

Minutes



Standards Committee

Date: 11 July 2019

Time: 5.30 pm

Present: P Westwood (Chair),

Councillors H Thomas and P Hourahine,
H Britton, A Mitchell, K Watkins, J Davies and Worthington

Pamela Tasker (Governance Officers) and Gareth Price (Head of Law & Regulation)

1 Apologies for Absence

Cllr V Dudley

2 Declarations of Interest

None

3 Minutes of the Previous Meeting

A member of the Committee advised that on page 5 Item 6; Social Media for Councillors Guidelines, there should be a full stop after the sentence "It was announced that Ms Britton intended to attend Council on the 30th April 2019" and it was requested that the rest of the sentence be removed.

Agreed: That the minutes from the 11 April 2019 was a true record.

4 Matters Arising

The Chair commented on the Response to the Ethical Standards Questionnaire and that the completed revised questionnaire would be circulated to the eight heads of service and the eleven members of the senior management team. It was also requested that the Questionnaire be sent to planning and licensing officers.

5 Chair's Announcements

There were no announcements from the Chair.

6 Complaints

The Head of Law and Regulation confirmed that there were no further complaints and no further action regarding the pending complaints. These complaints were regarding Councillors, however, were not a code of conduct issue.

A Member of the Committee referred to questions from Ward constituents that Councillors had received over the years. Some ward constituents had lost their temper if they did not feel they received the appropriate response and as a result they wanted to complain about councillors.

It was confirmed that if a complaint was made to the Ombudsman regarding a Councillor then that Councillor would be informed as to whether the Ombudsman accepted the complaint to be investigated or not.

The Head of Law and Regulation confirmed that Newport City Council would advise the complainant to refer to the Ombudsman as the Council could not deal with any complaints about Councillors. Therefore, complaints from members of the public were referred to the Ombudsman and it was up to the individual if they wanted to pursue it.

It was mentioned that there had been an increase in members of the public that wanted to complain

Discussion took place regarding the Ombudsman's input should councillors breach the Code of Conduct. It was clarified that the Ombudsman would not investigate how Councillors discharged their duty to a constituent.

A Member referred to complaints in relation to a Councillor that was a Chair of Governor. It was explained that any complaints relating to Schools would be dealt with by a panel of Governors.

7 **Draft Ethical Standards Questionnaire**

Members of the Committee were requested to view The Ethical Standards Questionnaire. It was reported that it was a redraft of the same questionnaire that was previously circulated which made reference to the Code of Conduct etc.

The Chair commented that it was a nice piece of work. Dr Worthington stated that they had been studying other Councils and that training was certainly an issue.

A Member of the Committee recommended that there should be a third option to neither agree or disagree.

It was agreed that the option of entering in free text at the end where people could make comments was really useful for providing feedback.

The Chair commented that maybe there should be further training on the Code of Conduct but as this covered a lot of issues maybe the question should be expanded? In response, it was stated that expanding questions would make the questionnaire too lengthy.

Agreed: It was agreed that the Governance Officer would circulate the Ethical Standards Questionnaire to all Members, Heads of Service, Directors and all senior managers as well as planning and licensing Junior Officers to be returned by the 26 September 2019.

8 **Local Government Ethical Standards Report (England)**

The Chair requested for the Members of the Committee to view the Local Government Ethical Standards Report (England) which they might find of interest.

It was noted in the recommendations that clerks should hold some form of qualification. This would be dependent however on the size of a Community Council and its budget.

The Chair referred to page 20 and 21 of the report in relation to the Localism Act 2011 and whether the Community Councils in Wales must adapt the Code of Conduct.

The Head of Law and Regulation confirmed that the Community Councils in Wales adhered to the same Code of Conduct as Newport City Council.

This particular point was mentioned as during a previous Community Council Liaison Meeting it had been discussed as to whether a Member should leave the room when declaring an interest and clerks were not aware at that time that a declaration form should be filled completed at the meeting.

As a result of the Liaison meeting, information regarding Declarations of Interest was circulated to all Community Council Clerks for consistency.

One Voice Wales advised that a register should be taken of a member's interest and the Member also had to sign a form which was interlinked.

In relation to the register, it was noted that some Community Councils had declared an interest however during the Review, the model code only referred to city councillors. When a Community Councillor had refused to sign a declaration form, One Voice Wales declared it as unlawful.

It was confirmed that in relation to Community Councillors it was not unlawful, however at a Community Council meeting, a Declaration of Interest had to be declared verbally and then the Councillor could leave the room, this would then need to be declared in writing for the public register.

The Chair asked whether Community Councils required any further training to assist them to follow guidelines. It was also noted that a questionnaire had been sent out to Community Councils but none had been returned.

It was questioned by the Chair as to whether a follow up training was needed on the code of conduct.

It was confirmed by Head of Law and Regulation that all the Community Councillors had received the appropriate forms on the Code of Conduct and that they had also been supplied with the appropriate Declaration of Interest forms.

The Chair referred back to the Ethical Standards report on page 42 and in particular to Best Practice 3: Principal authorities should regularly seek the views of the public and community organisations. The Chair noted that there could be a lot of misunderstanding amongst the public at times and the role of the Standards Committee should be further promoted, for example more information online on the Council Website might be helpful.

It was discussed how health councils could be abolished in the future. Dr Worthington confirmed that they were involved in the legislation and that the scheduled stage 1 and 2 would be in October with the health councils becoming abolished in the next couple of years. In relation to Licensing a Member stated that when someone gave an objection to a venue, that person was wise to object but when they realised what it involved then it was accepted. The problem was that people sometimes objected to something before they accepted it.

It was discussed by the Committee how Councillors had their own code in England. Consulting the people in Wales would just be ascertaining how effective it was in practice.

Some Councils wanted to change local codes by consulting the public but this could be quite vague but in England it was increasing.

Dr Worthington referred to Recommendation 25 on page 99 of the report which stated that Councillors should be required to attend formal induction training by their political groups, it was felt that it was implied that the role of political groups was to arrange the training.

It was noted that if there was a non-attendance of Councillors at training then Business Heads were informed and it was then circulated but the Council could not impose it. Councillors who attend Planning or Licensing must attend training. The Party Group discipline enforces member engagement and sanctions this.

It was commented that Political groups should enforce this and not assign Councillors who have not had the proper training. Those Councillors who did not attend training which had been 3 Councillors in total, the training was circulated to them. A Member noted that there were huge disadvantages in not receiving the training especially in relation to Licensing and Planning etc as this was very important training.

9 **Date of Next Meeting**

7 November 2019

The meeting terminated at Time Not Specified