

Public Document Pack

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Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



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To: Julia Hughes (Chair)

Councillors: Gladys Healey, Patrick Heesom and Arnold Woolley

Co-opted Members:

Jonathan Duggan-Keen, Phillipa Earlam, Jacqueline Guest, Mark Morgan and Gill Murgatroyd

31 August 2021

Dear Sir/Madam

NOTICE OF REMOTE MEETING
STANDARDS COMMITTEE
MONDAY, 6TH SEPTEMBER, 2021 at 6.45 PM

*** Please note that a training session for the Standards Committee members will be held from 6.00pm to 6.45pm**

Yours faithfully

Robert Robins
Democratic Services Manager

Please note: This will be a remote meeting and 'attendance' will be restricted to Committee Members and those Members of Council who have asked the Head of Democratic Services for an invitation. Such attendees may only speak at the Chair's discretion.

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

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 5 - 8)

Purpose: To confirm as a correct record the minutes of the meeting held on 5 July 2021.

4 **DISPENSATIONS**

Purpose: To receive any requests for dispensations.

Members of the press/public will be able to remain at the meeting 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 **FINDINGS FROM INDEPENDENT MEMBER VISITS TO COMMITTEE MEETINGS** (Pages 9 - 14)

Purpose: To present the findings of the visits to Flintshire County Council Committee meetings undertaken by the independent members of the Standards Committee.

6 **REVIEW OF THE ETHICAL STANDARDS FRAMEWORK** (Pages 15 - 18)

Purpose: To alert the Committee to the existence of and timeline for a review of the whole framework for promoting good conduct that has been commissioned by Welsh Government.

7 **PAN WALES STANDARDS CONFERENCE** (Pages 19 - 22)

Purpose: The Pan Wales Standards Conference takes place every two years. Last year's was delayed to 2021 and is being organised by the Monitoring Officers in North Wales. This report is to make Members aware of the proposed programme and format of the Conference.

8 **FEEDBACK FROM THE ETHICAL LIAISON MEETING** (Pages 23 - 26)

Purpose: To provide feedback from the Ethical Liaison Meeting.

9 **FORWARD WORK PROGRAMME** (Pages 27 - 28)

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

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

Procedural Note on the conduct of meetings

The Chair will open the meeting and introduce themselves.

The meeting will be attended by a number of Councillors. Officers will also be in attendance to present reports, with Democratic Services officers acting as hosts of the meeting.

All attendees are asked to ensure their mobile phones are switched off and that any background noise is kept to a minimum.

All microphones are to be kept muted during the meeting and should only be unmuted when invited to speak by the Chair. When invitees have finished speaking they should go back on mute.

To indicate to speak, Councillors will use the chat facility or use the electronic raise hand function. The chat function may also be used for questions, relevant comments and officer advice and updates.

The Chair will call the speakers, with elected Members addressed as 'Councillor' and officers addressed by their job title e.g. Chief Executive' or name. From time to time, the officer advising the Chair will explain procedural points or suggest alternative wording for proposals, to assist the Committee.

If and when a vote is taken, the Chair will explain that only those who oppose the proposal(s), or who wish to abstain will need to indicate, using the chat function. The officer advising the Chair will indicate whether the proposals are carried.

If a more formal vote is needed, this will be by roll call – where each Councillor will be asked in turn (alphabetically) how s/he wishes to vote

At County Council and Planning Committee meetings speaker's times are limited. A bell will be sounded to alert that the speaker has one minute remaining

The meeting will be live streamed onto the Council's website. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

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STANDARDS COMMITTEE **5 JULY 2021**

Minutes of the meeting of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 5 July 2021

PRESENT: Julia Hughes (Chair)

Councillors: Gladys Healey and Arnold Woolley

Co-opted members: Jonathan Duggan-Keen, Phillipa Earlam, Mark Morgan and Gill Murgatroyd

APOLOGY: Councillor Patrick Heesom

IN ATTENDANCE: Monitoring Officer, Deputy Monitoring Officer (minute numbers 1-4) and Democratic Services Officer

1. **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

None.

2. **MINUTES**

The minutes of the meeting held on 10 May were approved, subject to minor amendments on minute numbers 42 and 45. On that basis, the minutes were moved by Councillor Arnold Woolley and seconded by Mark Morgan.

Committee Membership

The Monitoring Officer provided an update on the outcome of the recruitment process and advised that two preferred candidates would be appointed at different stages, facilitated by the early retirement of Phillipa Earlam. The Chair thanked Phillipa for enabling this change and for her valued contributions to the Standards Committee during her term of office.

RESOLVED:

That subject to the amendments, the minutes be approved as a correct record.

3. **DISPENSATIONS**

None.

4. **AMENDMENTS TO THE PLANNING CODE OF PRACTICE**

The Deputy Monitoring Officer presented the report to review the Planning Code of Practice in line with a resolution of the Committee and Council earlier in the year. He provided an overview of the changes appended to the

report, which would need to be approved by the Constitution & Democratic Services Committee and full Council.

The following further changes were agreed for consistency:

- Retain reference to 'Chair' throughout the document (as opposed to Chairman/Chairperson).
- The same wording to be used in sections 5.5 and 5.8 to describe Members not being able to take part in an item on which they had a pre-determined stance.
- To use the correct title for the Chief Officer (Planning, Environment & Economy) in sections 11 and 12.

On that basis, the recommendation was moved by Councillor Gladys Healey and seconded by Mark Morgan.

RESOLVED:

That the alterations to the Planning Code of Practice identified in tracked changes appended to the report be approved, together with the additional changes raised by this Committee.

5. OVERVIEW OF ETHICAL COMPLAINTS

The Monitoring Officer presented the regular report on the number of ethical complaints alleging a breach of the Code of Conduct which had been submitted to the Public Services Ombudsman for Wales (PSOW). The information was anonymised with references assigned to differentiate between individual Councils and Councillors.

The Monitoring Officer provided clarification on points raised by the Committee. In response to comments about chairing meetings, he agreed to contact the Welsh Local Government Association (WLGA) to enquire about the possibility of a training session or video to assist Chairs of Town/Community Councils in maintaining conduct during meetings which may help to reduce the number of complaints.

The recommendation in the report was moved by Gill Murgatroyd and seconded by Councillor Gladys Healey.

RESOLVED:

That the number and type of complaints be noted.

6. REVIEW OF THE ETHICAL STANDARDS FRAMEWORK

The Chair provided a verbal update on a meeting of the North Wales Standards Committees Forum which she had attended with Mark Morgan (Vice-Chair) and Monitoring Officer. They shared feedback on a range of topics discussed at the meeting, including consultation on the review of the Ethical

Standards Framework currently being undertaken by Richard Penn on behalf of Welsh Government (WG).

The Monitoring Officer advised that Richard Penn would be submitting his recommendations to WG by the end of September 2021 to enable changes to the model Code of Conduct to be implemented in time for the 2022 Local Government Elections. He reminded the Committee of representations previously made on the need for flexibility around sanctions available to the Adjudication Panel for Wales.

Councillor Arnold Woolley's proposal to note the report was seconded by Phillipa Earlam.

RESOLVED:

That the verbal report be noted.

7. REVIEW AND ASSURANCE ON MEMBER/OFFICER PROTOCOL

The Monitoring Officer provided a verbal update on the outcome of a further light touch review of the Member/Officer Protocol to give assurance of appropriate procedures in place to promote mutual respect between officers and elected Members.

Councillor Arnold Woolley's proposal to receive and note the report was seconded by Mark Morgan.

RESOLVED:

That the verbal report be received and noted.

8. FORWARD WORK PROGRAMME

The Monitoring Officer presented the Forward Work Programme for consideration, noting the following:

- Penn Review of the Ethical Standards Framework to be scheduled (possibly in November).
- Outcomes from the Ethical Liaison meeting to be scheduled (possibly for the November joint meeting with Town/Community Council representatives).

The changes were moved by Phillipa Earlam and seconded by Councillor Gladys Healey.

RESOLVED:

That the Forward Work Programme, as amended, be approved.

9. PLANNING THE AGENDA FOR THE LIAISON ON ETHICAL ISSUES MEETING

The Monitoring Officer presented the report to plan the agenda for the meeting between the Chair and Vice-Chair of the Standards Committee, the Chair and Leader of the County Council and Group Leaders. The following suggestions were put forward for consideration:

- Outcome of the Independent Member visits to Council meetings.
- New legislative duties to be implemented in 2022 on which draft guidance from the Welsh Local Government Association (WLGA) was shared privately (paragraph 15 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended)).
- To support the new duties, the suggestion that returning elected Members be involved in the induction process for new Members and that training sessions be held for each political group, supported by Group Leaders.

Whilst the Committee had not received a report on the outcome of all visits to Council meetings, the points raised had been summarised in the minutes of previous meetings. The Chair noted that the inclusion of a procedural note on all formal agendas had been one of the recommendations from the feedback and that this was in place already.

In response to a question from Gill Murgatroyd, the Monitoring Officer provided clarification on the resource implications of the suggested training.

The recommendations put forward by the Monitoring Officer were moved by Councillor Gladys Healey. In seconding the Motion, Phillipa Earlam thanked the Chair, Vice-Chair and Monitoring Officer for their work on this matter and for their attendance at the North Wales Standards Committees Forum.

RESOLVED:

- (a) That the draft agenda for the next Ethical Liaison Meeting be agreed; and
- (b) That the final agenda be agreed by the Chief Officer (Governance) in consultation with the parties to the meeting.

10. MEMBERS OF THE PRESS IN ATTENDANCE

There were no members of the press in attendance.

(The meeting started at 6.30pm and ended at 8.10pm)

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Chair



STANDARDS COMMITTEE

Date of Meeting	Monday, 6 September 2021
Report Subject	Findings From Independent Member Visits to Committee Meetings
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The purpose of this report is to present the findings from the visits undertaken by the Independent Members of the Standards Committee to Flintshire County Council Committee meetings.

RECOMMENDATIONS

1	That the Independent Members of the Standards Committee make any further recommendations they feel are necessary following their visits.
2	That the findings be formally shared with the Chairs of the Committees.

REPORT DETAILS

1.00	BACKGROUND
1.01	In November 2019 the Chair and Vice Chair of the Standards Committee met with the Leader and the Chair of the Council following a best practice recommendation within the report of the Committee on Standards in Public Life in England. It was suggested at the meeting that Independent Members of the Committee should attend Council meetings and Committees in the same way that they had attended Town and Community Council meetings during the course of 2019.
1.02	At the meeting of the Standards Committee on 3 February 2020 such attendance was agreed by the Committee, and it was further agreed that a rota of visits would be arranged.

1.03	There was a period of time where Council meetings could not take place due to the restrictions arising from the Covid 19 pandemic, and until legislation was passed to allow Council meetings to be held virtually/remotely. Once meetings became fully operational, a rota of attendance for Independent Members at Council meetings and Committees was presented, for approval, to the Standards Committee on 11 th January 2021.																																												
1.04	<p>Between 19th January 2021 and 24th March 2021, 10 Committee meetings were observed as shown in the table below:</p> <table border="1" data-bbox="320 528 1380 1937"> <thead> <tr> <th data-bbox="320 528 587 640">Meeting date</th> <th data-bbox="595 528 850 640">Committee</th> <th data-bbox="858 528 1118 640">Observed by</th> <th data-bbox="1126 528 1380 640">Reported to Standards Committee</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 647 587 680">19.01.21</td> <td data-bbox="595 647 850 680">Cabinet</td> <td data-bbox="858 647 1118 680">Julia Hughes</td> <td data-bbox="1126 647 1380 680">01.03.21</td> </tr> <tr> <td data-bbox="320 687 587 860">20.01.21</td> <td data-bbox="595 687 850 860">Community & Housing Overview And Scrutiny Committee</td> <td data-bbox="858 687 1118 860">Rob Dewey</td> <td data-bbox="1126 687 1380 860">01.03.21</td> </tr> <tr> <td data-bbox="320 866 587 1010">21.01.21</td> <td data-bbox="595 866 850 1010">Social & Health Care Overview And Scrutiny Committee</td> <td data-bbox="858 866 1118 1010">Phillipa Earlam</td> <td data-bbox="1126 866 1380 1010">01.03.21</td> </tr> <tr> <td data-bbox="320 1016 587 1084">26.01.21</td> <td data-bbox="595 1016 850 1084">Flintshire County Council</td> <td data-bbox="858 1016 1118 1084">Julia Hughes</td> <td data-bbox="1126 1016 1380 1084">01.03.21</td> </tr> <tr> <td data-bbox="320 1090 587 1263">09.02.21</td> <td data-bbox="595 1090 850 1263">Environment & Economy Overview And Scrutiny Committee</td> <td data-bbox="858 1090 1118 1263">Rob Dewey</td> <td data-bbox="1126 1090 1380 1263">01.03.21</td> </tr> <tr> <td data-bbox="320 1270 587 1442">11.02.21</td> <td data-bbox="595 1270 850 1442">Corporate Resources Overview And Scrutiny Committee</td> <td data-bbox="858 1270 1118 1442">Mark Morgan</td> <td data-bbox="1126 1270 1380 1442">01.03.21</td> </tr> <tr> <td data-bbox="320 1449 587 1516">03.03.21</td> <td data-bbox="595 1449 850 1516">Planning Committee</td> <td data-bbox="858 1449 1118 1516">Jonathan Duggan-Keen</td> <td data-bbox="1126 1449 1380 1516">10.05.21</td> </tr> <tr> <td data-bbox="320 1523 587 1711">18.03.21</td> <td data-bbox="595 1523 850 1711">Education, Youth & Culture Overview And Scrutiny Committee</td> <td data-bbox="858 1523 1118 1711">Phillipa Earlam</td> <td data-bbox="1126 1523 1380 1711">10.05.21</td> </tr> <tr> <td data-bbox="320 1718 587 1785">24.03.21</td> <td data-bbox="595 1718 850 1785">Audit Committee</td> <td data-bbox="858 1718 1118 1785">Phillipa Earlam</td> <td data-bbox="1126 1718 1380 1785">10.05.21</td> </tr> <tr> <td data-bbox="320 1792 587 1935">24.03.21</td> <td data-bbox="595 1792 850 1935">Constitution & Democratic Services Committee</td> <td data-bbox="858 1792 1118 1935">Jonathan Duggan-Keen</td> <td data-bbox="1126 1792 1380 1935">10.05.21</td> </tr> </tbody> </table>	Meeting date	Committee	Observed by	Reported to Standards Committee	19.01.21	Cabinet	Julia Hughes	01.03.21	20.01.21	Community & Housing Overview And Scrutiny Committee	Rob Dewey	01.03.21	21.01.21	Social & Health Care Overview And Scrutiny Committee	Phillipa Earlam	01.03.21	26.01.21	Flintshire County Council	Julia Hughes	01.03.21	09.02.21	Environment & Economy Overview And Scrutiny Committee	Rob Dewey	01.03.21	11.02.21	Corporate Resources Overview And Scrutiny Committee	Mark Morgan	01.03.21	03.03.21	Planning Committee	Jonathan Duggan-Keen	10.05.21	18.03.21	Education, Youth & Culture Overview And Scrutiny Committee	Phillipa Earlam	10.05.21	24.03.21	Audit Committee	Phillipa Earlam	10.05.21	24.03.21	Constitution & Democratic Services Committee	Jonathan Duggan-Keen	10.05.21
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1.05	At Standards Committee on 01.03.21 and 10.05.21 the Independent Members gave verbal feedback on their observations from those meetings.																																												

	Observations
1.06	<p>The feedback from each meeting that had been observed was consistent from each Independent Member and summarised in the minutes of the meeting on 01.03.21 and 10.05.21. The main points were:</p> <ol style="list-style-type: none"> 1. The requirement for clear identification of participants by name or job title to enable distinction to be made between Members and Officers in attendance. 2. Members to be specific when making a declaration of interest as to whether the declaration was personal or personal and prejudicial. 3. Explanations being given when jargon was being used. 4. Explanation to be given about speeches being timed. <p>In presenting their reports the Independent Members advised that meetings had been well conducted and chaired, and a good range of topics considered and debated.</p> <p><u>Point 1</u> Immediately following the feedback to Standards Committee, agenda front sheets were amended and a procedural note added. The Chair now reads out the procedural note and an explanation is given as to who is in attendance at the meeting and that attendees would be addressed using job titles, or Councillor, so that it was clear to anybody viewing the meeting who attendees were.</p> <p>When the feedback was provided to Standards Committee, the authority was using Webex as their platform for holding remote meetings. Webex did not provide the functionality for the host to change names on screen so it was not possible for the host to prefix Councillor names with Cllr. However, since the beginning of July, the authority has switched their remote meeting platform and Zoom is now used. Zoom does give the host the ability to change people's names and this is done when required.</p> <p>The two changes outlined above ensures that the feedback in relation to point 1 is fully addressed.</p> <p><u>Point 2</u> Whichever officer is responsible for advising the Committee ensures that if a declaration of interest is made, that full details are given to ensure transparency. The officer also provides an explanation as to what a declaration of interest is.</p> <p>The change outlined above ensures that the feedback in relation to point 2 is fully addressed.</p> <p><u>Point 3</u> As with point 2 above, the responsible officer ensures that any jargon is fully explained.</p>

	<p>The change outlined above ensures that the feedback in relation to point 3 is fully addressed.</p> <p><u>Point 4</u> Outlined in the procedural note which is read out by the Chair at the start of the meeting, details are provided on the timing of speeches, explaining that speeches at County Council and Planning are timed. It also explains that the speaker will be alerted when they have one minute remaining of their time.</p> <p>The change outlined above ensures that the feedback in relation to point 4 is fully addressed.</p>
1.07	The feedback from the Independent Members was valuable and allowed beneficial changes to be made.

2.00	RESOURCE IMPLICATIONS
2.01	None.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	None.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Reports to Standards Committee and associated minutes:</p> <p>03.02.20 https://committeemeetings.flintshire.gov.uk/documents/s58757/Liaison%20on%20Ethical%20Issues%20with%20the%20Council.pdf?LLL=0 https://committeemeetings.flintshire.gov.uk/documents/g4570/Printed%20minutes%2003rd-Feb-2020%2018.30%20Standards%20Committee.pdf?T=1&LLL=0</p>

	<p>11.01.21 https://committeemeetings.flintshire.gov.uk/documents/s62688/Independent%20Member%20attendance%20at%20Committee%20Meetings.pdf?LLL=0</p> <p>https://committeemeetings.flintshire.gov.uk/documents/g4803/Printed%20minutes%2011th-Jan-2021%2018.30%20Standards%20Committee.pdf?T=1&LLL=0</p> <p>01.03.21 https://committeemeetings.flintshire.gov.uk/documents/g4805/Printed%20minutes%2001st-Mar-2021%2018.30%20Standards%20Committee.pdf?T=1&LLL=0</p> <p>Contact Officer: Nicola Gittins – Team Leader, Democratic Services Telephone: 01352 702345 E-mail: nicola.gittins@flintshire.gov.uk</p>
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7.00	GLOSSARY OF TERMS
7.01	None.

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STANDARDS COMMITTEE

Date of Meeting	Monday, 6 September 2021
Report Subject	Review of the Ethical Standards Framework
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The current Ethical Standards Framework was created by the Local Government Act 2000. The legislation has been amended slightly in the interim but has not been fundamentally reviewed since its inception.

Welsh Government has appointed Richard Penn to review the entire framework and make recommendations. His report has been submitted. Welsh Government has said it will consider the report and issue its response in the autumn. Welsh Government has said that it will pass any legislation needed in response to the review before the end of this local government term.

RECOMMENDATIONS

1	That the Committee notes the report and awaits the outcome of the review.
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REPORT DETAILS

1.00	EXPLAINING THE REVIEW
1.01	In the 1990's there was a scandal in the Parliament at Westminster dubbed "cash for questions", which led to the establishment of the Committee on Standards in Public Life ("the CSPL"). The CSPL is also known as "the Nolan Committee" after its first chairman, Lord Nolan. The CSPL recommended that all those in public life should be required to follow a code of conduct. This gave rise to the Local Government Act 2000 which created the Councillors' Code of Conduct, Standards Committees and the means of investigation/enforcement.

1.02	In England the framework was radically slimmed/watered down in 2011. In Wales, the code of conduct itself was reviewed in 2008 (leading to major changes) and again in 2016 (leading to minor revisions). However, the whole framework has not been fundamentally reviewed since its inception. Welsh Government has commissioned Richard Penn (a former Chief Executive, latterly at Bradford MBC, and previous chair of the Independent Remuneration Panel For Wales) to conduct a review of the whole framework and make recommendations.
1.03	The review was announced in April and Richard Penn has engaged with stakeholders to gather evidence on the functioning of the framework. He has spoken variously, and amongst others, to <ul style="list-style-type: none"> • The Public Services Ombudsman • The President of the Adjudication Panel for Wales • One Voice Wales • The Mid and North Wales Standards Forum • Individual chairs of Standards Committees • The Wales Branch of Lawyers in Local Government • Individual monitoring officers from a selection of County Councils, National Park Authorities and Fire & Rescue Authorities.
1.04	The review took evidence on a wide range of topics, looking at, amongst others, the following issues: <ul style="list-style-type: none"> • whether there was still a need for the code; • whether the current code is up to date and fit for purpose; • whether the investigation and enforcement of complaints was effective • how Standards Committees encourage compliance through the use of policies and training; • whether the code was appropriate for Town and Community Councils and their capacity to comply with its provisions.
1.05	The report has been submitted to Welsh Government, who will consider its findings and publish a response alongside the report in the autumn. Welsh Government will also indicate what legislation (if any) it considers to be necessary/appropriate to respond to the report's findings. Any such legislation will be passed before the elections in May 2022 so that it is in force for the new council term. Given the wide range of issues considered during the evidence gathering stage it is likely that some recommendations will reflect good practice and will not require legislation to implement. The Committee will need to consider the review and WG's response in due course.

2.00	RESOURCE IMPLICATIONS
2.01	None directly arising as a result of this report. There will be an opportunity to make representations should Welsh Government propose to impose any additional requirements on local authorities in response to the report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Richard Penn has consulted widely on the effectiveness of the whole framework.

4.00	RISK MANAGEMENT
4.01	There are no risk issues arising from this report.

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: Gareth.lega@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Ethical Standards Framework – the method by which standards of conduct and behaviour for elected and co-opted members in principal councils, town and community councils, national park authorities and fire & rescue authorities are established, promoted and enforced. It includes the councillors’ code of conduct, the Standards Committee, support and advice from monitoring officers, training, investigation via the office of the Public Services Ombudsman for Wales and enforcement through the Adjudication Panel for Wales.

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STANDARDS COMMITTEE

Date of Meeting	Monday, 6 September 2021
Report Subject	Pan Wales Standards Conference
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

Every 2 years the monitoring officers in Wales deliver a standards conference for all Standards Committees in order to share good practice and deliver training. It is arranged regionally and the next conference is to be arranged by the North Wales region.

The review of the Ethical Standards Framework, which is currently underway (see earlier report), is of such importance that it will form the basis for all/most discussion at the conference. This year's conference will be the first to be held virtually, due to the uncertainty over what COVID restrictions might be in place at the time.

RECOMMENDATIONS

1	That the Committee notes the preparations for the conference and submits any ideas for useful topics of discussion.
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REPORT DETAILS

1.00	EXPLAINING THE CONFERENCE
1.01	The Monitoring Officers in Wales organise a biennial Standards Conference on a regional basis. The last such conference was held in 2018 at Aberystwyth, organised by the Mid Wales region. The conference due to be held in 2020 was to have been organised by the North Wales region. It was postponed due to the pandemic and will take place later this year instead.

1.02	The review of the Ethical Standards Framework (see earlier report) is of such significance that it will inevitably form the basis for the majority/whole of the conference. Whilst the report may make findings that require legislation to be implemented there will also be findings based on good practice, training and changes in behaviour that will need to be digested and considered.
1.03	The precise timing of the conference will be driven by the publication of the report and response from Welsh Government. Richard Penn and the relevant Welsh Government officials have agreed to attend the event. One Voice Wales and the Ombudsman will also be invited to attend to discuss the report and implications of its findings.
1.04	The precise format for the conference is still to be finalised. However it is likely to take the form of presentations from Richard Penn and Welsh Government followed by panel discussion with invited guests such as the Ombudsman and One Voice Wales. There will be scope for questions/answers plus debate by delegates.
1.05	In previous years the conference has been a physical event with delegates travelling from across Wales to attend. The number of delegates able to attend has been determined by the size of the available venue, and has previously been restricted to 3 or so per Council. This year's event will be virtual to reflect ongoing uncertainty over COVID alert levels and possible restrictions. The virtual format will however make it possible for many more delegates to attend and so all Committee members will be able to attend if desired.

2.00	RESOURCE IMPLICATIONS
2.01	The conference is being arranged within existing resources. Holding the conference virtually will reduce the cost of venue hire, attendance, travel etc.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None

4.00	RISK MANAGEMENT
4.01	The holding of conferences such as this increase the understanding and skills of delegates and thus of Standards Committees across Wales. They help to develop thinking on current ethical issues. They represent a form of risk reduction by promoting good practice.

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None.</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	None.

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STANDARDS COMMITTEE

Date of Meeting	Monday, 6 September 2021
Report Subject	Feedback from the Ethical Liaison Meeting
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The second Ethical Liaison meeting took place in August. It was attended by the Chair and Leader of the Council, the Chair and Vice Chair of this Committee and the majority of Group Leaders. The meeting focussed on the forthcoming duty on Group Leaders to assist the Committee in promoting adherence to the Code of Conduct.

The meeting reviewed the existing ways in which Group Leaders help to promote good conduct and what further actions they might take to fulfil the duty. The focus of future actions was on the induction of councillors after the elections in May 2022. Group Leaders agreed to be involved with the induction to help set expectations about behaviour with the new cohort of councillors (and to reinforce those expectations with returning councillors). They also agreed to hold further such meetings in future.

RECOMMENDATIONS

1	That the Committee welcomes the outcomes of the ethical liaison meeting and agrees to hold a third meeting in the new calendar year.
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REPORT DETAILS

1.00	EXPLAINING THE ETHICAL LIAISON MEETING
1.01	The second Ethical Liaison meeting took place in August. It was the first such meeting to which all Group Leaders had been invited. In order to give the meeting focus the agenda centred on the new duty on Group

	Leaders under the Local Government and Elections (Wales) Act 2021 to help promote good behaviour. That duty comes into effect in May 2022 after the elections that are due to be held. The meeting looked first at existing ways in which Group Leaders already help to promote compliance with the Code of Conduct before looking at suggestions for further actions that could be taken to fulfil the duty.
1.02	Whilst each election is different, based on past experience, it is reasonable to expect a turnover in the region of 20 – 30% of Councillors. Immediately after the election the Council provides induction training for new Councillors, and this will be a valuable early opportunity to set expectations about the desired standards of behaviour. It should also be seen as a chance to remind returning councillors of the requirements under the Councillors’ Code of Conduct and expectations around conduct.
1.03	The induction will include a session on the Code of Conduct and Group Leaders have agreed that all Councillors (returning and new) should attend. There will also be sessions on how to do business at the Council. These will include information on essential processes, who to contact etc. and will also cover the conventions around behaviour set out within the Councillors’ Code of Conduct and Flintshire Standard. Having returning senior Councillors helping to deliver that session will serve to demonstrate that these values are shared across the whole membership.
1.04	The larger groups agreed to adopt a “mentor system” where an experienced Councillor helps a newly elected member. In the smaller groups this role is often fulfilled by the Group Leader themselves. We will provide some preparatory training to those who intend to be mentors so that they are confident in the role and to help ensure consistency of approach.
1.05	The division of responsibilities between elected members and officers plays an important part in ensuring that the respective Codes of Conduct are observed. That is to say that members risk breaching their Code of Conduct if they get too involved in operational issues which should be left to officers and vice versa for officers who get too involved in strategic or political issues. The division of responsibilities works best if there is a clear understanding of the respective roles and expectations of each other (as set out in the Member/Officer Protocol). Senior officers and Group Leaders will meet after the elections to ensure that those roles and expectations are thoroughly understood.
1.06	The Group Leaders found the meeting to be useful and agreed to meet again early in the new calendar year.

2.00	RESOURCE IMPLICATIONS
2.01	The Ethical Liaison meeting can be accommodated within existing resources.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Ethical Liaison meetings are themselves a form of consultation between Group Leaders and the Committee to ensure that each is meeting/fulfilling the expectations of the other.

4.00	RISK MANAGEMENT
4.01	The involvement of Group Leaders in induction for new Councillors will help to establish expected standards of behaviour for new councillors after the elections. This will reduce the risk of poor behaviour. It is an example for the positive benefits such Ethical Liaison meetings can bring.

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: Gareth.legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Group/ Group Leaders – Councillors typically organise themselves into political groups which can, but not have to, reflect national political parties. These are the basis for the allocation of seats, certain positions of chair of committee etc. They also provide a support mechanism for group members. Each group has a group leader who tends to be a senior/respected Councillor.

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FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME 2021/22

Date of Meeting	Topic	Notes/Decision/Action
June 2022	<ul style="list-style-type: none"> • Training • Dispensations • Forward Work Plan 	
March 2022	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Forward Work Plan 	
January 2022	<ul style="list-style-type: none"> • Training • Dispensations • Independent member visits to meetings • Forward Work Plan 	
November 2021 Joint meeting with T&CCs	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Standards Forum pre-briefing • PSOW Annual Report/Casebook Issue 25 • Items raised by Town and Community Councils • Forward Work Plan 	
September 2021	<ul style="list-style-type: none"> • Training • Dispensations • Penn Review of the Ethical Standards Framework (if available) • Feedback from the Ethical Liaison Meeting • Findings From Independent Member Visits to Committee Meetings • Pan Wales Standards Conference 	<p>Report by Gareth Owens</p> <p>Report by Gareth Owens</p> <p>Report by Gareth Owens</p> <p>Report by Gareth Owens</p>

Date of Meeting	Topic	Notes/Decision/Action
	<ul style="list-style-type: none"><li data-bbox="524 277 848 309">• Forward Work Plan	
Reports to be scheduled - Survey on the Production of Councillor Newsletters		