



STANDARDS COMMITTEE

MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON 28TH FEBRUARY 2023 AT 10:30AM.

PRESENT:

P. Brunt, J. Card, L.M. Davies, L. Jay and V. Yadh

Community Councillor A. Gray

County Councillor J. Taylor

Together with:

R. Tranter (Head of Legal Services and Monitoring Officer) and E. Sullivan (Senior Committee Services Officer)

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor D. Price

2. DECLARATIONS OF INTEREST

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

3. TO APPOINT A VICE CHAIR OF THE STANDARDS COMMITTEE

Following consideration and discussion the Standards Committee deferred the appointment of a Vice Chair to the next meeting, to allow Members more time to consider the role which must be taken up by a Lay-Member.

4. MINUTES – 20TH JANUARY 2022

A Member having reviewed the minutes sought clarification on the wording of the resolution minuted for Agenda Item No. 7 and this was discussed at length. The Monitoring Officer advised caution when discussing this matter in any detail as it had been considered in a closed session at the meeting held on the 20th January 2022.

The Monitoring Officer then confirmed that the wording used had been taken directly from a section of the procedures for dealing with complaints of breaches of the members' code of conduct, 2(9)b, and referred to sections 6(1)a and 6(1)b of the code of conduct which the Standards Committee had considered at the time.

The Monitoring Officer clarified that the minutes were not a verbatim account and were further complicated by the fact that this was an open minute about something discussed in closed session and could not therefore contain too much detail on the deliberations that had taken place.

The Member once again expressed his reservations with regard to the wording of the resolution and the Chair following advice from the Monitoring Officer suggest that the Member abstain from voting on the approval of the minutes, which would be formally noted in the minutes of this meeting.

It was moved and seconded that the minutes of the meeting held on the 20th January 2022 be approved as correct record and by show of hands this was agreed by the majority present.

J. Card wished it noted that he had abstained from voting on the minutes.

L. Jay, V. Yadh, Councillor J. Taylor and Community Councillor A. Gray wished it noted that as they were not members of the Standards Committee at this time they had not voted on the accuracy of the minutes.

RESOLVED that the minutes of the meeting held on the 20th January 2022, be approved as a correct record.

REPORTS OF OFFICERS

5. GROUP LEADERS' DUTIES AND ANNUAL REPORT OF STANDARDS COMMITTEE

Consideration was given to the report which outlined 2 changes brought about by the Local Government and Election (Wales) Act 2021 relating to the new duties placed on Group Leaders to promote and maintain standards of conduct by members of their respective political groups and the responsibility of the Standards Committee to produce an annual report to Council.

The Standards Committee noted that Leaders of political groups must under the Act take reasonable steps to promote and maintain high standards of conduct by the members of the group and must co-operate with the Council's Standards Committee in the exercise of the Standards Committee functions.

The Standards Committee were referred to Section 5.3 of the report which gave examples of what Group Leaders could do to achieve this.

Members noted the template attached at Appendix A of the report and queried if the same pro-forma would be used by all Councils. The Monitoring Officer confirmed that its use and format had been endorsed by the Ombudsman for Wales and it was hoped that it would provide consistency and a framework for the process.

Members queried if it could be amended depending on the needs of the individual local authorities and where responsibility would lie should a Group Leader failed to make the reasonable steps required under the Act. The Monitoring Officer confirmed that the template

could be changed but did not feel that it would need amending at the present time. The Standards Committee would be able to meet with Group Leaders at a mutually agreed frequency to consider progress and support.

The Standards Committee noted the requirement of an Annual Report and fully supported its introduction and asked if any timeline had been established for its production. The Monitoring Officer confirmed that it would likely be submitted to the Annual Meeting of Council in May and subsequently to the Ombudsman.

Having fully considered the report the Standards Committee unanimously endorsed the recommendations contained therein.

RESOLVED that the changes to the legislation be noted and how the Standards Committee will monitor compliance with the duties by the Group Leaders and how the Standards Committee will produce an annual report to Council be endorsed.

6. ANNUAL WHISTLEBLOWING REPORT

Consideration was given to the report which provided an anonymised summary of whistleblowing investigations during the period 1st April 2021 to 31st March 2022.

The Monitoring Officer explained the importance of the Whistleblowing Policy and referred the Standards Committee to section 5.2 of the Officer's report which detailed categories of wrongdoing included in the policy and how it sought to reassure employees that it is safe and acceptable to speak up and raise serious concerns about malpractice without risk of disciplinary action.

The Standards Committee noted that the Charity Public Concern at Work (now Protect) had supported the best practice in this area and provided an ongoing facility for employees to access their confidential support helpline for independent advice.

Clarification was sought as to whether Staff would be spoken to as part of the policy review process being conducted this year and the Monitoring Officer anticipated that they would speak to staff and confirmed that any changes they suggested as a result would be a matter for Council.

The Standards Committee noted that there had been no investigations undertaken in line with the Council's Whistleblowing Policy during the period 1st April 2021 to 31st March 2022.

7. PUBLIC SERVICES OMBUDSMAN FOR WALES – ANNUAL LETTER 2021/22

Consideration as given to the report which sought to inform the Standards Committee of the publication of the Annual Letter for 2021/22 in respect of Caerphilly Council by the Public Services Ombudsman for Wales.

The Standards Committee were referred to Section 5.8 of the Officer's report which detailed complaints for Caerphilly and highlighted that the Ombudsman received 60 complaints compared to 46 last year.

The Monitoring Officer referred to Appendices to the Ombudsman Letter which detailed complaints received for all 22 Local Authorities, complaints received by subject, complaint outcomes, complaints in relation to code of conduct together with Town and Community

Council code complaints.

Having fully considered the report and its content the Standards Committee noted the content of the Annual Letter from the Public Services Ombudsman for Wales.

The meeting closed at 11.40am.

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

CHAIR