

STANDARDS COMMITTEE
6 NOVEMBER 2023

Minutes of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 6 November 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

TOWN AND COMMUNITY COUNCIL REPRESENTATIVES:

Shaun Jones, Clerk of Buckley Town Council; Councillor Chrissy Gee of Broughton & Bretton Community Council; Councillor Patricia Davies of Brynford Community Council; Councillor Arnold Woolley of Buckley Town Council; Councillor Steve Cople of Caerwys Town Council; Councillor David Roberts of Halkyn Community Council; Councillors Janet Axworthy, Bill Cooper and Dave Mackie of Hawarden Community Council; Liz Corner (Clerk) and Councillor Chris Upton of Higher Kinnerton Community Council; Councillor Ian Hodge of Holywell Town Council; Tracey Brown (Clerk) and Councillors Penny Brett-Roberts, Barrie Gregory, Eileen Gregory, Ros Griffiths, Richard Lloyd, Mark Robinson, Kim Shallcross and Jason Shallcross of Saltney Town Council; Councillors Barry Jones, Allan Marshall and Mark Thornton of Treuddyn Community Council; Councillor Richard Dolphin of Whitford Community Council; Sharron Jones, Clerk of Broughton & Bretton Community Council and Hawarden Community Council; Phillip Parry, Clerk of Caerwys Town Council, Halkyn Community Council and Whitford Community Council; and Carolyn Thomas, Clerk of Llanfynydd Community Council and Treuddyn Community Council

IN ATTENDANCE: Monitoring Officer and Democratic Services Officer

30. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Councillor Andrew Parkhurst declared a personal and prejudicial interest on minute number 41 which was an urgent confidential item to be discussed at the end of the meeting, as agreed by the Chair. Councillor Parkhurst left the meeting prior to the start of that item. Councillor Antony Wren declared a personal interest on the same item.

31. MINUTES

The minutes of the meeting held on 4 September 2023 were approved, as moved and seconded by Jacqueline Guest and David Davies, subject to the following amendments:

Minute 25, final paragraph: to remove the word 'Councillor' from reference to Jacqueline Guest.

Minute 26, penultimate paragraph: to re-word the second sentence for clarity.

RESOLVED:

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

32. DISPENSATIONS

None received.

33. ITEMS RAISED BY TOWN AND COMMUNITY COUNCILS

Town and Community Councils had been given the opportunity to raise any items in advance of the meeting.

On behalf of Broughton & Bretton Community Council, Sharron Jones shared a document which encouraged all local councils to sign the Civility and Respect Pledge as endorsed by the Society of Local Council Clerks (SLCC), National Association of Local Councils (NALC) and One Voice Wales. The Pledge had been introduced to enable local councils to demonstrate their commitment to stand up to poor behaviour across the sector and to enforce positive changes in support of civil and respectful conduct.

As requested by the Chair, the Monitoring Officer agreed to contact Clerks to identify the number of Town and Community Councils in Flintshire signing up to the Pledge.

34. REPORTS FROM THE INDEPENDENT MEMBERS' VISITS TO TOWN AND COMMUNITY COUNCILS

The Monitoring Officer presented a report which summarised common themes arising from Independent Members of the Committee observing meetings of Town and Community Councils over the past 12 months. The report reiterated the purpose for the visits and included written feedback shared with councils during the period.

In response to questions, the Monitoring Officer provided clarification on declarations of interest. It was explained that dispensations could last a maximum of 12 months. As only the councillor who applied for the dispensation would know whether the personal and prejudicial interest still pertains, the onus rests with them to seek a renewal of any dispensation.

Town and Community Councils were thanked for welcoming the Independent Members at the meetings.

The Chair suggested that examples of positive practices observed at the meetings could also be reflected in the report. On that basis, the recommendations were moved and seconded by Mark Morgan and Councillor Teresa Carberry.

RESOLVED:

- (a) That the report include examples of good practice observed at the meetings; and
- (b) That the report is circulated to all Town and Community Councils in Flintshire and the common themes and suggestions at paragraph 1.04 of the report are endorsed as recommendations of best practice to those councils.

35. REPORTS FROM INDEPENDENT MEMBER VISITS TO FLINTSHIRE COUNTY COUNCIL MEETINGS

The Chair explained that Independent Members had agreed a rota for attending and observing formal meetings of the County Council for 2023/24, similar to the arrangement undertaken for Town and Community Council meetings. She invited the Independent Members to present their reports on the first of those visits which had taken place, as follows:

- David Davies - Environment & Economy Overview & Scrutiny Committee on 10 October
- Gill Murgatroyd - Cabinet on 17 October
- David Davies - Education, Youth & Culture Overview & Scrutiny Committee on 19 October
- Mark Morgan - Flintshire County Council on 24 October

The following key points were raised from those visits:

- Meetings were generally well chaired.
- Agendas were well structured and included an item on declarations of interest.
- That officers attending meetings should be introduced by their roles and that job titles should be displayed in remote meetings to assist observers.
- In response to the issues observed at one meeting, to remind Councillors that they should choose their words carefully as whilst opinions differed, it is important to remain respectful and courteous so that public meetings are conducted in a professional manner and do not undermine confidence in the Council.

During discussion on the latter point, reference was made to the earlier item on the Civility and Respect Pledge by local councils. Gill Murgatroyd suggested that Independent Members observing future County Council meetings may wish to identify continuing themes in order to consider potential action such as raising concerns with the relevant Group Leader.

The Monitoring Officer confirmed that feedback from the visits would be shared in a communication to all Members. This was moved and seconded by Gill Murgatroyd and David Davies.

RESOLVED:

That the Committee notes the verbal feedback to be shared with all Members.

36. ROLLING REVIEW OF THE MEMBERS' CODE OF CONDUCT

The Monitoring Officer presented a report on the Members' Code of Conduct which was due for review as part of the rolling programme.

Since the last review in November 2022, all authorities in Wales had agreed to adopt a common value of £25 as the threshold for registering gifts and hospitality, as recommended by the Penn Review. This was the only recommended change to the Code of Conduct.

The recommendation was moved and seconded by Councillors Antony Wren and Andrew Parkhurst.

RESOLVED:

That the Committee amends the value above which gifts and hospitality must be registered from £10 to £25.

37. SUGGESTED ITEMS FOR THE NATIONAL FORUM FOR CHAIRS OF STANDARDS COMMITTEES

The Chair sought items for the agenda of the National Forum for Chairs of Standards Committees scheduled for January 2024. The following suggestions were agreed:

- To ask when the All Wales Conference for Standards Committee would take place.
- To seek an update on progress in adopting the consistent threshold for declaring gifts and hospitality in Wales.
- To seek views on whether Group Leaders are permitted to sit on Standards Committees across Wales, given the new duty on promoting ethical behaviour.
- To promote the Civility and Respect Pledge.
- To share learning from observation visits to meetings which may assist other councils.
- To identify any guidance on the use of social media other than that produced by the Welsh Local Government Association (WLGA).

The above items were moved by Councillor Teresa Carberry and seconded by Mark Morgan.

RESOLVED:

That the suggested items be put forward for inclusion on the agenda of the next meeting of the National Forum for Chairs of Standards Committees.

38. FEEDBACK FROM THE ETHICAL LIAISON MEETING

The Monitoring Officer presented the report which summarised feedback from the Ethical Liaison meeting held on 6 October 2023 attended by the Committee's Chair and Vice-Chair, the Leader of the Council and Group Leaders.

The recommendation was moved and seconded by Gill Murgatroyd and Councillor Ian Papworth.

RESOLVED:

That the Committee oversees the development of a training programme for County Councillors and Group Leaders.

39. FORWARD WORK PROGRAMME

The following suggestions were received:

- Feedback from meetings of the National Standards Forum to be moved to the March meeting.
- Feedback from Independent Member attendance at County Council meetings to be included for March and June 2024.
- Feedback from the All Wales Standards Conference to be scheduled once the date is known.

In response to comments from Gill Murgatroyd, the Monitoring Officer would circulate the agreed process for preparing the annual report scheduled for June 2024.

The changes were moved and seconded by Mark Morgan and Councillor Ian Papworth.

RESOLVED:

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

40. URGENT ITEM - LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

Exclusion of the press and public was moved and seconded by Councillors Antony Wren and Ian Papworth. At this point, all Town and Community Council representatives left the meeting along with Councillor Andrew Parkhurst who had declared a personal and prejudicial interest.

The Monitoring Officer referred to a confidential document which had been shared with the Committee, summarising reasons for the dismissal of a complaint by the Public Services Ombudsman for Wales (PSOW). The PSOW had permitted the document to be shared with the Committee Members who were asked to consider whether any communication was required in respect of learning from the matter.

During discussion, there was consensus that whilst the Standards Committee respected political debate and freedom of speech, there must be an appropriate balance of compliance with the Code of Conduct. The Committee felt it was important to urge all Councillors to treat each other with respect and courtesy, including officers carrying out their duties within the Chamber, and to reflect on how their words and actions may be perceived, to ensure that confidence in the Council is not undermined. To support Members in their role, information on the training and development programme would be shared.

It was agreed that a communication to all Members should reflect the Committee's views on the case, together with concerns about feedback from the recent County Council meeting, as referred to earlier in the meeting.

RESOLVED:

- (a) That the Monitoring Officer write to all County Councillors (copied to the Standards Committee) to convey the Committee's concerns following consideration of feedback from a recent visit to a County Council meeting and the findings of a PSOW case; and
- (b) That once visits to County Council meetings had been completed for the 2023/24 municipal year, the Committee would review the situation to assess if further visits were required.

41. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

None.

(The meeting started at 6.30pm and ended at 9pm)

.....
Chair