enable him to review the full list with the Vice-Chairman, Monitoring Officer and Deputy Monitoring Officer.

12. FORWARD WORK PROGRAMME

The Committee received the current Forward Work Programme for consideration.

In response to comments from Mr. Robert Dewey, the Monitoring Officer confirmed that training on the Code of Conduct would be delivered at the joint meeting with town and community councils in October, and that consideration would be given to the format of the training to include audience participation. During discussion on the venue for the meeting, Mr. Duggan-Keen agreed to speak with the Clerk serving both Caerwys and Halkyn Community Councils. The Monitoring Officer also suggested Caerwys Community Council as a potential venue and would ask his Personal Assistant to seek invitations from interested town and community councils.

RESOLVED:

That the Forward Work Programme be updated accordingly.

13. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.30pm and ended at 6.35pm)

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Chairman