

# Minutes

## Standards Committee

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Date: 6<sup>th</sup> January, 2022

Time: 5:30pm

Venue: Microsoft Teams Meeting

Present: A. Mitchell (Chair), K. Watkins (Vice Chair) J. Davies, R. Morgan, G. Nurton, P Worthington, D Wilcox, P Hourahine, Gareth Price (Head of Law and Regulation). Samantha Schanzer (Governance Support Officer), Anne Jenkins (Governance Team Leader), Leanne Rowlands (Democratic Services Manager)

Apologies: None

Non-attendance: Councillors D Fouweather

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### 1. Apologies for Absence

None.

### 2. Declarations of Interest

None.

### 3. Minutes of the Previous Meeting: held 15<sup>th</sup> July 2021

Councillor Hourahine asked for it to be noted that his non-attendance at the 11<sup>th</sup> November 2021 meeting was due to his being detained on other council business as the Governance and Audit Committee was scheduled for an additional meeting to discuss budgets which its chair was unable to attend, therefore leaving the Councillor to sit as Chairperson in their absence.

The Chair asked the Head of Law and Regulation whether the Standards Committee Annual Report was presented at the November Council. The Head of Law and Regulation confirmed that the report was presented by Councillor Hourahine without comment.

The minutes of the meeting held on the 11<sup>th</sup> November 2021 were **accepted as a true and accurate record.**

#### **4. Matters Arising**

None.

#### **5. Chair's Announcements**

None.

#### **6. Complaints Update**

The Head of Law and Regulation informed committee that since the last update, there had been one further complaint made to the Ombudsman concerning a Community Councillor not declaring a personal interest. The Head of Law and Regulation informed committee that the previous four outstanding complaints were still with the Ombudsman, meaning there were a total of five complaints awaiting a decision as to whether an investigation was needed.

#### **7. Election 2022 Training and Development Review**

The Head of Law and Regulation informed committee that he had hoped for more detailed guidance to be available for the training programme that was under development in readiness for the elections to be held in May 2022, but this was not the case at present and was still awaiting guidance regarding modules. The Head of Law and Regulation highlighted the Democratic Services Manager's active involvement in the development of these training programmes.

The Head of Law and Regulation reminded committee that while the Richard Penn review was complete, it was still with the minister and that they were awaiting a number of recommendations and amendments prior to May 2022's elections before they were able to update any training or the committee on its progress.

The Head of Law and Regulation informed committee that there was to be a new duty on party group leaders to manage and maintain ethical standards within their own groups. The Head of Law and Regulation added that draft guidance was being prepared by WGLA in conjunction with Welsh Government which they had hoped would be available by now. The Head of Law and Regulation informed committee that this guidance would include how this duty would be discharged by leaders and the role of Standards Committees in its oversight and monitoring these standards.

The Head of Law and Regulation advised committee that as the next meeting isn't scheduled until April, it may be worthwhile to schedule an additional meeting to address this if guidance is received beforehand.

Mrs Nurton expressed her understanding of the situation and sympathised with the Head of Law and Regulation's position. Mrs Nurton expressed an interest in the role of the Standards Committee regarding party leader's duty to uphold ethical standards within their own parties. Mrs Nurton highlighted the importance of Code of Conduct training and asked whether Newport City Council would add a commitment into the Declaration of Acceptance of Office to complete training.

- The Head of Law and Regulation highlighted that this was one of the recommendations put forward in the Richard Penn report but for it to be implemented, the regulations and Code of Conduct would have to be changed. The Head of Law and Regulation informed the committee that at present, the Declaration included the duty to abide by the Code of Conduct but not for the undertaking of mandatory training.
- The Head of Law and Regulation informed committee that it is Newport City Council's policy that members must undertake mandatory training for some committees such as Planning, Licensing and Ethical Standards training but that this was just policy and not incorporated into the Declaration. The Head of Law and Regulation assured committee that once it was implemented into the Declaration, there would be an absolute expectation for members to sign and abide by it.

Mrs Nurton emphasised the importance of Code of Conduct training. Mrs Nurton questioned how Community Councils within Newport received such training.

- The Head of Law and Regulation informed committee that it was primarily via One Voice Wales and that the obligation to provide training within Community Councils fell upon the Clerk and the Community Council.
- The Head of Law and Regulation informed committee that some support is provided by Newport City Council, but the Council cannot write policies on their behalf.
- The Head of Law and Regulation highlighted that ethical standards training is within the remit of the Standards Committee which resulted in there being a duty to ensure that all councillors are trained. The Head of Law and Regulation informed committee that for Community Councils who do not subscribe to One Voice Wales were offered such training.

Mrs Nurton asked whether Newport City Council was using e-Learning to train councillors?

- The Head of Law and Regulation confirmed that e-Learning was used.
- The Head of Law and Regulation informed committee that they were trying to address issues not only regarding the training itself, but the platforms on which they are accessed as some members found the platform difficult to navigate. The Head of Law and Regulation informed committee that they were waiting for an update and guidance on the improvement of both platform and modules, but the intention was to subscribe to it once available.

The Head of Law and Regulation informed committee that he and the Democratic Services Manager took a report to Democratic Services Committee, who were startled by the amount of training available. The Head of Law and Regulation assured committee that the expectation was not to have every councillor complete every module, but instead to offer a choice of modules to tailor an individual programme based on the councillor's needs depending on what committees they sit. The Head of Law and Regulation informed committee that they were currently developing individual training plans based upon member's roles within the council.

Councillor Davies informed committee that while One Voice Wales does offer training, it was not a free service and with a high turnover of Community Councillors, training all councillors on all courses was not feasible or affordable. Councillor Davies assured committee that training courses were nonetheless offered to all Community Councillors who wished to attend them.

Councillor Wilcox expressed that the innovation of e-Learning made essential training more available, but that cost should not impact the delivery of said training. Councillor Wilcox expressed that training needed to be something to suit both the masses but also be relevant to the individual. Councillor Wilcox felt that e-training was a more efficient way of undertaking training both initially and updating said training.

Councillor Hourahine informed committee that there was a drive to create diversity within government of all levels but there remained difficulty in attracting people to become councillors. Councillor Hourahine felt that a new approach needed to be adopted to encourage a range of councillors from various backgrounds, but was wary that excessive training and surveys may serve to discourage prospective councillors

## **8. Ethical Standards Exit Survey for Councillors**

The Head of Law and Regulation informed committee that exit surveys would be undertaken for departing members but were more aimed toward diversity and encouraging participation. The Head of Law and Regulation informed committee that through Democratic Services Committee a strategy was being developed to encourage public participation and to encourage diversity in standing members and to create ease of access in doing so. The Head of Law and Regulation informed committee that there was already information on becoming a councillor and what the role involves on the council's website.

The Head of Law and Regulation suggested that a more specific survey be conducted by the Standards Committee regarding ethical standards and the Code of Conduct. The Head of Law and Regulation informed committee that something similar was carried out previously but the response to that survey was disappointing; while only a few replies were received, the responses were positive and encouraging of the system. The Head of Law and Regulation suggested that this format could be improved upon and reused for this purpose.

Mrs Nurton expressed that this may be more the remit of Democratic Services to ask for responses regarding accessibility and behavioural issues rather than the overall feel of training.

The Head of Law and Regulation informed committee that this would be done through the Democratic Services Committee where more general questions would be asked. The Head of Law and Regulation hoped that the legislation for hybrid meetings may serve to encourage a more diverse range of people to stand as members due to obstacles being removed with the use of remote meetings. The Head of Law and Regulation assured committee that this would be addressed by Democratic Services Committee and the Participation Strategy that the Democratic Services Manager was developing but informed committee that there was some overlap into Standards Committee i.e. behaviour and ethical standards. The Head of Law and Regulation noted that if there was anything specific that the committee wished to do to investigate this further, Officers would be happy to develop it and bring it back to committee.

The chair noted that it was important that people were aware of Standards Committee and its purpose. The chair felt that a more tailored survey for members would be a positive.

Councillor Wilcox felt that a survey tailored to Newport Councillors would be beneficial and felt that it would be an excellent idea to do something such as this.

Dr Worthington echoed the previous points and highlighted that it was part of the function of the committee to ensure that ethical training was picked up. Dr Worthington expressed that it was good that it was an integral part of the Democratic Services Committee's strategy but should be picked up by Standards Committee also. Dr Worthington expressed that e-Learning was beneficial and offered members an opportunity to learn at their own pace but felt that the committee needed assurance that training was being completed and rolled out.

Mr Watkins asked whether Standards Committee specific questions could be added to the existing Democratic Services Committee survey.

The Head of Law and Regulation advised that Democratic Services Committee were not producing their own survey and it was being provided by Welsh Government who required a survey of candidates as an ethnicity survey, which the committee would oversee. The Head of Law and Regulation suggested that a Standards committee survey be created separately.

The Head of Law and Regulation informed committee that mentoring of new members was left to individual parties to arrange but was actively encouraged. The Head of Law and Regulation agreed that it was beneficial that training modules online could be undertaken by members in their own time and at their own pace but felt that they could not be a whole substitute for collective and interactive training, whether that is delivered in person or on a hybrid basis. The Head of Law and Regulation informed committee that there was plan to supplement training modules with some of their own bespoke training.

Councillor Hourahine felt that it might benefit committee to be able to read the Democratic Services Meeting minutes and reports regarding these surveys and strategies. Councillor Hourahine suggested that if the any of the committee found there to be areas missing in the report/strategy, it could be brought back to the Head of Law and Regulation.

The Head of Law and Regulation informed committee that there was a comprehensive list of training, which had been seen as off-putting to some members due to its volume. The Head of Law and Regulation echoed Councillor Wilcox' sentiment that training shouldn't be seen as a one-off and that one of the advantages of e-Learning was modules for continual development.

Councillor Davies asked that in the case of a complaint being made to the Ombudsman regarding a councillor, was it the process for the Ombudsman to continue his investigation if that councillor were to resign?

- The Head of Law and Regulation informed committee that the normal process would be that the investigation would be stopped if it only regarded the councillor and no other factors/influences as the sanctions available to the Standards Committee or Adjudication Panel for Wales were limited.
- The Head of Law and regulation informed committee that there may be a public interest report issued.
- Councillor Davies asked who informed the Ombudsman of the resignation.
- The Head of Law and Regulation informed committee that the member would have to inform the Ombudsman.

The Chair asked the Head of Law and Regulation what the best way to proceed with a survey would be.

- The Head of Law and Regulation informed committee that the previously developed series of questions was distributed via email, which received a small response. The Head of Law and Regulation suggested committee consider whether this was the best way of delivering the survey.
- The Head of Law and Regulation informed committee that a copy of the previous questions could be distributed to members for their consideration and any improvements or additions could be brought back to the committee at a future date.
- The chair agreed that this would be a good idea and asked that any improvements or additions be forwarded to him to be forwarded to the Head of Law and Regulation and the Governance Support Officer.
- The Head of Law and Regulation was content with this. The Head of Law and Regulation asked the Governance Support Officer to distribute the previous survey to members as a starting point, with additions or improvements to be brought back to a future meeting.
- Councillor Hourahine expressed that the timing of the survey's distribution should be considered to ensure maximum participation.
- The Head of Law and Regulation felt that he did not want to make the survey seem onerous to members and agreed that timing should be considered. The Head of Law and Regulation reiterated that email may not be the best form of delivery to ensure response.
- The chair expressed his interest in observing the outcome.

## **9. Date of Next Meeting:**

The chair suggested an extra meeting be scheduled wherein more up-to-date information regarding guidance could be presented. The chair suggested the date of the 10<sup>th</sup> March 2022 at 5:30pm on the proviso that the Head of Law and Regulation has such information to present.

The Head of Law and Regulation informed committee it was very likely that guidance would be available by then.

The date of the next meeting was then set to take place at 5:30pm on the 10<sup>th</sup> March, 2022.

Meeting terminated at 18:18pm.