

Minutes



Standards Committee

Date: 22 October 2015

Time: 5.30 pm

Present: Councillors Taylor (Chair), D Fouweather, J Guy, Hancock, John and Westwood

In Attendance: D Harries (Deputy Monitoring Officer – Torfaen County Borough Council) and K Peggington (Chair of Standards Committee – Torfaen County Borough Council)

1 Apologies for Absence

Councillor H Thomas, T Britton.

2 Declarations of Interest

None received.

3 Minutes of the Previous Meeting: 16 July 2015

The minutes of the meeting of 16 July 2015 were submitted.

Agreed:

That the minutes were accepted as a true record.

Matters Arising

Item 5 Complaints

The Monitoring Officer referred to a complaint which been received. At this stage it was confidential and may be reported back to the committee in due course.

Item 6 Register of Gifts and Hospitality

The reduction of the threshold of £25 was approved without debate by Council on 29 September 2015.

Item 11 Standards Committee Annual Report

Councillor Guy read out the annual report at Council in September, which was well received.

4 Chair's Announcements

The Chair referred to the Standards Conference which would be reported at the end of the meeting.

The Chair thanked Councillor Guy for presenting the Annual Report to Council on her behalf.

5 Ombudsman Annual Letter 2014/15

Consideration was given to a letter from the Ombudsman. Following the publication of his Annual Report for 2014/15, the Ombudsman had issued the Council with his Annual letter. The letter sets out information relating to the numbers of complaints of maladministration and misconduct which were referred to his office during this period relating to Newport City Council and its Councillors.

The Number of complaints received in Newport was below the Welsh average, in particular, serious complaints of maladministration. Most of the complaints received by the Ombudsman were discontinued or resolved.

There were no findings of maladministration or misconduct during 2014/15.

Members discussed the increase in numbers of complaints. There was a National trend as more people were exercising their right to complain; Newport was no different. Additionally, local authorities were making it easier for members of the public to complain, although in Newport's case, whilst the volume of complaints increased this mostly lead to a satisfactory outcome.

Agreed:

To note the report and the Ombudsman's Annual Letter.

6 Ombudsman Facts Sheet - Code of Conduct Complaints

The fact sheets explained the approach taken by the Ombudsman's staff when carrying out interviews with elected members who were subject to investigation under the Code of Conduct Complaints procedure.

Further information was available on the Ombudsman's website which explained the process in detail.

Agreed:

To note the Ombudsman Fact Sheet for information

7 Standards Committee Report - Forward Work Programme

Consideration was given to a report containing a draft Forward Programme for the next 12 months. Standards Committee were asked to approve the Work Programme, identify any further items of work that should be included and to prioritise specific items for review.

Members went through prioritising items for review as set out in a table in the report:

- Annual Report to Council. The report would be reviewed in September 2016.
- Dispensations. This would be reviewed in May 2016
- Local Resolution Protocol for Complaints. This would be put it in as a formal review in May 2016.
- Complaints of Misconduct. An annual summary would be undertaken in May 2016.
- Member Training and Development. The Welsh Government were considering updating the Code of Conduct, therefore this would be reviewed in January 2016.
- Ethical Standards would be reviewed in September 2016
- Review of Community Councils would be reported back in January 2016.
- Review of Councils Protocol. An original copy would be distributed to members and would be reviewed in May 2016.
- Review of Council Policies and Procedures relating to Ethical Standards. A review would take place in September 2016. Ethical training would be included in the on-going training assessment.

- Succession Planning. The terms of office were up for renewal, this would therefore be reviewed in May 2016. Advertisement to recruit new members would be displayed on Newport City Council's website as well as Newport Matters.

Members gave consideration to the Annual Report, attached to the Forward Work Programme.

It was noted that there was a typing error within the Annual Report, under Item 4 Helpful Information, 4.1 Can I attend the Meetings of the Democratic Services Committee, which should have read Standards Committee. Discussion ensued regarding the Democratic Services Committee and the Monitoring Officer reminded members that they were most welcome to observe a meeting if they so wished.

Discussion ensued regarding guidelines on the baseline for meeting costs were discussed under Annex A, Item 3 Representation. There was a capped contribution to legal costs which was less than the threshold set by the ombudsman. The Committee would have to look at each individual case on its own merit but it would still be subject to a maximum financial cap. It also depended on the outcome of a case. Finally, the committee would see all the paperwork and therefore be fully prepared long before the likely outcome was considered.

Agreed:

To approve the Forward Work Programme. Items were prioritised for review.

8

Any Other Business

The Chair provided feedback to members on the All Wales Standards Conference that took place in Cardiff on 20 October 2016.

It was considered to be one of the best and inclusive conferences attended where everyone felt they had a part to play. The speakers were excellent and the workshops informative. Papers on the conference were available on their website.

P Davies, Adjudicator Panel for Wales who was at the Conference looked at a review of all investigations being undertaken and there was a common theme which was a lack of training.

Standards Committees in other areas meeting regularly to discuss common issues and share good practice.

As a committee future discussion should include the review of some investigations it was generally felt that some members could be too close and partially clouded to issues put before the committee. Whilst this was not generally felt to be the case in Newport it would be important to get an overall view of members opinion. Members of the committee considered they had quite an independent way of thinking. If there was any concern, it might be that elected members were sitting in judgement of their peers. General discussion ensued and it was felt that it was a matter of conscience for the individual; a member could disqualify themselves if they thought that they were sitting in judgement of a peer.

A local resolution protocol for community councils was raised at the conference. Community Councils often felt removed or isolated and did not have a support mechanism in place, in particular those that did not subscribe to One Voice Wales. This was something that could not be imposed upon Community Councillors and would need to be a purely voluntary decision.

Finally, ethical standards around social media and dangers associated with it was raised. WLGA Guidance would be distributed to members electronically. General debate on the use of social media ensued and what was considered best practice.

Agreed:

That the Chair send a letter to Community Councils to enquire if they would like a local resolution protocol to be put in place.

9 Date of Next Meeting

That the following dates for 2016 be agreed:

Thursday 14 January 2016, Committee Room 4 at 5.30pm

Thursday 12 May 2016, Committee Room 4 at 5.30pm

Thursday 15 September 2016, Committee Room 4 at 5.30pm