

Minutes

Standards Committee

Date: 16 July 2015

Time: 5.30pm

Present: Mrs H Taylor OBE (Chair), Mr J Pickering, Mr G Hancock, Mr B John, Ms T Britton and Mr P Westwood

Administrator) Mr G Price (Monitoring Officer) and Mrs M Durkin (Democratic

Apologies: Councillors H Thomas and J Guy

1 Apologies for Absence

Apologies received are noted above.

2 Declarations of Interest

There were no declarations of interest.

3 Chairs Announcements

The Chair, Mrs H Taylor referred to the recent inauguration of the new Mayor, Councillor H Thomas and the Committee wished their congratulations to him to be recorded in the Minutes.

4 Minutes

The Minutes of the meeting held on 24 March, 2015 were submitted.

Re Minute 6, Response to Wales Audit Office Review on Whistleblowing, the Monitoring Officer reported that the Employee Partnership Forum (EPF) had considered the proposed changes to the Whistleblowing Policy at its meeting on 19 March, 2015 and agreed it without amendment. This would now be published on the Council's IntraWeb.

Agreed

That the Minutes of the meeting held on 24 March, 2015 be taken as read and confirmed.

5 Complaints

The Monitoring Officer reported that there had been no further complaints received since the last meeting.

Agreed

That the report be noted.

6 Register of Gifts and Hospitality

Consideration was given to a report on the current arrangements for the acceptance and registration of gifts and hospitality by Officers and Members and to review the current financial limits for registration.

As part of the Forward Work Programme, Standards Committee had agreed to carry out a review of the current arrangements for registration of gifts and hospitality by Officers and Members, to review the current financial threshold for registration of member gifts and hospitality and to consider whether any further guidance was required.

The statutory Code of Conduct for Local Government Employees (which currently excluded fire-fighters and teachers) provided that all employees must comply with any rules of their relevant Authority on the declaration by employees on hospitality or gifts offered to or received by them from any person or organisation doing or seeking to do business or otherwise benefiting or seeking to benefit from a relationship with the Authority. Qualifying employees must not accept benefits from a third party unless authorised to do so by their relevant Authority.

Qualifying employees of relevant Authorities must also ensure that they used public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the Authority for personal use unless authorised to do so.

Section 14 of the Council's Employee Code of Conduct detailed all the requirements in this respect.

The Employees Register of Gifts and Hospitality and the Members' register were both open to public inspection. There was no specified financial limit for the registration of Officers' gifts and hospitality but the Council had previously specified a de minimis level of £80 for the registration of Members' gifts and hospitality. Gifts and hospitality valued at less than £80 did not need to be registered, although this did not mean that anything of less value should be accepted.

The Employee Code of Conduct provided more guidance for Officers in relation to the acceptance of gifts and hospitality. It was being suggested that Standards Committee could consider that there would be benefit in the Council adopting a similar protocol to provide further guidance and advice for Members, to supplement the provisions in the Code of Conduct. A draft Protocol was also considered.

In response to a question the Monitoring Officer confirmed that School Governing Bodies were responsible for agreeing procedures for the registration of lists of Gifts and Hospitality as far as Teachers and other school employees were concerned.

Members gave detailed consideration to all aspects of this matter and, in particular, the gifts and hospitality threshold for Members as detailed in the Appendix referring to Welsh Local Authorities and the South Wales Fire and Rescue Service, all of whom had thresholds of far lesser amounts than the current value of £80 for Newport which had been agreed by this Committee in 2005. The Monitoring Officer referred members to the Appendix of the report which detailed Officers Gifts and Hospitality which only referred to Corporate Service areas despite all Service Areas being asked to supply

information. There should be similar registers of gifts and hospitality to those retained in Corporate Services.

Agreed

1. That Standards Committee concerns regarding the lack of responses from non Corporate Service area be noted and they be further requested to provide information on Gifts and Hospitality.
2. That School Governing Bodies be requested to review their practice regarding Gifts and Hospitality, if necessary, to reflect that adopted by the Council.
3. That the threshold of £80 for Members to register gifts and hospitality be reduced to £25.
4. That Committee members be requested to further consider the proposed protocol for Members Gifts and Hospitality and submit comments to Officers by 31 August, 2015 (to enable the agreed Protocol to be submitted to Council in September, 2015).

7 Procedure for Dealing with Complaints of Breaches of the Members' Code of Conduct

Arising from discussion at the last meeting, the Monitoring Officer circulated papers relating to a "mock hearing". He also reported that a short summary/flow chart on the procedure would be added to the current Procedure document for members' ease of reference. The Monitoring Officer proposed that any members' questions on this matter be considered at the next meeting.

Agreed

That the report be noted

8 Local Democracy (Wales) Act 2013 (Commencement No 2) Order 2015

Consideration was given to a report detailing the changes introduced by the Local Government (Democracy) (Wales) Act 2013 with effect from 1 May, 2015. The Report set out the legislative changes introduced by the Local Government (Democracy) (Wales) Act 2013 which were brought into effect by Commencement Order No.2 as from 1 May 2015. Of particular relevance to Standards Committee were the changes to the requirements for community councils to maintain the statutory register of members' interests. This duty was now devolved to the Proper Officer of the Community Council and there was an obligation to publish the register electronically on the Community Council website. Further changes had also been introduced to allow for the establishment of joint Standards Committees and for Regulations to be made to allow misconduct cases and dispensation applications to be referred to another Local Authority's Standards Committee for determination.

In response to a question the Monitoring Officer confirmed the intention to write to all Community Councils to ensure they were aware of this new legislation and complying with the changes. Through the Community Councils Charter the Council would assist with advice etc if required.

The Monitoring Officer also referred to the necessity to await Regulations regarding the proposed future direction of the referral of Misconduct Cases/Dispensation Applications.

Agreed

1. To note the report

2. To write to all Community Councils reminding them of the Local Democracy (Wales) Act 2013 (Commencement No 2) Order 2015 requesting they confirm that they are implementing the changes. The responses will be considered at the next meeting of Standards Committee.

9 Standards Conference Wales

Members considered possible attendance at the Standards Conference Wales 2015 being held in Cardiff on 20 October, 2015.

Agreed

Members are to inform the Democratic Administrator should they be interested in attending this Conference.

10 Date of Next Meeting

The next meeting to be held on Thursday, 22 October, 2015 at 5.30 p.m. in Room 4, Civic Centre.

11 Standards Committee Annual Report

Agreed

The Monitoring Officer will circulate a draft Annual Report to members for comment by 31 August, 2015. The agreed Annual Report is to be presented to Council at its September, 2015 meeting by the Chair.