

## **STANDARDS COMMITTEE**

**3 JULY 2023**

Minutes of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 3 July 2023

### **PRESENT: Julia Hughes (Chair)**

Councillors: Teresa Carberry, Andrew Parkhurst and Antony Wren

Co-opted members: David Wynn Davies, Jacqueline Guest, Mark Morgan, Gill Murgatroyd and Councillor Ian Papworth

**ALSO PRESENT:** Councillor Bernie Attridge attended as an observer

**IN ATTENDANCE:** Monitoring Officer and Democratic Services Officer

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

Councillor Andrew Parkhurst declared a personal and prejudicial interest on the Overview of Ethical Complaints and withdrew from the meeting for that item. During discussion on the same item, a personal interest was declared by Councillor Bernie Attridge who was observing the meeting.

### **12. MINUTES**

The minutes of the meeting held on 15 May 2023 were approved, as moved and seconded by Jacqueline Guest and Councillor Antony Wren.

#### Matters Arising

Minute number 2 - the results of the survey on newsletters was deferred to the September meeting.

Minute number 4 - the Monitoring Officer had re-circulated the Employees' Code of Conduct and invited responses by the deadline.

Minute number 8, resolution (b) - the Monitoring Officer provided feedback following contact with Bagillt Community Council to pass on the points raised by the Committee.

### **RESOLVED:**

That the minutes be approved as a correct record.

### **13. DISPENSATIONS**

None received.

14. **REPORTS FROM INDEPENDENT MEMBER VISITS TO TOWN AND COMMUNITY COUNCILS**

The Chair invited members of the Committee to present their reports on the following visits:

- Mark Morgan - Broughton & Bretton Community Council on 21 March
- Jacqueline Guest - Sealand Community Council on 17 April
- Chair - Nercwys Community Council on 26 April
- Cllr Ian Papworth - Higher Kinnerton Community Council on 23 May
- Mark Morgan - Buckley Town Council on 23 May

During discussion on the feedback, and in response to a query, the Monitoring Officer clarified that Councillors were able to sit on more than one Town/Community Council and that meetings had to be held either wholly or partly remotely.

In response to concerns about unacceptable behaviour towards a Clerk observed at one meeting, the Monitoring Officer reminded the Committee of its remit for the visits. The potential for a further visit to a future meeting was discussed to see whether improvements had been made. In the interim, it was agreed that the Chair and Monitoring Officer would raise the concerns with the Clerk and Chair of that Council and to write to the relevant Councillor to highlight the impact of his behaviour. This approach was moved and seconded by Jacqueline Guest and Councillor Teresa Carberry.

The following points were raised on the visits which were to be fed back to support Town and Community Councils in their procedures:

- Agendas were structured and included an item on declarations of interest.
- Meetings were well chaired and supported, which was an important factor in helping to address any issues arising.
- The Committee was pleased to note that its feedback from previous visits was of assistance.
- In response to the issues observed at one meeting, Councillors should be reminded of the need to be respectful and courteous to officers as well as fellow Councillors, to ensure that such public meetings are conducted in a professional manner.
- Participants joining meetings remotely should do so earlier to help resolve any technical issues and prevent delays in the business being discussed, recognising that only one person should be speaking at any one time.

The recommendation, as amended, was moved and seconded by David Davies and Councillor Carberry.

**RESOLVED:**

- (a) That the verbal reports be received and feedback given to the Town and Community Councils; and

- (b) That the Chair and Monitoring Officer raise the Committee's concerns about behaviour at a specific meeting with the Clerk and Chair of the respective Community Council and write to the Councillor about the impact of his behaviour.

## **15. INDEPENDENT MEMBER ATTENDANCE AT COMMITTEE MEETINGS**

The Monitoring Officer presented a report to agree the process for Independent Members of the Committee attending and observing meetings of Council, Cabinet and Committees at the County Council in the same way that they had attended Town and Community Council meetings. The last series of visits took place during 2021 and it was agreed at the previous meeting that a report be considered on arrangements to set up a second round of visits.

During discussion, the Monitoring Officer clarified the following:

- One visit by one Independent Member to each of the 12 Committees, with the option for two people to attend County Council if needed.
- Participants may wish to join remotely to replicate members of the public.
- Where an agenda includes a confidential item and depending on the topic, the Chair of that Committee would be asked to consider allowing the Independent Member to remain in the meeting if appropriate. The Independent Member allocated to that meeting to be notified of that decision in advance of attending.
- The Democratic Services team to inform each Committee Chair which Independent Member would be attending to observe their meeting.
- Feedback from the visits to be reported to the Standards Committee in the same way as visits made to Town and Community Councils.
- Committee Chairs would be aware that feedback was being reported to the Standards Committee as a links to agendas were shared with all elected Members.
- The feedback would also be shared with Group Leaders.
- The Independent Members to be given a brief statement on the purpose of the visits to be read out at meetings, should they be asked to do so.

It was agreed that the Democratic Services team would circulate the list of meetings to invite the five Independent Members and Town/Community Council representative to select two meetings each, to finalise the rota.

On that basis, the recommendation was moved by Mark Morgan and seconded by Gill Murgatroyd.

### **RESOLVED:**

That the list of meetings be circulated to invite participants to select two meetings each, in order to agree the rota of attendance and guidelines for how visits should be undertaken.

## **16. OVERVIEW OF ETHICAL COMPLAINTS**

The Monitoring Officer presented the report on ethical complaints alleging a breach of the Code which had been submitted to the Public Services Ombudsman for Wales (PSOW). The report summarised details of the number and types of complaints made and the outcomes following consideration by the PSOW. Since the last report, seven complaints had been received, one of which was being investigated. A further complaint received after publication of the agenda would be included in the next update report.

It was noted that following discussions with Group Leaders, the Member training programme currently being developed would include a session on respectful communications with others, whether in person or via social media.

In response to concerns about outstanding reports from previous years, the Monitoring Officer agreed to contact the PSOW on behalf of the Committee to enquire about completion dates.

It was observed that some complaints related to the same individuals which led to a suggestion for more information to be shared in closed session to identify any behavioural patterns and consider whether intervention was appropriate.

The Monitoring Officer advised the Committee against taking such action whilst complaints were still under investigation and a breach of the Code had not yet been determined. He explained that where a number of complaints relating to an individual had been closed without further investigation, the PSOW often included a comment to reflect that the behaviour was not condoned which should be taken on board by that individual.

Whilst acknowledging the need to prevent issues escalating, the Committee noted the advice and recognised that intervention was not appropriate at this time.

The recommendation, as amended, was moved and seconded by Councillors Antony Wren and Councillor Ian Papworth.

### **RESOLVED:**

- (a) That the number and type of complaints be noted; and
- (b) That the Monitoring Officer contact the PSOW on behalf of the Committee to enquire about the resolution of outstanding reports from previous years.

## **17. FEEDBACK FROM THE NATIONAL FORUM FOR STANDARDS COMMITTEES**

The Chair provided feedback from the June meeting of the National Forum for Standards Committees and advised that minutes of meetings would be made available in future.

The verbal report included information on a presentation given by the Chair of the Research Advisory Board of the Committee on Standards in Public Life (CSPL) on the implementation of recommendations in the Local Government Ethical Standards report published in 2019. An update by the Public Services Ombudsman for Wales (PSOW) on current statistics for the referral of complaints had acknowledged the need for the service to improve its timeliness of investigations.

As an update on the Penn Review, responses to the consultation would be considered in the Autumn which could lead to a further period of consultation, resulting in any changes implemented in the next Senedd term.

**18. FORWARD WORK PROGRAMME**

It was agreed that feedback from the remaining visits to Town and Community Councils would be reported in September, followed by a summary of feedback in November. Feedback from visits to County Council meetings would be received from November as indicated on the work programme.

In response to comments from Councillor Antony Wren on a change to the format of Connah's Quay Town Council meetings, Councillor Ian Papworth said that he intended to make a further visit after September.

The Chair requested that the ethical liaison meetings be re-convened and that feedback from those meetings be scheduled accordingly.

The recommendation, as amended, was moved by Gill Murgatroyd and seconded by David Davies.

**RESOLVED:**

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

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

None.

(The meeting started at 6.30pm and ended at 8.25pm)

.....  
**Chair**