

Appendix 1

All Town and Community Clerks

Sent via e mail

Your Ref/Eich Cyf

Our Ref/Ein Cyf

Date/Dyddiad

Ask for/Gofynner am

Direct Dial/Rhif Union

E-mail/E-bost

GO/TC

8th November 2023

Gareth Owens

01352 702344

gareth.legal@flintshire.gov.uk

All Town and Community Clerks

Visits to Town and Community Councils

As you are aware, the Independent Members of the Standards Committee are currently undertaking visits to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted. The findings from the visits are reported to the Committee so that feedback can be given to Town/Community Councils to give assurance on good practice and procedures.

The findings from the first 4 visits, undertaken in October, were received by the Committee this week. The Independent Members were impressed with the knowledgeability and working relationships between Councillors and their Clerks. There was evidence of sound guidance being given or a willingness to seek advice where it was needed. It was also clear that Members were always given an opportunity to declare an interest at the start of each meeting. It has been suggested that it might be helpful to include a brief reminder of what constitutes a personal/personal and prejudicial interest with the agenda item on declaring interests. If that is something you would find useful please let me know and I will draft concise guidance for you to use.

It was noted that at a couple of meetings, Councillors who had a personal and prejudicial interest did not withdraw from the room as required by the Code. I appreciate that this is not always easy in a Village Hall where there may only be one (heated) room. However, it is an important requirement which is designed to prevent influence being exercised by someone even if they are not formally taking part in the debate.

Clearly, since the Covid lockdown online meetings have become a common feature for many of us. They bring some practical challenges because it is not always clear what is happening or who people are when everything is taking place on a single screen. Whilst not strictly matters under the Code itself, it does help if Councillors are identified in some way during online meetings so that members of the public know who they are (and thus whether they need to declare interests etc.). It is also helpful if the Chair or the Clerk can give some explanation or commentary about what is happening so that members of the public watching the meeting online are better able to follow proceedings.

County Hall, Mold. CH7 6NB

www.flintshire.gov.uk

Neuadd y Sir, Yr Wyddgrug, CH7 6NB

www.siryfflint.gov.uk

We welcome correspondence in Welsh. We will respond to correspondence received in Welsh without delay.

Rydym yn croesawu gohebiaeth Gymraeg. Ymatebwn yn ddi-odded i ohebiaeth a dderbynnir drwy gyfrwng y Gymraeg.



Lastly, as we increasingly do more and more online, the importance of up to date and informative websites continues to grow.

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely



Gareth Owens
Chief Officer Governance

All Town and Community Clerks

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6th December 2023

Gareth Owens

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All Town and Community Clerks

Visits to Town and Community Councils

This is my second update regarding the visits by the Independent Members of the Standards Committee to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted.

The findings from five further visits undertaken in October and November were reported to the Committee on the 5th December and I am writing with feedback to all Town/Community Councils to give assurance on good practice and procedures.

As in the case of the last reported visits, the Independent Members agreed that these had been positive experiences and praised the level of commitment and contributions by those in attendance. The Independent Members were impressed that all meetings were well chaired and ably supported by clerks. They also noted that as a matter of good practice Declarations of Interest were standing items on all agendas.

Amongst the findings were some procedural points that may be of general interest and assistance to all Councils. Some of these points were identified in respect of the last five visits:

In each case we have seen that there is an item printed on the agenda for declaring interests. It is however good practice to verbally invite a declaration as well when that item is reached on the agenda. Members should also be mindful to declare any interests if they arise unexpectedly during the meeting.

It is good practice for agenda items to be specific, and it is also clearer to members in advance of a meeting where an interest may arise. However, where agendas contain a general item such as for members to raise any issues, it may assist if such matters were raised with the Chair and Clerk in advance of the meeting in order to assist with identifying any potential interests that may arise under the Code of Conduct.

As a matter of good practice, where Council's discuss grants that have been allocated by the Council it may assist to be clear about the amounts granted. There is an exemption within the Code which allows Town and Community Councils to vote on grants below £500 in value and requires them to declare only a personal interest. Being clear about the value of the grant also makes it clear whether this exemption will apply.

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gareth Owens', with a long horizontal flourish extending to the right.

Gareth Owens
Chief Officer Governance

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11th January 2023

Gareth Owens

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All Town and Community Clerks

Visits to Town and Community Councils

This is my third update regarding the visits by the Independent Members of the Standards Committee to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted.

The findings from six further visits undertaken in November were reported to the Committee on the 9th January and I am writing with feedback to all Town/Community Councils to give assurance on good practice and procedures.

As in the case of the last reported visits, the Independent Members agreed that these had been positive experiences and praised the level of commitment and contributions by those in attendance. The Independent Members were impressed that all meetings were well chaired and ably supported by clerks. They also noted that as a matter of good practice Declarations of Interest were standing items on all agendas.

When declaring interests, Members need to be specific in whether it is a personal or personal and prejudicial interest so that everyone knows whether they intend to stay in the room.

We have seen examples of people leaving the room when they only have a personal interest. This is not necessary. Potentially, it deprives the Council of what might be useful information or insight and might make others reluctant to declare a personal interest because it is "the norm" when declaring any interest that one is not able to take part.

There are some exemptions in the Code which automatically downgrade personal and prejudicial interests to personal interests only:

- Where a Councillor has been appointed by the Council to an outside body, he or she only has a personal interest in matters affecting that body (provided the matter is not a planning, licensing or other regulatory application)
- Town and Community Councillors (not County Councillors) can award grants of up to £500 even though they might be associated with the body being funded.

We need to ask your assistance with the visits carried out by the Independent Members. They have no statutory right to “carry out inspections” and attend your meetings as though they were a member of the public. If your Council goes into closed session they should therefore be excluded from the meeting along with anybody else that isn’t a Councillor. However, this makes it difficult for them to carry out their role. If you need to go into closed session, could we ask that you give serious consideration to allowing them to remain in the meeting? They are, of course, bound by same Code of Conduct as Councillors and must therefore respect confidential information.

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely



Gareth Owens
Chief Officer Governance

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9th March 2023

Gareth Owens

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All Town and Community Clerks

Visits to Town and Community Councils

This is my fourth update regarding the visits by the Independent Members of the Standards Committee to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted.

The findings from five further visits undertaken in December, January and February were reported to the Committee on the 6th March and I am writing with feedback to all Town/Community Councils to give assurance on good practice and procedures.

As in the case of the last reported visits, the Independent Members agreed that these had been positive experiences and praised the level of commitment and contributions by those in attendance. The Independent Members were impressed that all meetings

were well chaired and ably supported by clerks. They also noted that as a matter of good practice Declarations of Interest were standing items on all agendas.

This time, there are some observations on how good chairing can lead to better meetings and a reduced number of complaints. It has been noted that, when meetings proceed in an orderly manner (only one person speaking at any one time), behaviour is better. Likewise, where comments are addressed “through the Chair” meetings tend to remain calmer. Good chairing skills are therefore the first line of defence in respect of conduct complaints. Chairing a meeting isn’t easy; there is a lot to think about and do in a pressurised environment. Town and Community Councils should therefore consider including chairing skills in the training plans which they are required to produce under section 67 of the Local Government and Elections (Wales Act 2021).

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely



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Chief Officer Governance

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17th May 2023

Gareth Owens

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All Town and Community Clerks

Visits to Town and Community Councils

This is my fifth update regarding the visits by the Independent Members of the Standards Committee to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted.

The findings from four further visits undertaken in January and March were reported to the Committee on the 15th May and I am writing with feedback to all Town/Community Councils to give assurance on good practice and procedures.

As in the case of the last reported visits, the Independent Members agreed that these had been positive experiences and praised the level of commitment and contributions by those in attendance. The Independent Members noted that as a matter of good practice, Declarations of Interest were standing items on all agendas.

You may recall that as part of the training I provided on the Code of Conduct, I emphasised the importance of the Chair's role in ensuring good behaviour. It is the role of the Chair to conduct meetings in a way that makes poor behaviour less likely and to tackle any poor behaviour that does nevertheless arise. The Chair needs to retain high levels of self-control in order to be able to fulfil that responsibility. Where a Chairperson feels strongly about a matter, they need to plan how they intend to deal with the issues without losing that self-control and/or, even worse, manifesting poor behaviour themselves.

At one visit, a Councillor was seen to express their views so forcefully that it appeared to be coercive. Councillors are reminded that meetings are public and should be conducted in a professional manner lest they undermine public confidence in the running of that Council. It is the nature of politics that other Councillors may not share your view. That diversity of perspective is actually the strength of local democracy not a weakness. Councillors should therefore not accuse others of being negligent for not sharing the same view. Nor should Councillors be lampooned, ridiculed or scorned for holding a different opinion.

I send these letters to all Town and Community Councils in order to share the observations made by the Independent Members. Clearly it is important that these letters are shared with Councillors in order for them to have the greatest impact. I think all Town and Community Councils have a standing item on their agendas for correspondence and, if you do not share these letters with your Councillors under a specific agenda item, then please do so under the general correspondence item at the very least.

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely



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Chief Officer Governance

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11th July 2023

Gareth Owens

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All Town and Community Clerks

Visits to Town and Community Councils

This is my sixth update regarding the visits by the Independent Members of the Standards Committee to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted.

The findings from 5 further visits undertaken in March, April and May were reported to the Committee on the 3rd July and I am writing with feedback to all Town/Community Councils to give assurance on good practice and procedures.

As in the case of the last reported visits, the Independent Members agreed that these had been positive experiences and praised the level of commitment and contributions by those in attendance. The Independent Members were impressed that all meetings were well chaired and ably supported by clerks. They also noted that as a matter of good practice Declarations of Interest were standing items on all agendas.

Independent Members are themselves commenting that they can see our follow up letters are being shared which is very gratifying and we hope people have found them of use. Members have recently commented on how well chaired meetings appear to be and how they have seen examples of potentially difficult behaviour being resolved.

Since the meeting, there has been some negative press coverage of proposed training. That training had been requested before the complaint which with it is being erroneously linked in the press articles. I will deliver it for my County Councillors first and subsequently run a session for Town and Community Councillors as well.

I have always stressed the fact that Councillors, whilst being able to speak freely about each other, need to be polite in their dealings with the Clerk. We have witnessed examples of poor behaviour including shouting and blaming which I would remind Members are not acceptable. If you have concerns or performance issues to raise, it is almost always better to do that outside of, rather than during, a public meeting. Your Council is very likely to have procedures for handling "complaints" which you will need to follow.

We're nearing the end of the programme of visits and I will do a "wrap up" letter to you following the meeting in November.

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely



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6th September 2023

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All Town and Community Clerks

Visits to Town and Community Councils

This is my seventh update regarding the visits by the Independent Members of the Standards Committee to Town/Community Council meetings to observe practice and gain an understanding of how local Council business is conducted.

The findings from 4 further visits undertaken in March, April, May and July were reported to the Committee on the 4th September and I am writing with feedback to all Town/Community Councils to give assurance on good practice and procedures.

As in the case of the last reported visits, the Independent Members agreed that these had been positive experiences and praised the level of commitment and contributions by those in attendance.

As always, the Independent Members noted that meetings work "best" i.e. they proceed in an orderly and calm manner, when the chair and clerk work well together.

I have commented previously that meetings proceed better when there is only one person talking so that everyone can hear and follow what is being said. Keeping order in a meeting with a large number of people can be far from easy, especially where a contentious item is under debate. This is where the chair and clerk need to work together as a team with the clerk prompting the chair (if necessary) on the need to “keep order” and advising the chair on standing orders if anyone is causing a disturbance. The clerk can also help the chair by reminding them not to feel rushed or pressured into making quick decisions. A quick bit of reassurance and a reminder to just “take one’s time” can work wonders in the heat of the moment.

It is also better if our administration/paperwork is undertaken either well before or after the meetings so that the public aren’t present to view the day-to-day workings.

An Independent Member did notice that one Council put the item for declaring interests a long way down the agenda. Whilst interests can be declared at any point during a meeting, it is better if they are declared before any principal items of business are undertaken. A place higher up the agenda is therefore better.

The Committee hopes that this feedback is useful and wishes to acknowledge the dedication and good work undertaken by Town/Community Councillors in their voluntary roles.

Yours sincerely

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