



## **STANDARDS COMMITTEE**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON 13TH SEPTEMBER 2018 AT 10.00 A.M.**

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#### **PRESENT:**

Mrs D. Holdroyd - Chair  
D. Lewis - Vice-Chair

P. Brunt, Mrs M. Evans

Community Councillor Mrs G. Davies

Councillors C.P. Mann and J. Gale (Substitute for Councillor D. Price)

#### **Together with:**

R. Tranter (Head of Legal Services and Monitoring Officer), L. Lane (Interim Deputy Monitoring Officer), E. Sullivan (Senior Committee Services Officer).

#### **CHAIR'S ANNOUNCEMENT**

The Chair welcomed Mr Robert Tranter to his first Standards Committee meeting following his appointment as the new Head of Legal Services and Monitoring Officer.

Mr Tranter thanked the Chair and Committee for their warm welcome and provided a brief outline of his experience and background for the benefit of those present and expressed his anticipation for what he hoped would be a long and successful working relationship.

#### **1. APOLOGIES**

An apology for absence was received from Councillor Dianne Price.

#### **2. TO NOTE THE RESIGNATION OF MR MALDWYN STONE**

The Standards Committee were advised that for personal reasons Mr Maldwyn Stone had resigned. The Standards Committee noted his resignation and expressed their thanks for his service to the committee.

It was noted that the appointment process and advertisement of the vacancy would commence as soon as possible.

#### **3. DECLARATIONS OF INTEREST**

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

#### **4. MINUTES - 28TH SEPTEMBER 2018**

RESOLVED that the minutes of the meeting held on 28th September 2018, be approved as a correct record.

#### **5. MATTERS ARISING**

In relation to minute no. 3 and the resignation of Mr Abbas, clarification was sought as to whether the letter of thanks from the Committee had been sent. The Corporate Solicitor confirmed that she would make enquiries in this regard and provide feedback to the next meeting.

#### **REPORT OF OFFICERS**

Consideration was given to the following reports.

#### **6. WLGA SOCIAL MEDIA – A GUIDE FOR COUNCILLORS**

The Monitoring Officer referred the Committee to the updated guidance from the Welsh Local Government Association for Councillors in relation to Social Media, it was noted that the document had already been circulated to all County Borough Councillors and Community Councillors.

Reference was made to page 11 of the document which detailed the various forms of social media platforms and their uses. As well as tips on usage the guide also detailed the dangers associated with misuse and the drawbacks of having a social media presence. Consideration was given to implications for Welsh language content and safeguards whilst on line.

The Committee recognised the ever expanding use of social media and given the potential for referrals acknowledged the need to have a greater understanding of the medium. Concerns were expressed with regard to the impact on face to face communication as well as threatening or abusive messages which seem to be more freely posted on line than they would be through any other media.

The importance of keeping posts and messages professional, polite and positive was emphasised and the implications for Members Code of Conduct and public perception, most notable that of pre-determination which can be area of concerns within social media.

Civil law and criminal offences around social media were discussed and reference was made to negativity on line and how quickly these things escalate.

The Committee were then referred to the Councillors Guide to Handling Online Abuse which provided advice on how best to deal with instances of harassment or abuse. Clarification was sought as to whether the Council would expect to be notified if a Councillor was being targeted in this way and were assured that they would be encouraged to contact the Monitoring Officer.

Having fully considered the document the Standards Committee noted the WLGA Social Media Guide for Councillors.

## **6. ADJUDICATION PANEL FOR WALES – SANCTION GUIDANCE**

Consideration was given to the report which provided Members with the updated Sanctions Guidance issued by the Adjudication Panel for Wales (APW).

Members were advised that the APW had recently undertaken an exercise to improve and modernise its Sanction Guidance following consultation with Monitoring Officers, the Public Services Ombudsman for Wales and Welsh Government. It was noted that the Sanctions Guidance would come into force for cases heard after the 1st September 2018.

Reference was made to the fact that the APW viewed the guidance very much as a living document and as such would welcome any comments or feedback following its use Standards Committees. Members were referred to page 62 of the report pack which detailed the underlying principles of the tribunal's approach which included fairness, public interest, proportionate, consistent, equality and impartiality and human rights. The five stage process that case and appeal tribunals should follow when determining sanction were noted under section 33 of the guidance and details on mitigating circumstances and aggravating factors had also been included.

Clarification was sought in relation to the Panel procedures and the Monitoring Officer confirmed that this was more formal in nature than a Standards Committee being similar to court proceedings. The Panel would go through the various stages to determine whether there had been a breach of the code of conduct and then rule on the appropriate sanction if a breach was found. Members queried the number of cases adjudicated by the Panel in the last year and were advised that approximately 5-8 had been dealt with over the last twelve months, details of which were available through the APW website. It was noted that the number of referrals for breaches of the code of conduct being made to the Ombudsman was reducing year on year and the Ombudsman's role was outlined for Members information.

The Chair recommended that Members keep a copy of the guidance with them as it would be a very useful reference tool to have at hand.

Having fully considered its content the Standards Committee noted the Adjudication Panel for Wales Sanction Guidance.

## **7. MEMBERS' DECLARATION OF GIFTS AND HOSPITALITY SEPTEMBER 2017 TO AUGUST 2018**

Consideration was given to the report which detailed the gifts and hospitality declared by elected Members from 1st September 2017 to the 31st August 2018.

It was noted that there had been 3 declarations received during that timeframe, details of which were contained within appendix 1 of the report.

Having fully considered its content the Standards Committee noted the report.

## **8. ANY OTHER BUSINESS**

The Monitoring Officer advised that unfortunately a resolution had not been achieved in relation to a Member on Member complaint received under the Local Resolution Protocol and the matter would now be referred to a hearing of the Standards Committee.

A Member noted that this would be the first hearing under the protocol and sought advice with regard to declarations of interest as depending on the individuals concerned there was a possibility that they could be known to the Committee. The Monitoring Officer advised that the

need to declare an interest would depend on the extent of the relationship and would be happy to give individual advice in this regard. A personal and prejudicial interest in these circumstances is usually taken to be someone you live with or with whom you have a close personal association; just to know of someone would be unlikely to prevent participation.

The meeting closed at 11.15am

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

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CHAIR