

STANDARDS COMMITTEE
3 SEPTEMBER 2012

Minutes of the meeting of the Standards Committee of Flintshire County Council held at Clwyd Committee Room, County Hall, Mold CH7 6NA on Monday, 3 September 2012

PRESENT: Councillor Kevin Sibbons (Chair)

Patricia Jones, Kenneth Martin and Merfyn Roberts

Councillors: Hilary McGuill and Arnold Woolley

APOLOGY: Chris Bretherton-Watt

IN ATTENDANCE:

Head of Legal & Democratic Services, Democracy & Governance Manager and Committee Officer

7. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations of interest were made.

8. MINUTES

Matters arising

In response to a question on resolution (b) of minute number 2, the Head of Legal and Democratic Services explained that Councillor C.S. Carver had been granted dispensation in line with his request.

The Head of Legal and Democratic Services reported that he had attended a meeting of Saltney Town Council who had agreed to host a further training session for all Town and Community Councillors. The date of the session would be confirmed in due course.

A number of comments and concerns were raised around the poor attendance at training events and how this could be improved. In response to a suggestion from Councillor H.J. McGuill, the Head of Legal and Democratic Services said that by improving the training events to make them more interesting and relevant it would encourage more Town and Community Councillors to attend. Further promotion on the role of the Standards Committee would be carried out over the next few months but in the meantime he would write to the Clerks of Town and Community Council's to encourage greater attendance at forthcoming training events.

Following a suggestion from the Chairman, the Head of Legal and Democratic Services said that he would submit a report to the meeting of the Committee on 5 November, 2012 on the trend relating to the number of complaints being made.

RESOLVED:

- (a) That the minutes of the meeting held on 18 June 2012 were confirmed as a correct record;
- (b) That the Head of Legal and Democratic Services write to all Clerks of Town and Community Councils to encourage greater attendance at forthcoming training events; and
- (c) That an update report be submitted to the meeting of the Committee on 5 November 2012 outlining the trend relating to the number of complaints being made.

9. APPOINTMENT OF TOWN & COMMUNITY REPRESENTATIVE

The Head of Legal and Democratic Services introduced a report to enable the Committee to select a representative from the Town and Community Councils to serve on the Standards Committee and to amend the process for appointing such representatives to enable future interviews to be carried out by the Chair of the Council, the Chair of the Standards Committee and the Monitoring Officer. A copy of the revised procedure was attached at Appendix 2 of the report. Following a letter being sent to Town and Community Councils seeking nominations, 6 applicants were interviewed on 28 August, 2012 by the:-

- Retiring Member of the Standards Committee representing Town and Community Councils;
- The Chair of the Council; and
- The Chairman of the Standards Committee of a neighbouring authority.

Following the interviews, the preferred candidate was Mr. Jonathan Duggan-Keen, currently serving as a Caerwys Town Councillor.

Following a suggestion from the Democracy and Governance Manager, the Committee agreed that the retiring Member together with the Chairman of the Standards Committee of Wrexham County Borough Council should be reimbursed for their attendance during the interviews.

RESOLVED:

- (a) That Mr. Jonathan Duggan-Keen be recommended to Council as the Town/Community representative to serve until the second County Council meeting after the AGM following the next County Council elections;
- (b) That Mrs Diane Johnson be thanked for her service on the Standards Committee and in the recruitment of her successor and reimbursed for her time during the interview process;
- (c) That the Chairman of the Standards Committee from Wrexham County Borough Council be thanked for his involvement in recruiting the Town/Community representative and be reimbursed for his time; and

- (d) That the procedure attached at Appendix 2 be recommended to Council for incorporation into the Constitution.

10. FLINTSHIRE COUNTY COUNCIL STANDARDS COMMITTEE ANNUAL REPORT 2011/12

The Head of Legal and Democratic Services introduced the Standards Committee Annual Report 2011/12 and highlighted the following minor amendments to the report:-

- That the word (Appendix A) be amended to read (Appendix 1) in the first paragraph of section 3 of the report;
- That the word 'mitigate' be amended to read 'handle' in the third paragraph of section 3 of the report; and
- That the words 'Welsh Government' be amended to read 'Welsh Local Government Association' in section 4 of the report.

The Committee also highlighted the following amendments to the report:-

- That the date of '11 June, 2011' be amended to '11 July, 2011' in the frequency of meetings listed in the report; and
- That the special meeting held in March 2012 be added to the frequency of meetings listed in the report.

Following discussion, the Committee agreed that the Annual Report should be circulated to all Town and Community Councils and One Voice Wales as well as any other organisations that may be suggested through the North Wales Standards Committee Forum. A copy of the report would be made available on Flintshire County Councils website.

RESOLVED:

- (a) That the Standards Committee Annual Report 2011/12 be approved; and
- (b) That the Annual Report be circulated to all Town and Community Councils and One Voice Wales as well as any other organisations that may be suggested through the North Wales Standards Committee Forum.

11. PUBLIC SERVICE OMBUDSMAN'S ANNUAL LETTER 2011/12

The Head of Legal and Democratic Services introduced the Annual Letter of the Public Services Ombudsman for Wales, which in summary outlined that Flintshire had:-

- Fewer complaints about services than the all Wales average, although numbers had risen (39 – 2011/12, 34 – 2010/11);
- Complaints about services taken into investigation remained static at 3;
- Flintshire's response time to requests for information was more efficient than the Wales average; and
- No Code of Conduct complaints were investigated by the Ombudsman.

RESOLVED:

That the report be noted.

12. TRAINING & DEVELOPMENT NEEDS FOR STANDARDS COMMITTEE MEMBERS

The Head of Legal and Democratic Services invited the Committee to consider what training and development needs they would like in order to support them in their role.

A number of suggestions had been submitted by the Chairman and Mr. K.A. Martin prior to the meeting, which included, the role of Councillors, Council Services, training on holding hearings, granting dispensation and sanctions. The Head of Legal and Democratic Services suggested that training around Local Government governance, the role of the Council, the role of Councillors, Council Services, Cabinet functions and Council Functions could be provided to the Committee prior to the start of Committee meetings at 6.00 p.m. with the Committee meeting being moved back to start at 6.30 p.m. Larger topics such as how to hold a hearing would have to be arranged for a separate day to allow adequate time to be spent on the topic. The Committee supported the suggestions.

Following discussion, the Democracy and Governance Manager explained that the allowance paid to co-opted members of the Standards Committee was set by the Independent Remuneration Panel for Wales (IRPW) and at present this was limited to attendance at Committee meetings only. The IRPW were currently consulting on arrangements from May 2013 and this was to be considered by the County Council at its meeting on 11 September, 2012. He also explained that the Welsh Local Government Association (WLGA) had produced various role descriptions for Councillors which had been adopted by Flintshire County Council.

The Head of Legal and Democratic Services asked the Committee to contact him following the meeting if there were additional training needs they required.

RESOLVED:

- (a) That training around Local Government guidance, the role of the Council, the role of Councillors, Council Services, Cabinet functions and Council functions be provided to the Committee prior to the start of the Committee meeting at 6.00pm on 1 October 2012 with the Committee meeting being moved back to start at 6.30pm;
- (b) That a half day training session be arranged for October 2012 on how to hold a hearing; and
- (c) That the Committee contact the Head of Legal & Democratic Services to highlight any additional training needs they require.

13. COUNCILLOR NEWSLETTERS

The Head of Legal and Democratic Services introduced a protocol on the use of Council resources for the production of Councillor newsletters. At present the Council made available for use by Members the facilities in the group rooms and in Member Services which include computers, photocopying and postal arrangements. There should be a consistent approach to the use of such facilities by the 70 Members which should take into account the possible cost implications to the Council tax payer. A copy of the draft protocol was attached at Appendix 2 of the report.

A number of questions were raised around how the protocol would be enforced, the use of facilities in schools in Flintshire and how mobile phone devices would be monitored to ensure that they were not being used for personal use. The Head of Legal and Democratic Services responded that Members using facilities in schools would be re-charged; therefore their newsletters would not be paid for by Council tax payers.

Councillor H.J. McGuill suggested that the word 'free' in section 3 of the protocol be amended to the word 'able'. The Committee supported this suggestion.

Following discussion, the Head of Legal and Democratic Services agreed to undertake further work in order to define what was reasonable when using Council resources and provide a comprehensive list within the protocol.

RESOLVED:

- (a) That the protocol be approved; and
- (b) That a more comprehensive protocol be drawn up defining the use of resources and facilities for Councillors, particularly around mobile technology when dealing with a wider protocol.

14. FORWARD WORK PROGRAMME

The Head of Legal and Democratic Services invited the Committee to consider topics they would like included within the Forward Work Programme for the Committee.

Following discussion, the Head of Legal and Democratic Services agreed that he would include information on the role of the Standards Committee in the next Council newsletter. He asked that the Committee contact him with topics following the meeting to enable him to produce a draft Forward Work Programme to be submitted to the next Committee meeting on 1 October, 2012.

15. DURATION OF MEETING

The meeting commenced at 6.00 p.m. and ended at 7.16 p.m.

16. **MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

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

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Chair