



STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON 26TH FEBRUARY 2014 AT 10 AM

PRESENT:

Mrs D. Holdroyd - Chair
Mr V. Brickley - Vice Chair

Mrs M. Evans, D. Lewis and Mr. P. Morgan

Community Councillor Mrs G. Davies

Councillors Mrs P. Cook and C.P. Mann

Together with:

G. Williams (Interim Monitoring Officer), J. Jones (Democratic Services Manager), L. Lane (Solicitor), H. Morgan (Senior Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H.W. David and Mrs M.E. Sargent.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. MINUTES - 27TH NOVEMBER 2013

RESOLVED that subject to the following matter arising, the minutes of the meeting held on 27th November 2013 (minute nos. 1 - 8, on page nos. 1 - 3), be approved as a correct record.

4. MATTER ARISING

Application for Dispensation to the Standards Committee by a Member of the Council (minute no. 8)

It was noted that the minute should reflect that the relevant paragraph under which dispensation can be granted is (e) whereby the interest is common to the Member and a significant proportion of the general public.

5. MEMBER TRAINING AND SUPPORT

Consideration was given to the report which sought views on proposed arrangements for reporting Members who fail to attend mandatory training and an agreement for a reporting protocol as detailed therein.

Mr Jones explained that the report recommends that the Council introduces a Training and Development Framework to provide a consistent process for identifying and delivering training based on Members individual roles and responsibilities. A key step change for Members will be the introduction of 'Mandatory Training' which will be made up of mandatory induction training (to all Members within the first month of a new Council made up to two 2½ hour modules held in the daytime and repeated in the evening) and Mandatory Regulatory and Personnel Committee Training thereafter.

It was explained that there are 4 regulatory and 3 personnel related committees and it is proposed that Members serving on these committees receive mandatory training twice per Council term to ensure that they understand the role of the committee, any considerations to be taken into account before coming to a decision and any appeals processes. Membership of these committees will be dependant on Members undertaking the mandatory training (as is currently the case with the Appeals Panel, the Investigating and Disciplinary Committee and Appointments Committee). The training will be made up of a 2 x 2½ hour training module for each committee. Refresher training would take place as and when required (i.e. changes in legislation/change of terms of reference of the committee).

As the above mandatory training subjects are considered essential, feedback about the quality and usefulness of the training will be reported to the Democratic Services Committee and any non-attendance will be reported to the Standards Committee. It is proposed that any Member who fails to attend the mandatory training will be required to attend a meeting of the Standards Committee to explain their absence. It will be a matter for the Standards Committee to consider what course of action it considers appropriate, but could result in a Member being sanctioned.

The Committee considered the report in detail and recognised the importance of the training to assist and support Members in carrying out their role. In view of other commitments the Committee was pleased to note that some training will also be offered in the evenings and on the weekend and noted that a detailed programme of training will be made available as early as possible in order that dates can be scheduled into Members diaries. Other training needs will be identified through the training need analysis survey and delivered accordingly. Details of all training courses that Members have attended to date are included in their annual reports.

It was noted that should the Standards Committee agree to monitoring attendance of Mandatory Training the following protocol would be adopted:-

- a. The Head of Democratic Services will write to any Member who fails to attend a Mandatory Training course to request an explanation for non attendance.
- b. Members who have failed to attend for whatever reason will automatically be referred to the Standards Committee to explain their reasons.
- c. Standards Committee will require any Member referred to them for failing to attend mandatory training to attend a future meeting to explain their absence. The Standards Committee will seek an explanation for non attendance and come to a conclusion on whether the Member's explanation is reasonable or could impose a censure on the Member for not complying with Council's Training Scheme for Members. The Standards Committee will write to the Member with their conclusions as soon as possible after the meeting and send copies to the Head of Democratic Services and

Chair of the Democratic Services Committee. The decision of the Standards Committee is final.

It was proposed and seconded that the recommendation in the report be endorsed. By a show of hands this was unanimously agreed.

RESOLVED that for the reason contained in the report, and to further strengthen the Council's corporate governance framework by providing additional support for Members, it be agreed that Members who fail to attend Mandatory Training events be reported to the Standards Committee in accordance with the protocol as outlined therein and detailed above.

6. PROTOCOL FOR REFERRAL OF REPORTS FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES FROM THE STANDARDS COMMITTEE TO THE RELEVANT SUBJECT SCRUTINY COMMITTEE

In accordance with the decision of Council at its meeting held on 8th October 2013, consideration was given to the report which sought the approval of a Protocol relating to the referral of a Report of the Public Services Ombudsman for Wales from the Standards Committee to the relevant subject Scrutiny Committee. The Scrutiny Improvement Action Plan included an action to develop links between the Standards Committee and Scrutiny process and the report detailed how this can be achieved.

Mr Jones explained that the protocol is intended to assist members in determining which reports received from the Public Services Ombudsman for Wales should be referred to the relevant Scrutiny Committee. This will enable Members to understand the nature of serious complaints made against the Council, give them an opportunity to examine any underlying circumstances and allow scrutiny Members to focus on improving the Council's services.

It was confirmed that it is entirely a matter for the Standards Committee to decide if a report should be referred to a Scrutiny Committee, in accordance with the suggested protocol.

It was proposed that the Standards Committee should consider referring a report from the Ombudsman to the appropriate Scrutiny Committee, where in the opinion of the Standards Committee there has been a serious failure in service delivery that would benefit from further consideration by the appropriate Scrutiny Committee. It is intended that a report setting out the reasons for referral will be presented to the relevant Scrutiny Committee along with the Report from the Ombudsman. The Chair of Standards Committee (or a nominee) will be invited to attend the respective Scrutiny Committee when the report is presented.

During the course of the debate concerns were expressed regarding the length of time the Ombudsman can take in determining a case. It was noted that whilst the Authority has no control over the investigation, on some occasions, especially with multi agency complaints it was accepted that the collation of the required information can take a significant amount of time. It was agreed that this would be monitored in future and the Interim Monitoring Officer advised that she would raise this at the next meeting of the All Wales Monitoring Officers Group and give an update at the next meeting. In the meantime the Democratic Services Manager was requested to determine whether this has been raised in the National Assembly.

Members considered the report in detail and it was proposed and seconded that the recommendation in the report be endorsed. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the report the protocol for the referral of Ombudsman reports to Scrutiny Committees be endorsed.

7. MEMBERS' DECLARATIONS OF GIFTS AND HOSPITALITY

Consideration was given to the report which detailed the gifts and hospitality declared by elected Members for the period October to December 2013.

Members were reminded that following a report to the Standards Committee on 3rd October 2013, and as part of the drive to strengthen governance arrangements across the Authority, the informal arrangements of reporting gifts and hospitality declared by elected Members has been replaced by the presentation of a quarterly report to the Standards Committee.

Members noted the information provided in Appendix 1 of the report, which listed the gifts and hospitality as declared by elected Members for the period October to December 2013.

ANY OTHER BUSINESS

8. FUTURE TRAINING SESSIONS

In noting the benefit of the code of conduct training prior to the meeting it was agreed that such training be provided prior to the commencement of each meeting, with the next session being on the decision making process. Arrangements would be made accordingly.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the next meeting they were signed by the Chair.

CHAIR