

# Public Document Pack



Contact Officer:  
Maureen Potter 01352 702322

To: Robert Dewey (Chairman)

Councillors: Patrick Heesom, Paul Johnson and Arnold Woolley

**Co-opted Members:**

Jonathan Duggan-Keen, Phillipa Earlam, Julia Hughes and Kenneth Molyneux  
(+ 1 vacancy for a co-opted member)

26 November 2019

Dear Sir/Madam

You are invited to attend a meeting of the Standards Committee which will be held at 6.00 pm on Monday, 2nd December, 2019 in the Clwyd Committee Room, County Hall, Mold CH7 6NA to consider the following items

**\* Members are asked to note the start time of the meeting at 6.00pm**

**This agenda is subject to restrictions on content due to the Election Period which runs from 7th November to 13th December.**

## 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 - 6)

**Purpose:** To confirm as a correct record the minutes of the meeting held on 4 November 2019.

**4 DISPENSATIONS**

**Purpose:** To receive any requests for dispensations.

Members of the press/public will be able to remain in the room whilst an application for dispensation is presented to the Committee and will be able to return to hear the Committee's decision. However, under Paragraph 18C Schedule 12A Local Government Act 1972 the Committee will exclude the press and public from the meeting whilst it deliberates on any application for a dispensation.

**5 FEEDBACK FROM TOWN AND COMMUNITY COUNCILS ON INDEPENDENT MEMBER VISITS (Pages 7 - 16)**

**Purpose:** To understand whether Town and Community Councils found the recent round of Member visits helpful.

**6 FORWARD WORK PROGRAMME (Pages 17 - 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** **4 NOVEMBER 2019**

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 4 November 2019

### **PRESENT: Rob Dewey (Chairman)**

#### **Councillors:**

Patrick Heesom, Paul Johnson and Arnold Woolley

#### **Co-opted members:**

Jonathan Duggan-Keen, Phillipa Earlam, Julia Hughes and Ken Molyneux

### **IN ATTENDANCE:**

Monitoring Officer and Democratic Services Officer

### **36. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

None.

### **37. MINUTES**

The minutes of the meeting held on 30 September 2019 were submitted.

### **RESOLVED:**

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

### **38. DISPENSATIONS**

None.

### **39. REPORTS FROM INDEPENDENT MEMBER VISITS TO TOWN/COMMUNITY COUNCILS**

Ken Molyneux presented his verbal report following his visit to a meeting of Shotton Town Council.

Having experienced difficulties in making initial contact with the Town Council to obtain meeting information, he had been provided with an email address for the Clerk who had responded, however the venue for the meeting was different to that shown on the website. He said that the meeting had been well chaired with good participation by those present, but that two members arriving after the start of the meeting had not been given an opportunity to declare any interests. Julia Hughes reported similar problems in contacting the Clerk during previous attempts to attend a meeting.

On one of the points raised, the Monitoring Officer explained that the County Forum meeting dates avoided clashes with meetings of Town and Community Councils.

The following points were raised which were to be fed back to Town and Community Councils:

- To ensure that websites were up-to-date, displaying contact details and information on meetings to assist members of the public who may wish to attend.
- To remind Clerks that members arriving late to meetings should be given the opportunity to declare any interests before participating in the meeting.

An overview of all the visits would be reported to the next meeting, including feedback received from Town and Community Councils.

**RESOLVED:**

That the verbal report be received and feedback given to the Town and Community Councils.

**40. LIAISON WITH THE COUNCIL ON ETHICAL ISSUES**

The Monitoring Officer presented a report on the outcome of the Committee's resolution on 2 September 2019 for the Council to voluntarily adopt a number of best practice recommendations made by the 'Committee on Standards in Public Life'. The report related to the specific recommendation for the Standards Committee Chair and Vice-Chair to meet regularly with senior figures within the Council to provide an opportunity for informal discussion on the Committee's work programme and to raise any concerns about procedures, protocols or Member behaviour.

Following agreement by the Leader and Chair of the Council, a preliminary meeting had been arranged with the Committee Chair and Vice-Chair for 18 November, with the aim for subsequent meetings to be held every six months.

Councillor Johnson's suggestion that the second meeting take place before the date of the Annual General Meeting 2020 was noted.

When asked by Councillor Heesom about including Group Leaders, the Monitoring Officer suggested that the first meeting include consideration on the membership of the group and frequency of meetings. This was welcomed by Councillor Heesom. The Monitoring Officer also clarified that those on the membership would not need to declare personal interests as this was an internal group of the Council.

**RESOLVED:**

- (a) That the agreement of the Leader and Chair of Council to six monthly liaison meetings be welcomed; and
- (b) That the key issues set out in the report form the agenda for such meetings and the first meeting consider the future membership and frequency of meetings.

**41. PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) CASEBOOK ISSUE 21 (APRIL-JUNE 2019) AND ISSUE 22 (JULY-SEPTEMBER 2019)**

The Monitoring Officer introduced the report to inform the Committee of the latest publications of the Public Service Ombudsman Wales (PSOW) Code of Conduct Casebook. During the period covered, there were 17 complaints investigated by the PSOW of which eight were found to have no evidence of breach, five led to findings of no action necessary, three led to referrals to the relevant Standards Committees and one led to a referral to the Adjudication Panel for Wales.

Julia Hughes referred to an investigation at Prestatyn Town Council and explained that she had not declared an interest as she had not taken part in those proceedings. She proposed that information on the PSOW Casebook be circulated to Town and Community Councils to share learning, particularly on investigations relating to the Declaration of Interest process. This was agreed.

**RESOLVED:**

- (a) That the findings of those complaints that were investigated by the Public Service Ombudsman for Wales (PSOW) during April to June 2019 and July to September 2019, as summarised in issue 21 and 22 of the Casebook, be noted; and
- (b) That the Monitoring Officer circulate a link to the PSOW website to Town and Community Councils for information purposes.

**42. UPDATE ON THE VACANCY FOR AN INDEPENDENT MEMBER**

The Monitoring Officer provided a verbal update on the recruitment process for the independent member vacancy on the Committee. He explained the necessary requirements including the need for the interview panel to consist of no more than five people including the lay member.

The Chairman spoke in favour of fewer people on the panel.

It was agreed that the Monitoring Officer would progress the advertisement of the vacancy with a view to the interview taking place before Christmas. He would circulate details of the interview date nearer the time to establish availability for the panel, aiming for three members.

**RESOLVED:**

That the Monitoring Officer arrange for the advertisement of the vacancy and circulate details of the interview date.

**43. FORWARD WORK PROGRAMME**

The current Forward Work Programme was considered, noting that feedback from the forthcoming informal meeting with the Leader and Chair of the Council would be scheduled.

Councillor Woolley suggested an item in the New Year on any Code of Conduct issues which may have arisen from the election period.

It was agreed that the January meeting would be cancelled unless any dispensation requests were received.

The Chairman submitted his apologies for the February meeting.

**RESOLVED:**

That the Forward Work Programme be noted.

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

There were no members of the public in attendance.

(The meeting started at 6pm and ended at 6.50pm)

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**Chairman**



## STANDARDS COMMITTEE

<b>Date of Meeting</b>	Monday, 2 December 2019
<b>Report Subject</b>	Feedback from Town and Community Councils on Independent Member Visits
<b>Report Author</b>	Chief Officer, Governance

### EXECUTIVE SUMMARY

Feedback has been received from 9 Town and Community Councils (T&CC) on the visits undertaken by independent members. The feedback is positive, and even where Councils have offered suggestions for improvement they have commented on how valuable they found the process. Some Councils give more detail than others and there are some suggestions for improvements/further actions that the Standards Committee should consider.

### RECOMMENDATIONS

1	That the Committee organise a rota of checks on Town and Community Council websites.
2	That the process for future inspections should include an opportunity for Councils to respond to feedback
3	That Town and Community Councils be thanked for their feedback and participation in the process.

## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE FEEDBACK FROM TOWN AND COMMUNITY COUNCILS</b>
1.01	Following the visits undertaken, I sent out a feedback letter to every Town and Community Council. In all, 9 such letters were sent. As well as feedback agreed at the Standards Committee, I have from time to time added other issues such as a recommendation from Full Council that T&CC's consider adopting something similar to our Flintshire Standard.
1.02	Following the report to the joint meeting in October, I asked T&CCs for their feedback on the process and the feedback letters. I set a deadline of 4 <sup>th</sup> November to receive responses. In all, 9 responses have been received. These are summarised in the document at Appendix 1.
1.03	Some respondents have given more detail than others but all are positive. A number have commented on how smoothly the process worked which is testament to how well the independent members handled the process. Clearly, some Councils have acted on the Committee's suggestions especially those about declarations of interest, name plates and signage to the meeting.
1.04	<p>A number of suggestions have been made about how to improve or expand the process:</p> <ul style="list-style-type: none"><li>i. a Council asked for a "right of reply" to comments made during feedback;</li><li>ii. a Council suggested that the Committee might consider reviewing T&amp;CC websites for completeness and giving feedback on where mandatory information is missing.</li></ul> <p>Clearly, both of these suggestions are worthy of further consideration. The Committee should consider all the comments at Appendix 1 and whether they wish to adopt any suggestions or amend the process in light of comments received.</p>
1.05	Overall, I think it is fair to say that the process has worked well and that it appears to have produced some changes for the better in practices within T&CCs.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	<p>The total cost of the programme of visits is £19.80, which is made up solely of two mileage claims. Visits were planned so that they were as close as possible to independent members' homes, hence the mileage costs being low.</p> <p>The independent members have undertaken the visits in their own time.</p>

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	The report is itself about the feedback from a consultation exercise and so needed no further consultation.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	The visits have assessed the levels of compliance with the Code of Conduct and good practice. In making recommendations on how to improve procedures within T&CCs, and although it is not possible to quantify, the Committee will have helped to increase public access to, and satisfaction with, meetings. It may also have helped to reduce the likelihood of a complaint being submitted to the Ombudsman.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Summary of Responses from Town and Community Councils.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Feedback on Visits to T&amp;CCs January 19  Feedback on Visits to T&amp;CCs February 19  Feedback on Visits to T&amp;CCs March 19  Feedback on Visits to TCCs April 19  Feedback on Visits to TCCs June 19  Feedback on Visits to TCCs July 19  Feedback on Visits to TCCs September 19  Feedback on Visits to TCCs October 19  Feedback on Visits to TCCs November 19</p> <p><b>Contact Officer:</b> Gareth Owens, Chief Officer, Governance  <b>Telephone:</b> 01352 702344  <b>E-mail:</b> <a href="mailto:Gareth.Legal@flintshire.gov.uk">Gareth.Legal@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	None.

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**TOWN AND COMMUNITY COUNCIL  
FEEDBACK ON VISITS TO T&CCs**

<b>T &amp; CCs</b>	<b>Feedback</b>
Penyffordd	Some of the feedback was useful – no specific comments.
Gwernaffield, Pantymwyn and Mostyn	<p>Gareth's letters have been read out at Community Council meetings and have been well received by members, particularly acknowledging the voluntary contributions made by members. A suggestion of having name cards in front of each Councillor is currently being considered.</p> <p>I think we largely got good feedback on our Community Councils in Gwernaffield/Pantymwyn and Mostyn i.e. the Chair of Mostyn had attended a meeting and Mostyn were praised at its orderly meeting.</p> <p>The lay standards members were pleasant and observed both meetings in an unobtrusive way.</p>
Buckley TC	<p>The Council has made a number of cosmetic changes as a result of feedback received over the process. These include:-</p> <ol style="list-style-type: none"> <li>1. A schematic of the Members names and where they sit in the Chamber is supplied to the public at each meeting of the Council and its Committees.</li> <li>2. Prior to each Council and/or Committee Meeting a notice is posted on the access door to the Council Chamber.</li> <li>3. At the meeting noted above, it was resolved that from the 2020 Recess, the July meetings' minutes will be placed on the Council's website as draft.</li> </ol>
Northop Hall	<p>The Community Council found the process extremely useful and have adopted the proposal of clearly identifying the room used for Council meetings and ensuring individual Councillors are identified, using name plates and appropriate signage. We hope that this makes it easier for members of the public, attending the meeting, to locate the correct room for the meeting and also identify Councillors, thereby ensuring a sense of inclusivity. The Community Council aim to update their website on a regular basis, now that the new Clerk is in position, which again improves</p>

	<p>communication with the local residents and promotes inclusivity.</p> <p>A number of Councillors have also committed to attending the Code of Conduct training to be held on the 13th November, 2019.</p> <p>Finally, the Council would like to thank the Standards Committee for their regular feedback and updates.</p>
<p>Caerwys, Halkyn and Whitford</p>	<p>Whilst I won't be covering every point raised in the various feedback letters received, I wish to provide feedback as Clerk to Caerwys, Halkyn and Whitford Councils on the following:</p> <ol style="list-style-type: none"> <li>(1) The process worked really well, in particular, the Members of the Standards Committee telephoned prior to the meeting to inform of their attendance. I was then able to advise as to the venue and also to take along an extra copy of the agenda and minutes of the last meeting for them.</li> <li>(2) The visits by Members of the Standards Committee were appreciated by all the Councillors.</li> <li>(3) From a Clerk's point of view. The visits assisted Clerk's to ensure that when Councillors are reminded in relation to the Code of Conduct, there is a local committee 'watching over them'</li> <li>(4) Whilst the feedback sent to Town &amp; Community Councils was also appreciated by the Council Members, there is some difficulty in relation to placing the meeting room notice in an appropriate position - especially when the building is multi used and has two entrances. Fortunately, the general attendance at Council meetings is by local residents who are aware of the room used. When there are pre-booked visitors or I am advised of an attendance prior to the meeting, I do go to great lengths to advise of the meeting room area – just as I did with the visiting Members of the Standards Committee.</li> <li>(5) In relation to name plates. The Council do not have any storage places in the meeting rooms and to carry between 11 and 13 name plates would be difficult. However, not always, but on occasions, the Chair will ask each Councillor to state their name when there are visitors.</li> <li>(6) Declarations of Interest. I am pleased that this aspect was referred to in a number of feedback letters. Whilst every agenda has this item listed, quite often Clerks have to remind Councillors that they should consider if they have an interest!</li> <li>(7) Youth Councillors. Caerwys and Whitford Councils have during the last year advertised for Youth Councillors. Adverts were placed in the local community newspapers, notice boards,</li> </ol>

	<p>Facebook and by writing to every secondary school and colleges in the area. There were no applications received for each Council.</p> <p>(8) Items on Web Site. I quite often wish to view something on another Council's web site. There are many that are not up to date with even the basic information. Denbighshire over a year or so ago perused every Town &amp; Community web site and wrote to each Council individually thereafter – to advise of the missing information. I wonder if Flintshire could consider this. I feel that it is unfair that some Council's and in particular, the Clerk's complete a lot of work to keep their web sites up to date under the two Wales Acts and others don't.</p> <p>(9) The comment in relation to Clerk's replying to queries from the public and also Gareth's comment in relation to Council's sharing a Clerk. The majority of Clerk's work between six and twelve to fourteen hours a week. A Clerk working say eight hours may work these over a two day period, therefore there will be a delay in replying. In my case, as I am a Clerk to four Councils (three in Flintshire and one on Denbighshire) I am generally at my desk each day from 9.00am to 5.00pm (and after) and there is a saving in relation to the photocopier hire, various expenses, such as travelling and stationery (discount for bulk) and other yearly fees. Each of my Councils save between £500 and £600 a year. Gareth's comments are really valid.</p>
<p>Nannerch</p>	<p>In all I think Nannerch found it quite a useful, interesting and positive experience.</p> <p>Julia picked up on 3 things, similar issues to other Councils which we have rectified as follows</p> <ol style="list-style-type: none"> <li>1) Location. We now do have a sign to inform residents where we are. Normally the main door is locked and the smaller door, and the corridor beyond, is lit although we acknowledge when the sporadic yoga group is in the main hall, people may have been mistaken. Hopefully this has now been rectified.</li> <li>2) Declarations. In the meeting attended by Julia we had one resident who I'd spoken to previously in the day. She had been before and familiar with the Councillors in attendance. However Julia said that residents may not have understood which Councillors had interests to declare. Some months previously to our visit we had added 'Councillors declarations' to the agenda. We also had started to ask them to confirm any declarations on the attendance sheet (a result of the training we've put our clerk through) so that they can be flagged up to me, so would have hoped we had it covered. However since the feedback, I have discussed the declarations at this agenda item in much greater detail. I have reiterated any known</li> </ol>

declarations by Councillors to residents, explained to any residents why we ask for them and if they understand. I ask councillors to speak up about any additional declarations should they become apparent as we go through the agenda. In addition to this I ask residents during the welcome if are they aware of who we are and are there any individuals they don't know so that they can be introduced.

- 3) Julia had enquired about whether we can allow public to speak. You had confirmed to her that it is ok with the chairs permission (which I'd given her earlier in the afternoon) to discuss specific topics which concerned her. Should members of the public have asked me to speak on an agenda item beforehand we've carried on permitting this to maintain the friendly, warm, welcoming atmosphere. However at the start they are notified of the Councils rules and that they cannot vote.

I learnt a great deal about the procedures from attending the standards committee meetings and to learn from the errors other Councils had made. I've previously told you that the Mynydd Isa Community Centre where you have previously held a meeting was dark and locked with some Councillors having gone home before the door was sheepishly opened at 7:30. I was fortunate you were in the reception of Shire Hall for the next meeting on 7/01/2019 as had you not been I would not have been able to enter the building. As I said in Caerwys, please practice what you preach. Having found it such a useful experience, I would have attended more but the uncertainty on whether I would gain access or not to the building was off putting.

I was irritated at the report on Mold Town Council. They were reported as exemplary, and recommended that other Community Councils should attend their meeting to learn from them. Much of this was to do with the Victorian décor in a purpose built debating hall, set out accordingly, with the chair slightly higher which enabled him to command proceedings. I doubt the majority of Community Councils can afford purpose built debating rooms in order to reach this standard without significant (100%) funding from FCC. Community Councils do their best with the facilities that are to hand and I hope that this is appreciated by the Standards Committee.

Having discussed the process with Chairs from other Flintshire Community Councils, the majority of those I spoke to did not know that they could attend the standards committee meetings in order to hear/receive their individual feedback which I thought was a missed opportunity for them. In addition, I don't think there was any right of reply to explain some decisions made at meetings, later

Appendix 1

	<p>queried or commented on at standards committee, and perhaps in future a short feedback session with the inspecting officer would have been useful, even if just between them and the Chair/Clerk.</p> <p>To conclude, we thought it was a very useful experience, would welcome visits in the future and appreciate any individual feedback.</p>
Leeswood and Pontblyddyn	<p>The Leeswood and Pontblyddyn Community Council wish to express their gratitude at the regular updates you have sent in relation to the Standards Committee visits to Town and Community Councils. They acknowledge the observations that have been made and will take on board those relevant to this Council to ensure that the Council operates as expected.</p>
Queensferry	<p>The letters of findings and information have been very interesting and helpful.</p>
Shotton	<p>I would be grateful if you could advise Mr Owens of his advice on Councillors arriving after the item for declaration of interests, had been read. I agree it would be good practice for the Clerk or Chair to ask them whether they have any interest when they sign in and before any discussions on next agenda item.</p>

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**FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME 2019/20**

<b>Date of Meeting</b>	<b>Topic</b>	<b>Notes/Decision/Action</b>
<b>29 June 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> </ul>	
<b>1 June 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Protocol for Members in their dealings with contractors/developers.</li> <li>• Members Code of Conduct</li> </ul>	
<b>27 April 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> </ul>	
<b>30 March 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> </ul>	
<b>2 March 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> </ul>	
<b>3 February 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> </ul>	
<b>6 January 2020</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Confidential Reporting Procedure</li> </ul>	

<b>2 December 2019</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Protocol on Member/Officer relations</li> <li>• Overview of All Visits to Town and Community Councils – final report</li> </ul>	<p>Report by Gareth Owens</p>
<b>4 November 2019</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Liaison with the Council on Ethical Issues</li> <li>• PSOW Code of Conduct Casebooks Issue 21 April to June 2019 and Issue 22 July to September 2019</li> </ul>	<p>Report by Gareth Owens Report by Matt Georgiou</p>
<b>30 September 2019</b> Joint Meeting with T&CC	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Town and Community Council Visits by Independent Members</li> <li>• Overview of All Visits to Town and Community Councils</li> <li>• The Role of a Councillor</li> <li>• Items raised by Town and Community Councils</li> </ul>	<p>Verbal Update</p> <p>Report by Gareth Owens</p> <p>Report by Robert Robins/Gareth Owens</p>
<b>2 September 2019</b>	<ul style="list-style-type: none"> <li>• Dispensations</li> <li>• Town and Community Council Visits by Independent Members</li> <li>• Review of the Flintshire Standard</li> <li>• Feedback from the North and Mid Wales Standards Forum</li> <li>• Update on Community Asset Transfers</li> </ul>	<p>Verbal update</p> <p>Report by Gareth Owens</p> <p>Report by Gareth Owens/Matt Georgiou</p> <p>Report by Gareth Owens</p> <p>Report by Matt Georgiou</p>

	<ul style="list-style-type: none"> <li>• PSOW Code of Conduct Casebook Issue 20 (Jan 19 – March 19)</li> </ul>	
<p><b>To be scheduled –</b></p> <p>Annual Report of the Adjudication Panel for Wales – report not yet published (Oct 19)  Information on the dispensations process at Gwynedd Council and Wrexham County Borough Council.  Item to consider the frequency of reporting on the Overview of Ethical Complaints.  Code of Conduct complaints in Flintshire.  Code of Conduct issues which may have arisen from the election period.  Liaison with the Council on Ethical issues - Feedback from the forthcoming informal meeting with the Leader and Chair of the Council would be scheduled.</p>		

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