

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



Contact Officer:
Maureen Potter / 01352 702322
maureen.potter@flintshire.gov.uk

To: Julia Hughes (Chair)

Councillors: Teresa Carberry, Andrew Parkhurst and Antony Wren

Co-opted Members:

David Wynn Davies, Jacqueline Guest, Mark Morgan and Gill Murgatroyd

30 August 2022

Dear Sir/Madam

NOTICE OF REMOTE MEETING
STANDARDS COMMITTEE
MONDAY, 5TH SEPTEMBER, 2022 at 6.30 PM

*** Please note that a training session for the Standards Committee members will be held from 6.00pm to 6.30pm ***

Yours faithfully

Steven Goodrum
Democratic Services Manager

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. 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 - 10)

Purpose: To confirm as a correct record the minutes of the meeting held on 4 July 2022.

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.

ITEMS FOR DECISION

5 **FEEDBACK FROM THE ETHICAL LIAISON MEETING** (Pages 11 - 18)

Purpose: To provide feedback from the Ethical Liaison Meeting held on 27th June 2022.

6 **INDEPENDENT MEMBER VISITS TO TOWN AND COMMUNITY COUNCILS** (Pages 19 - 24)

Purpose: To plan and prepare for Independent Member Visits to Town and Community Councils

ITEMS FOR INFORMATION

7 **OVERVIEW OF ETHICAL COMPLAINTS** (Pages 25 - 28)

Purpose: That the Committee notes the number and type of complaints.

8 **UPDATE ON THE RECRUITMENT OF A TOWN AND COMMUNITY COUNCIL REPRESENTATIVE** (Pages 29 - 40)

Purpose: To report on progress with the Recruitment of a new Town and Community Council Representative

9 **UPDATE ON THE CREATION OF NATIONAL FORUM FOR INDEPENDENT MEMBERS**

Purpose: To update the Committee on whether there is sufficient support to establish a National Forum for Independent Members.

10 **FORWARD WORK PROGRAMME** (Pages 41 - 42)

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>

STANDARDS COMMITTEE

4 JULY 2022

Minutes of the meeting of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 4 July 2022

PRESENT: Julia Hughes (Chair)

Councillors: Teresa Carberry, Andrew Parkhurst and Antony Wren,

CO-OPTED MEMBERS:

David Wynn Davies, Jacqueline Guest, and Gill Murgatroyd

APOLOGY: Mark Morgan

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring Officer, and Democratic Services Officer

The Monitoring Officer clarified that the committee was still awaiting the appointment of a Town and Community Council representative and outlined the deadline for submission and the number of nominations received. Information on the process for the selection of candidates and voting preferences was given and he agreed to keep the Committee updated on progress.

7 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

No declarations were received.

8 MINUTES

The minutes of the meeting held on 6 June 2022 were presented for approval. The minutes were approved, subject to minor amendments as moved by Gill Murgatroyd and seconded by Councillor Teresa Carberry

RESOLVED:

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

9. INDUCTION PROGRAMME FOR COUNCILLORS

In presenting the report the Monitoring Officer outlined the key themes for the training sessions which had been appropriate behaviours and understanding of the Code. The first part of the Induction Programme was delivered within the first two weeks and focused on behaviours. The current sessions included declaration of interests, dispensations, gifts and hospitality with detailed training on this provided to the political groups. Referring to Town and Community Councillors the Monitoring

Officer confirmed that three sessions had taken place with 43% of the Town and Community Councillors attending so far. Extra sessions were being held in the Autumn to capture those councillors who were co-opted during the summer. This was mandatory training and recordings were being made available for those unable to attend the planned sessions.

David Davies asked what the repercussions were for Town & Community Councillors who did not attend any of the Code of Conduct Sessions. In response the Monitoring Officer confirmed their risk of breaching the Code increased together with the risk of a complaint against them, which could lead to disqualification. He was unsure what the Ombudsman's opinion on this would be but confirmed that he would be asked to confirm if the councillor had attended a training session on the Code.

Referring to County Councillors that Chair commented that there was a requirement for Group Leaders to ensure their members undertook this training. The Monitoring Officer confirmed that was correct and that all Group Leaders had agreed for himself and the Deputy Monitoring Officer to attend their meetings to provide this training.

Councillor Antony Wren commented that he found the training very useful even if an information overload. When asked where the sessions were stored, the Monitoring Officer confirmed that links to the training sessions would be available on the Members' Page which was being developed on the Infonet. He agreed to find out when that would be made available for Members. The Chair asked if this could be fed back to the next meeting.

The Chair referred to the Constitution Code with 58 out of 67 Members having already attended the training and asked how the remaining 9 would be approached as the training was mandatory. The Monitoring Officer confirmed that all but one of the new Members had attended the training on interests and that in addition to himself and the Deputy Monitoring Officer attending group meetings the recordings would also be made available for Members. In response to a question regarding newly elected councillors, the Monitoring Officer confirmed that following a by election any newly elected councillors would have a face-to-face meeting with him, and training would be given then.

The recommendation in the report was moved by David Davies and seconded by Councillor Andrew Parkhurst.

RESOLVED:

That the Committee approved the ethical component of the Member Induction Programme held after the elections, included in Appendices 1 and 2.

10 **ALL WALES STANDARDS CONFERENCE 2022 REPORT BACK**

The Chief Officer (Governance) confirmed that the conferences were held bi-annually, though the 2020 conference had been delayed until this year. The conferences were organised by the monitoring officers in each region with this year being the turn of North Wales. The focus was on the Penn Report which was the biggest and most comprehensive review of the Code of Conduct since it was introduced by the Local Government Act 2000.

He provided a detailed overview of the conference and a summary of the recommendations and resolution made, with parts requiring changes to legislation and parts which could be adopted voluntarily. Discussions were being held during the summer with Welsh Government (WG) on the changes to legislation.

The Chair recommended that members of the Committee attend the next one to listen to views of other authorities, Ombudsman and other speakers. She provided a detailed review of the presentations, the topics discussed and sharing of good practice which included a discussion around the Code of Conduct. The conference was recorded, and the Chair asked if this could be shared. The Monitoring Officer confirmed it was Gwynedd who hosted the Zoom session and he would investigate it. The next conference would be held in South Wales in 2024.

Gill Murgatroyd had also attended and said it was very informative and helpful. She referred to the discussions with the Adjudication Panel for Wales and WG representatives? around timescales for the recommendations of the Penn Review and asked if the Monitoring Officer was able to comment on this. The Monitoring Officer confirmed that he would be meeting with WG and the Ombudsman's office over the summer to discuss how this could be taken forward and implemented.

David Davies asked if there was a sense that WG would accept all the Penn recommendations or would there be political resistance. The Monitoring Officer said that the Deputy Director for Local Government attended but gave no indication of likelihood of acceptance of specific recommendations pending discussion with affected stakeholders.

The recommendation in the report was moved and seconded by Jacqueline Guest and Gill Murgatroyd

RESOLVED:

That the report on the conference was welcomed and that the Committee agreed to incorporate work arising from the Penn Review of the Ethical Regime into its work programme as it arose.

11 **UPDATE ON THE CREATION OF NATIONAL FORUM FOR INDEPENDENT MEMBERS**

The Monitoring Officer confirmed the purpose for creating the Forum saying that there was support across Wales for the National Forum for Independent Members to be established. He would be meeting with the Welsh Local Government Association (WLGA) over the summer to draft terms of reference and establish timescales for meetings. It was agreed that an update on this be included on the Forward Work Programme.

The recommendation in the report was moved by David Davies and seconded by Councillor Teresa Carberry

RESOLVED:

That the support for a National Standards Forum be welcomed

12 **ROLLING REVIEW OF THE CONSTITUTION**

The Monitoring Officer confirmed that this Committee was responsible for reviewing various codes and protocols to ensure their relevance. This was carried out once a term and referred Committee Members to the suggested timetable on page 126.

The Chair referred to the Members' Code of Conduct listed for December 2022 and sought clarification as it was also scheduled for July 2023. It was agreed to move this to the November 2022 meeting.

David Davies asked if there would be training provided for the Committee Members, especially for Planning Protocol and Officers' Code of Conduct. The Monitoring Officer confirmed that training would be covered within each report being reviewed.

The recommendation in the report was moved by Gill Murgatroyd and seconded by Jacqueline Guest.

RESOLVED:

That the timetable for reviewing codes and protocols be adopted.

13 **FORWARD WORK PROGRAMME**

The Monitoring Officer presented the Forward Work Programme for consideration. A discussion followed regarding the items listed on the Forward Work Programme with clarification provided by the Monitoring Officer

The recommendation was moved by Councillor Teresa Carberry and seconded by Jacqueline Guest

RESOLVED:

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

14 **DISPENSATIONS**

None were received

15 **MEMBERS OF THE PRESS IN ATTENDANCE**

There were no members of the press in attendance.

(The meeting started at 6.30pm and ended at 7.33pm)

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Chair

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STANDARDS COMMITTEE

Date of Meeting	Monday, 5 September 2022
Report Subject	Feedback from the Ethical Liaison Meeting
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The third Ethical Liaison Meeting (ELM) was held on 27th June 2022. The meeting discussed and agreed how the Standards Committee should implement its new duty to comment on compliance with the Group Leaders' duty to promote good behaviour in its annual report.

RECOMMENDATIONS

1	That the Committee implements the new duty to comment on compliance by Group Leaders with their duty to promote good behaviour as discussed and agreed at the Ethical Liaison Meeting.
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REPORT DETAILS

1.00	EXPLAINING THE ETHICAL LIAISON MEETING
1.01	The third Ethical Liaison Meeting took place on 27 th June 2022. It was attended by the Chair and Leader of Council and one Group Leader as well as the Chair and Vice Chair of the Standards Committee. The other 2 Group Leaders did not attend.
1.02	The ELMs have been used a forum to discuss how to implement the new duty on Group Leaders to promote ethical behaviour, and how that should be reported as part of the Standards Committee annual report. This meeting considered the draft guidance from Welsh Government on what the duty upon Group Leaders entails and how it might be discharged. The draft guidance also covers how the Standards Committee should

	implement its new obligation to comment on the perceived compliance by each Group Leader with that duty. The guidance has been considered before by the Committee but can be found here .
1.03	The guidance makes clear that failure to comply with the new duty is to be regarded as a potential breach of the Code of Conduct by a Group Leader. How the Committee reports on levels of compliance is therefore of significant importance. It also makes clear that Group Leaders are not to be seen as failing in their duty if they do what they reasonably can to promote good behaviour but one of their group members nevertheless breaches the code.
1.04	It would not be desirable for the Committee to be seen to be operationally involved in managing the behaviour of group members. Such a perception would create a conflict of interest should it be called upon to hold a hearing into the conduct of such a group member. Therefore the Committee will receive a report from Group Leaders once per year in the format agreed by this Committee prior to the ELM. It will hold a private meeting with each Group Leader to discuss their report before commenting publicly in its annual report on perceived levels of compliance. The notes of the ELM are attached at Appendix 1.
1.05	The Committee's annual report must be referred to Full Council. This will take place at the meeting following the annual meeting. The Committee will therefore receive reports from Group Leaders at the end of April each year.

2.00	RESOURCE IMPLICATIONS
2.01	The new duty on Group Leaders will require the Monitoring Officer to keep statistics on the number of incidents or problems with group members during each year as well as the use of local resolution. This should be achievable within existing resources.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	All Group Leaders have been consulted on the proposed reporting process.

4.00	RISK MANAGEMENT
4.01	The process of discussing the new duties and how they are to be implemented serves to make Group Leaders aware of their new responsibilities and the expectations upon them. That in turn reduces the risk of non-compliance. The duty itself should help to reduce the chance that councillors will act in unethical manner or breach the code.

5.00	APPENDICES
5.01	Appendix 1 – notes of the Ethical Liaison Meeting held on 27 th June 2022.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Insert any hyperlinks to supporting documents if necessary.</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	Ethical Liaison Meetings – meetings between senior Councillors and the Chair and Vice Chair of the Standards Committee to discuss ethical behaviour within the Council.

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ETHICAL LIAISON MEETING

27TH JUNE 2022

NOTES OF MEETING

1. Notes of previous meeting
 - a. The notes were agreed
 - b. All actions have been completed except meeting with group leaders and subsequent training for officers which can proceed now the elections are over

2. Reporting Duty
 - a. Group leaders are subject to two new statutory duties:
 - i. To promote good standards of behaviour amongst their group members
 - ii. To co-operate with the Standards Committee
 - b. Group leaders could be deemed to be bringing their office into disrepute under the councillors' code of conduct by not fulfilling the duties;
 - c. The Standards Committee is under a duty to prepare an annual report in which it must comment on levels of compliance with these new duties;
 - d. The guidance issued by WG in relation to the new duties suggests the steps that could be taken by Group Leaders to fulfill these obligations;
 - e. Group Leaders already take some steps to prevent matters escalating/nip issues in the bud. These are informal & confidential and so should not be publicly or individually reported;
 - f. The MO has drafted a template based on the examples in the guidance to prompt group leaders on the matters to be covered in their reports;
 - g. So that the Standards Committee retains independence from operational matters it will ask Group Leaders to report once per year. However, if there are matters of importance during the year these can be reported to the Monitoring Officer who will inform the committee or which might be raised by the Committee seeking assurance from Group Leaders;
 - h. Group Leaders will prepare their report in time for the May meeting of the Standards Committee;
 - i. The report will not mention specific cases and will refer to the type of actions undertaken;
 - j. The Committee will meet with each group leader in private to explore their report. The Committee may also seek the view of the Monitoring Officer ;
 - k. The Standards Committee annual report will then contain a short summary of steps taken to fulfill the duty, its opinion on whether sufficient has been done, and any future pieces of work that might be undertaken etc.
 - l. The Committee's annual report will be submitted to full council at the meeting following the AGM (typically in June or July)

Promoting Compliance With the Code of Conduct

Report by:			
Political Group:			
No. of members:		No. trained on Code:	X (Y%)
For the period:			

Number, Source and Level of Complaints

	Informal	Local Resolution (Stage)			PSOW
		1	2	3	
Public					
Officers					
Councillors					

**Steps taken to Promote Compliance
(To Be Completed by Group Leader)**

Include matters such as:

- demonstrating personal commitment to and attending relevant development or training around equalities and standards;
- encouraging group members to attend relevant development or training around equalities and standards;
- ensuring nominees to a Committee have received the recommended training for that Committee;

<ul style="list-style-type: none">- promoting civility and respect within group communications and meetings and in formal Council meetings;- promoting informal resolution procedures in the Council, and working with the Standards Committee and monitoring officers to achieve local resolution;- promoting a culture within the group which supports high standards of conduct and integrity;- attend a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;
<ul style="list-style-type: none">- work to implement any recommendations from the Standards Committee about improving standards;- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council.

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STANDARDS COMMITTEE

Date of Meeting	Monday, 5 th September 2022
Report Subject	Independent Member Visits to Town and Community Councils
Report Author	Deputy Monitoring Officer

EXECUTIVE SUMMARY

In 2018 the Standards Committee resolved that Members who are not County Councillors would attend and observe Town and Community Council meetings across Flintshire. Arrangements were made for the visits to be split between members of the Committee with the intention that, over the course of the year, all Town and Community Councils would be visited. Town and Community Councils were informed by the Monitoring Officer of the intention for members to undertake these visits.

Members were asked for their availability, with a recommendation for them to visit six Council meetings based on the number of members and the number of Town and Community Councils. It was also advised for members to avoid their own wards and visit Town and Community Councils which were closest to their home.

The Team Leader, Democratic Services, provided a list of known meeting dates of Town and Community Councils so that members could identify which ones they were able to attend.

At the meeting of the Committee on the 10th January 2022, it was agreed that a new cycle of visits would be arranged following the local government elections in May 2022. At the subsequent meeting on 6th June 2022 it was agreed that this would feature as an item on the forward work programme.

A formal resolution is required to enable officers to draw up a rota, in consultation with the Independent members, as was done in 2018 to enable visits to be undertaken in 2022/23.

RECOMMENDATIONS

1	That it be approved that officers draw up a list of Town and Community Councils and their meeting dates for 2022/23 to send out to Independent Members for them to select which Town and Community Council meetings
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	they are able to attend.
2	That Town and Community Councils be written to explaining that the process of visits will be undertaken again in 2022/23.
3	That the reporting of visits to Town and Community Councils by Independent members of the Committee is based on workload of the Committee, except where urgent issues need to be fed back and these will be placed on the agenda for the next meeting.
4	That Members undertaking visits to Town and Community Councils take written notes that are suitable to be disclosed and circulated as feedback to Town and Community Councils upon request.
5	That Members inform the Monitoring Officer of a visit to a Town or Community Council and send their written notes of the visit to him, as soon as possible after a visit has taken place, for the purposes of agenda planning for the Committee.

REPORT DETAILS

1.00	VISITS TO TOWN AND COMMUNITY COUNCILS
1.01	Following visits by Independent members of the Standards Committee to Town and Community Councils in 2018, a request for that process to be carried out again was suggested and supported.
1.02	A toolkit, based on the one used in 2018, has been prepared and is appended to this report.
1.03	As was the practice in 2018, it is suggested that Town and Community Councils are written to explaining that the process of the visits would be undertaken again in 2022/23.
1.04	<p>During such visits the following simple guidelines are suggested for how they are conducted for the sake of courtesy and transparency:</p> <ol style="list-style-type: none"> 1) that there should be a published rota; 2) that each Council should be told specifically who will attend; 3) that each attendee introduces themselves to the clerk when they arrive at the meeting and then takes a seat in the public gallery; 4) that the attendee should not speak at the meeting unless invited to do so, and should only explain the nature and purpose of the programme of visits; 5) that the attendee should decline to give specific advice on matters under the code such as declaring interests, and should refer any such requests to the clerk, monitoring officer or deputy monitoring officer instead.
1.05	There are essentially two ways in which member visits to Town and

	Community Councils can be reported to the Committee and in which feedback can be provided to Town and Community Councils. Reports and feedback can either be written or verbal. If agreed, further details on this process will be provided at the next meeting.
1.06	Following visits being undertaken, the Monitoring Officer should be notified of the visit which will ensure the details can be reported to the next meeting of the Standards Committee.
1.07	Previous practice was for the Independent Members to provide the Democratic Services Team with a copy of any notes taken for background information, and that they would provide verbal feedback at the meeting.
1.08	However, any written notes taken by members in respect of visits to Town and Community Council meeting may be disclosable if a request for disclosure is made.
1.09	Whilst it is recommended that reporting back on visits is done by workload, it is important that any big issues identified at any visits to Town or Community Councils that need to be addressed as a matter of urgency are reported as soon as possible so that feedback can be given in a timely manner.

2.00	RESOURCE IMPLICATIONS
2.01	The payment of allowances and expenses to Members is overseen by the Independent Remuneration Panel for Wales (“IRPW”), which can stipulate whether a function should be remunerated and, if so, the amount. The IRPW says that Councils should pay Independent Members for attending meetings, training sessions and the like. However, the IRPW rules do not permit Independent Members to be paid for attending other Councils as observers other than expenses.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	N/A.

4.00	RISK MANAGEMENT
4.01	N/A.

5.00	APPENDICES
5.01	Appendix 1 – Toolkit.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>5th March 2018 – Committee Report: https://committeemeetings.flintshire.gov.uk/documents/s47582/Visits%20to%20Town%20and%20Community%20Councils.pdf?LLL=0</p> <p>5th March 2018 – Minutes of the meeting: https://committeemeetings.flintshire.gov.uk/documents/g4015/Printed%20minutes%2005th-Mar-2018%2018.30%20Standards%20Committee.pdf?T=1&LLL=0</p> <p>10th January 2022 – Minutes of the meeting: https://committeemeetings.flintshire.gov.uk/documents/g4999/Printed%20minutes%2010th-Jan-2022%2018.30%20Standards%20Committee.pdf?T=1&LLL=0</p> <p>Contact Officer: Matthew Georgiou, Deputy Monitoring Officer / Nicola Gittins – Team Leader – Democratic Services</p> <p>Telephone: 01352 702330 / 01352 702345</p> <p>E-mail: matthew_georgiou@flintshire.gov.uk nicola.gittins@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	None.

TOOLKIT FOR INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE FOR
UNDERTAKING VISITS TO TOWN AND COMMUNITY COUNCIL MEETINGS

NB – As the remit of the Standards Committee is to promote and maintain high standards of conduct by Councillors, including Town and Community Councillors, and in particular to promote and maintain conduct that is accordance with the Code of Conduct, visits to Town and Community Councils may assist in promoting these standards. However, it is those matters that are relevant for the purposes of reporting a Committee Member’s experience of those meetings, as opposed to matters of process and procedure surrounding how the meetings are run (e.g. whether an agenda has been publicised in accordance with the relevant legislative requirements is not a relevant matter for members of the Standards Committee).

Below is a list of matters that it may be useful to report back the Committee and to assist Members of the Standards Committee to take relevant notes of the meetings.

There is also a suggested introduction for members’ use if they require it.

Introduction

My name is XXXX and I am an Independent Member of Flintshire County Council’s Standards Committee.

I am simply here as an observer in the same way as a member of the public is able to attend the open meetings of the Council.

One of the areas that the Standards Committee focuses upon is reinforcing awareness of the Members’ Code of Conduct and we are keen to support local Councils and their members to enable them to understand their obligations under the Code and maintain high standards of conduct and to provide or organise appropriate training.

Attendance at Town and Community Council meetings is also an opportunity to raise the Committee’s profile and try to avoid being perceived as a remote body, but rather to be seen as one that is in touch with local democratic issues.

Any feedback we provide to the Standards Committee highlights the positive experiences of the meetings we have attended, as well as giving suggestions on further training that the Standards Committee may organise or propose in order to offer to support Councillors to carry out their roles in accordance with their Code of Conduct. Unless we are specifically requested to attend a meeting by a clerk or Chair, we randomly select the Community/Town Council meetings to attend and observe so please feel do proceed as you would normally.

Council name

Date, start time and venue

Members Present (numbers only)

Public Present (numbers only)

Were expressions of interest invited near to the start of the meeting, and before the substantive items of the agenda were considered?

How many declarations of interest were made?

Were declarations of interest clear in setting out what the interest was, and whether it was personal only or personal and prejudicial, and was the Member's intended participation in the relevant item of business made clear (e.g. that they would leave the room when the matter was debated or that they would remain and vote as the interest was personal only)?

Did the members who declared interests act in accordance with their declaration?

Meeting closed at (time)?

Additional notes/explanation or expansion on the above matters:-



STANDARDS COMMITTEE

Date of Meeting	Monday 5 th September 2022
Report Subject	Overview of Ethical Complaints
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

This report shows a summary of the ethical complaints alleging a breach of the Code that have been submitted to the Public Services Ombudsman for Wales (PSOW). As per the Committee's resolution, the complaints distinguish between different Councils and Councillors whilst still remaining anonymous.

The report gives the Committee an understanding of the number and types of complaints being made, and the outcome of consideration by the PSOW. Since the last report (6 June 2022) 5 complaints have been received. 3 complaints have been resolved since the last report. There are 4 outstanding.

RECOMMENDATIONS

1	That the Committee notes the number and type of complaints.
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REPORT DETAILS

1.00	NUMBER OF COMPLAINTS
1.01	<p>The attached spreadsheet at Appendix A lists in summary form the complaints received during 2022/2023. Each entry lists:</p> <ul style="list-style-type: none"> the Ombudsman's reference number (year/4 digit reference) the type of Council (Community, County or Town) the complainant (Councillor, officer, public) the provisions which are alleged to have been breached the decision at each of the 3 stages of investigation
1.02	<p>Since the last report 5 complaints have been received. These complaints vary in terms of matters alleged and the circumstances of the incident. Of the 3 cases that have been determined, none were investigated by the PSOW because they failed the 2 stage test. The Ombudsman is trialling a different approach to assessing complaints whereby it reaches a decision on whether or not an investigation is needed before notifying the Monitoring Officer or councillor. The intention is to speed up the</p>

	processing of complaints, the vast majority of which will not pass the 2 stage test. This means that we became aware of the most recent complaints at the point where they were dismissed.
1.03	There are presently 4 complaints being investigated (3 made in 2022/23 and 1 remaining from 2021/22). The complaint in respect of bullying a Town Council clerk is nearing the end of the investigation. The other investigations are still in their early stages. The complaints being investigated are on a variety of issues with no common pattern.

2.00	RESOURCE IMPLICATIONS
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2.01	None associated with the complaints recorded in this report. Working with individual Town and Community Councils to address relationship breakdown is time consuming. Where some form of whole Council “mediation” is required the Council has been recommending the use of an experienced governance consultant at the cost of the Council involved.
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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
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3.01	None.
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4.00	RISK MANAGEMENT
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4.01	None
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5.00	APPENDICES
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5.01	Appendix A - Number of complaints.
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6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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6.01	None Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk
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7.00	GLOSSARY OF TERMS
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7.01	Public Services Ombudsman for Wales – the Ombudsman investigates service complaints and alleged breaches of the code. The Ombudsman will only investigate an alleged breach of the Code if there is clear evidence of a breach and it is in the public interest to do so.
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PSOW Reference	Type of Council	Councillor	Complainant	Alleged breach	Outcome by stage		
					Gatekeeper	Investigation	Hearing
2022/00603	County	A	Public	Failure to declare on register of interest that the Cllr is a Clerk of a T&CC	PSOW did not investigate - no breach of the Code found. Satisfied that the Cllr has made the necessary declaration. This has also been confirmed by the MO.		
2022/01136	County	B	Councillor	Post on Social Media seen as a slur on the Councillor's character. Comments are allegedly contrary to para 6 (bring the Council into disrepute)	Investigate		
2022/01184	County	B	Town Councillor	Messages sent to complainant that they felt were threatening in nature.	Investigate		
2022/01509	County	B	Public	Disrepute, bullying, failure to declare interest, disclosure confidential information	Investigate		
2022/02457	Community	C	Public	Alleged breach of the Code of Conduct by allegedly ignoring the policy regarding the election of a Chair/Vice Chair	PSOW did not investigate - the act complained of was the action of the Council not an individual. PSOW willing to consider whether it is a service complaint		
2022/02713	Town	D	Public	Alleged in appropriate posts on social media including use of bad language.	PSOW did not investigate. Swearing in the FB was not directed at any specific person & was an attempt to raise awareness of a community issue. Post was therefore protected political expression		

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STANDARDS COMMITTEE

Date of Meeting	Monday, 5 September 2022
Report Subject	Update on the Recruitment of a Town and Community Council Representative
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Standards Committee is required to include a representative of Town and Community Councils. That representative must be a Councillor who serves on a Town or Community Council is not also a County Councillor.

The Town and Community Councils were asked to nominate potential candidates. In total there are 6 candidates. Each has provided a pen portrait and these have been sent to all the Councils. The Councils have been asked to nominate their first and second preference candidates. The candidate with most votes will be selected. In the event of a tie the candidate with most first preference votes will be chosen. The formal appointment will be made by Full Council on 18 October 2022.

RECOMMENDATIONS

1	To note the process for appointing a Town and Community Council representative.
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REPORT DETAILS

1.00	EXPLAINING RECRUITMENT OF A TOWN AND COMMUNITY COUNCIL REPRESENTATIVE
1.01	Under the Standards Committee Regulations 2001 (as amended) the Standards Committee is required to include a representative of Town and Community Councils. That representative must be a Councillor who serves on a Town or Community Council but who is not also a County

	Councillor. Whilst the representative technically only needs to be present when discussing issues affecting Town and Community Councils it has been the County Council's practice to co-opt the representative as a full member of the Committee.
1.02	The Town and Community Councils had until 29 July 2022 to submit their nominations. In total 8 candidates were nominated but one was ineligible by reason of being a County Councillor and another has since withdrawn.
1.03	Each candidate was asked to provide a pen portrait of up to 250 words to describe their relevant skills, qualities and experience. These pen portraits were sent to Councils on 10 August 2022, and are attached for information at Appendix 1. The Councils have been asked to nominate their first and second preference candidates by no later than 30 September 2022.
1.04	The candidate with the most votes will be selected. In the event of 2 candidates receiving an equal number of votes, then the candidate with most first preference votes will be chosen. The actual formal appointment must be made by Full Council, and it will be asked to endorse the appointment of the preferred candidate at its meeting on 18 October 2022.
1.05	The Council must also consult with bodies representing Town and Community Councils. The process we have adopted gives maximum involvement to the Town and Community Councils as the Councillor will be "their" representative. The process is also utilised by 2 other Councils in North Wales so we do not expect One Voice Wales to object to the process or the outcome.

2.00	RESOURCE IMPLICATIONS
2.01	The process adopted is not resource intensive. The costs are therefore minimal and easily absorbed.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	As described within the body of the report.

4.00	RISK MANAGEMENT
4.01	The process gives a high level of influence to the Town and Community Councils which should help them feel engaged by the process. The recruitment process does not ask for nominees to meet any specific qualifications or to hold any relevant experience but as the role is representative, the main criterion for appointment can be said to be the status of being a Town or Community Councillor. All further training will be provided in any event as part of the development programme for Committee members thereby compensating for any current lack of knowledge/experience.

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5.00	APPENDICES
5.01	Appendix 1 – Pen Portraits.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Insert any hyperlinks to supporting documents if necessary.</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	One Voice Wales – the membership/representative body for Town and Community Councils in Wales. It provides advice and training as well as acting as spokes body for the sector.

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Standards Committee - Town and Community Council Representative

Pen Portrait – Cllr Lynda Carter

My name is Cllr Lynda Carter, I have been a Town Councillor since 2017 (HTC) and was recently re-elected in May 2022.

Work experience -

Tesco Holywell, responsible for delivering the community champion role. Here I managed my own diary and a small budget I worked out in the local community supporting local groups and charities on behalf of Tesco.

During the 11 year period I worked for Tesco I was also the store USDAW union rep, prior to becoming the Community Champion I was placed on stand down to promote and organise Lifelong learning in Tesco stores in Flintshire.

Achievements -

I returned to education in 2000 as a mature student with no formal qualifications. I attained a BA (hons) Degree in History and Heritage Management in 2003. I was the USDAW rep on the TUC Disabled worker's committee for six years and was re-elected every year by members of the trade union movement.

I feel my back ground may make me a suitable candidate for the Standards Committee.

I hope you will give my application your kindness consideration.

Standards Committee - Town and Community Council Representative

Pen Portrait – Cllr Pat Connah

I am Pat Connah, I was nominated by my colleagues on Queensferry Community Council with whom I have served since 2012, for a position on the FCC Standards Committee.

During my time as Community Councillor I have served three terms as Chair and as Governor of our two Primary Schools active in School life, sitting on several Committees, Premises and safeguarding, special needs and inclusion, complaints and discipline.

During my Career in law enforcement I regularly obtained, categorised and scheduled vast quantities of evidential and non-evidential material in respect of high value complex prosecutions acting as Disclosure Officer for Court.

I believe in ethics in local Government, all those responsible for public office must conduct themselves in the prescribed manner without prejudice or favour governed by the Code of Conduct to which we have all subscribed, I want to promote respect and impartiality in our dealings and I have skills of benefit to this Committee.

I want to give something back to our community, I have the necessary time and experience to do so.

I am married and care for my grandson which is equally rewarding and challenging for which I took early retirement, I also enjoy my garden and my pets.

I hope you will support my application. If successful I undertake to supply such feedback as I can to improve communication between The County Council and Community Councils, which currently needs refreshing.

Thank you for taking the time to consider my submission.

Standards Committee – Town and Community Council Representative

Pen Portrait - Councillor Ray Faulder-Jones

I was elected to the Halkyn Community Council following the 2022 Local Elections. I live in the old St Clare's development in Pantasaph with my husband and our pet dog.

I currently work for a Member of Parliament and have completed training in ethics and standards, including an understanding of the Nolan principles on standards in public life. Previously I worked in the financial sector for over ten years across credit control, debt advice, and business partnering. As a result I have received training in financial standards and risk management e.g. money laundering.

I am a volunteer as a Community Panel Member with the Flintshire Youth Justice Service which requires me to uphold duties in relation to criminal justice.

I have a strong understanding of the Devolution settlement, Local Government in Wales, and the statutory services our Council provides.

Through my various roles I have undergone intensive training on ethics and standards (including managing conflicts of interest, policies on gifts and hospitality, diversity and inclusion, information security and GDPR principles, and financial standards).

I have a strong moral and ethical compass and firmly believe that trust in Local Government, its Officers and its Elected Members is vital to ongoing work of the Councils business. This is why following the Code of Conduct is so important.

I am a strong team worker with excellent active listening skills. I can understand and weigh up evidence objectively and can form an objective view on complex and diverse topics.

Standards Committee - Town and Community Council Representative

Pen Portrait – Cllr Ros Griffiths

Hello, my name is Rosalyn Griffiths and I am a Community Councillor from Broughton and Bretton Community Council.

Previous experience as an Alyn and Deeside District Councillor, before becoming a Flintshire County Councillor in 1997. I have been a Community Councillor for 35 years. I am married with two children, and have lived in Broughton almost continually since 1971.

I have been very involved with Pre-school play group, chairman of Broughton and then moving on to become the Chairman of East Clwyd Pre-school playgroup association, before returning to work when my youngest child started school.

My employment was in the Post Office, working in Chester, Tarporley and lastly in Saughall.

During this time I was also Clerk and then Chairman of Broughton Primary school for 25/26 years. Also served as a Governor at St David's High School in Saltney. Currently I am Secretary to our Twinning Association with our Twin Town in the South of France, we have been twinned for 31 years and have made many friends over this period of time. Due to COVID 19, we haven't been able to meet to celebrate our 30th Anniversary as yet. I feel that with my previous experience I would be a good candidate for a Scrutiny committee, as I have down to earth common sense values, that I feel are required on many occasions dealing with issues that may arise.

My service on Community Council, includes chairing the Finance Committee and having been Chairman of Council on 4 occasions, representing Broughton and Bretton Community Council.

Thank you for this opportunity to apply for this opening.

Standards Committee - Town and Community Council Representative

Pen Portrait – Cllr Jayne Morris

I have been a Councillor for the past two years and serve on Caerwys Town Council, this year I was elected Deputy Mayor and have attended events representing our town, both with and on behalf of the Mayor.

I am involved with groups within our town and helped organise the recent Jubilee celebrations. I currently work as a shop manager in Chester for four days per week, this role involves ordering stock, managing staff and serving customers, my previous employment was with Citizens Advice where I was employed for eight years as a Financial Capability/Energy Best Deal Trainer and Generalist Caseworker. These roles were varied, I met a lot of interesting people, often in desperate circumstances, as part of this role it was important to deal with clients confidentially, to gain their trust and to be impartial when dealing with the presenting issue. I worked across the county of Conwy with various diverse groups of people from single parents, women's groups, students to individuals who had substance misuse issues.

I grew up on a farm and have always been involved with sheep and cattle markets - an ideal place to network, this experience has stood me in good stead and has enabled me to use this skill throughout my working life. If selected, I would use the above gained skills and knowledge to the best of my ability.

Thank you for considering this application

Standards Committee - Town and Community Council Representative

Pen Portrait – Cllr Ian Papworth

I am a retired senior police officer. During my service I commanded the Ethics and Standards Department of North Wales Police.

I feel I can use my experience and skills to help maintain a high standard of behaviour within our local government.

Since leaving the police I have worked as an advisor and project manager to the Ministry of Education in Ethiopia where I served for 2 years as a volunteer. The majority of this work was helping to set up its Higher Education Quality and Standards Department.

My experience has taught me to keep an open mind and evaluate the evidence that is presented to me. I feel I could make a useful contribution to the Standards Committee.

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FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME 2022/23

Date of Meeting	Topic	Notes/Decision/Action
3 July 2023	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Feedback on Independent Member Visits to Town and Community Councils • Rolling review of Members Code of Conduct • Forward Work Plan 	
8 May 2023	<ul style="list-style-type: none"> • Training • Dispensations • Feedback on Independent Member Visits to Town and Community Councils • Forward Work Plan 	
6 March 2023	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Draft Annual Report • Feedback on Independent Member Visits to Town and Community Councils • Forward Work Plan 	
9 January 2023	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Rolling Review of Officers Code of Conduct 	

	<ul style="list-style-type: none"> • Forward Work Plan 	
7 November 2022 Joint meeting with T&CCs	<ul style="list-style-type: none"> • Training • Dispensations • Rolling review of Members Code of Conduct • Items raised by Town and Community Councils • Forward Work Plan 	
5 September 2022	<ul style="list-style-type: none"> • Training • Dispensations • Feedback from Ethical Liaison Meeting • Independent Member Visits to Town and Community Councils • Update on Recruitment of a Town and Community Council Representative • Overview of Ethical Complaints • Update on the Creation of National Forum for Independent Members • Forward Work Plan 	Report by Gareth Owens Report by Matt Georgiou Report by Gareth Owens Report by Gareth Owens Verbal Report by Gareth Owens
Reports to be scheduled - Survey on the Production of Councillor Newsletters November 2023 – Protocol on Member/Officer relations		