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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Richard Parry Jones, BA, MA.
Prif Weithredwr – Chief Executive

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfeydd y Cyngor - Council Offices
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RHYBUDD O GYFARFOD	NOTICE OF MEETING	
PWYLLGOR SAFONAU	STANDARDS COMMITTEE	
DYDD MERCHER, 12 MEHEFIN, 2013 am 2 o'r gloch	WEDNESDAY, 12 JUNE 2013 at 2.00 pm	
YSTAFELL BWYLLGOR 1, SWYDDFEYDD Y CYNGOR, LLANGFNI	COMMITTEE ROOM 1, COUNCIL OFFICES, LLANGFNI	
Swyddog Pwyllgor	Mrs. Mairwen Hughes (01248) 752515	Committee Officer

Aelodau Annibynnol / Independent Members

Denise Harris Edwards
Islwyn Jones
Leslie Lord
Dilys Shaw
Michael Wilson

Yn cynrychioli'r Cyngor Sir / Representing the County Council

Councillor Trefor Lloyd Hughes
Councillor Dafydd Rhys Thomas

Yn cynrychioli'r Cynghorau Tref/Cymuned / Representing the Town/Community Councils

Councillor William Raymond Evans
Councillor John Roberts

AGENDA

1 **DECLARATION OF INTEREST**

2 **MINUTES OF MEETING** (Pages 1 - 6)

To confirm the minutes of the meeting held on 13 March, 2013. (*Enclosure 'A'*)

3 **CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES** (Pages 7 - 10)

3A A report by the Customer Care Officer in the form of an up-dated matrix for County Councillors is provided for the Committee's attention. For information and any questions. (*Enclosure 'B'*)

3B A report by the Customer Care Officer in the form of an up-dated matrix for Town and Community Councils is provided for the Committee's attention. For information and any questions. (*Enclosure 'C'*)

4 **ADJUDICATION PANEL DECISIONS** (Pages 11 - 30)

Summary report by the Customer Care Officer. (*Enclosure 'CH'*)

5 **NATIONAL STANDARDS COMMITTEE CONFERENCE** (Pages 31 - 36)

Verbal report by the Chair of the Standards Committee. (*Enclosure 'D'*)

6 **NORTH WALES STANDARDS COMMITTEE FORUM 20TH MAY, 2013** (Pages 37 - 48)

Verbal report by the Chair of the Standards Committee. (*Enclosure 'DD'*)

7 **STANDARDS COMMITTEE ANNUAL REPORT 2012/2013 AND WORK PROGRAMME FOR 2013/14** (Pages 49 - 72)

Verbal report from the Chair of the Standards Committee. (*Enclosure 'E'*)

8 **CHANGES TO THE CONSTITUTION AS RESOLVED BY COUNCIL ON 23 MAY, 2013** (Pages 73 - 154)

8A Social Media Protocol (*Enclosure 'F'*)

8B Planning Procedure Rules (*Enclosure 'FF'*)

8C Self Regulation Protocol (*Enclosure 'G'*)

8CH New DBS Policy (*Enclosure 'NG'*)

9 **WEB CASTING/REMOTE ATTENDANCE AND ICT SUPPORT FOR TOWN AND COMMUNITY COUNCILS** (Pages 155 - 158)

Report from the Head of Democratic Services. (*Enclosure 'H'*)

10 **MEMBER TRAINING ON THE ETHICAL FRAMEWORK** (Pages 159 - 186)

(*Papur 'I'*)

11 **EXCLUDE PRESS AND PUBLIC**

To consider the following :-

“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting for the following item(s) on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 12, Part I of Schedule 12A of the said Act and the attached Public Interest Test.”

12 **MINUTES OF THE MEETING AND THE DECISION OF THE 7TH MARCH, 2013**

(Pages 187 - 198)

(*Papur 'L'*)

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STANDARDS COMMITTEE

Minutes of the meeting held on 13 March 2013

PRESENT: Independent Members

Mr. Michael Wilson (Chair)
Mr. Islwyn Jones (Vice-Chair)

Ms. Denise Harris Edwards
Mr. Leslie Lord
Mrs. Dilys Shaw

Representing Town and Community Councils

Councillor John Roberts

IN ATTENDANCE: Head of Function (Legal and Administration/Monitoring Officer),
Legal Services Manager (In respect of Item 10(b),
Corporate Web and Information Manager (PA) (In respect of Item 3),
Corporate Information Officer (HP) (In respect of Item 11),
Customer Care Officer (BJ) (In respect of Items 5, 6 & 7),
Senior Human Resources Development Officer (MW) (In respect of Item 4),
Committee Officer (MEH).

ALSO PRESENT: None

APOLOGIES: Councillor Ieuan Williams (Representing the County Council),
Councillor Raymond Evans (Representing Town and Community Councils)

Members wished to extended a complete and speedy recovery to Mr. Raymond Evans who was in hospital at present.

1 DECLARATION OF INTEREST

No declaration of interest received.

2 MINUTES OF MEETING

The Head of Function (Legal & Administration)/Monitoring Officer reported that the Standards Committee (Hearing) at its meeting held on 7th March, 2013 adopted the minutes but deferred consideration of the matters arising on Items 7 to 10.

ARISING THEREON

7. Decision of the Adjudication Panel regarding Appeal

The Chair gave a verbal report on his reflections following his and the Vice-Chair meeting with Political Group Leaders recently. He expressed that he was pleased to report that a totally positive view of the work of the Standards Committee was expressed by the Group Leaders.

RESOLVED to note the report.

ACTION : That a meeting be arranged with the Chair and Vice-Chair of the Standards Committee and the Group Leaders following the County Council Elections in May.

8(b) Introduction of Personal Development Reviews for Members

The Head of Function (Legal & Administration)/Monitoring Officer stated that the Committee ascertained if training could be mandatory for the Audit Committee. The Officer reported that there are no specific requirements within the guidance to allow mandatory training. However Standards Committee could recommend that training should be mandatory as noted within the Code of Conduct for the Planning and Orders and Licensing Committees.

RESOLVED to note the report.

ACTION : That an item be place on a future meeting of the Standards Committee in respect of discussions required in respect of mandatory training for the Audit Committee membership.

9. North Wales Standards Committte's Forum

The Head of Function (Legal & Administration)/Monitoring Officer noted that an invitation has now been extended to representatives from the Wales Audit Office and Welsh Government to attend the next North Wales Standards Committee Forum.

RESOLVED to note the report.

ACTION : None

10. Proposed Changes to the Constitution/Protocols

The Head of Function (Legal & Administration)/Monitoring Officer noted that changes have now been agreed with the relevant Officers and the Vice-Chair in respect changes to 5.3.17 of the Constitution.

RESOLVED to note the report.

ACTION : That the changes at 5.3.17 of the Constitution be published on the website of the County Council forthwith.

3 ON-LINE PUBLICATION OF STATUTORY REGISTERS

Submitted – report by the Corporate Web and Information Manager regarding progress, implementation and proposed induction training for new and returning Members.

It was reported that the Register of Gifts and Hospitality will be available online from the 1st March, 2013 and will be added to the Modern.Gov system for the public to view. The Standard Register of Interests has been online since the beginning of January 2013 and all newly elected Members at the County Council Election to be held in May will be given training on how to update the online version of the system.

It was further noted that agenda and committee papers has been operational and published to the internet by the Committee Services Section since beginning of January. All Declaration of Interest at meetings will be added separately to the Modern.Gov system which will allow public search for any individual Member. Training will be provided for all elected Members after the May 2013 County Council election as part of their training schedule.

The Head of Function (Legal & Administration)/Monitoring Officer stated that a statement will have to be published in the press informing the public that the Registers mentioned within this report will be online.

RESOLVED to note the report.

ACTION : That an update report be submitted to the next meeting of the Standards Committee in respect of the progress with online publication of Statutory Registers.

4 MEMBER DEVELOPMENT PLAN AND PERSONAL DEVELOPMENT REVIEWS

The Senior Development Officer gave an update report on the Member Development Plan and Personal Development Reviews. It was noted that it is intended to have training on the Code of Conduct for newly Elected Members following the County Council Election in May 2013.

The Head of Function (Legal & Administration)/Monitoring Officer stated that the 12 month Training Plan for Members will be presented to the full Council in May by the Chair of the Democratic Services. She considered that a standard item should be placed on the agenda of the Democratic Services Committee in respect of the Personal Development Review.

RESOLVED to note the report and to request the Head of Democratic Services to place a standard item on the agenda of the Democratic Services Committee in respect of the Personal Development Review.

ACTION : As noted above.

5 COMPLAINTS MANAGEMENT PROJECT

Submitted – an update report by the Customer Care Officer on the current status of the Complaints Management Project.

It was noted that both the Concerns and Complaints Policy and Unacceptable Actions by Complainant Policy had been submitted to the full Council on 5th March 2013 for adoption. An Internal Audit will be made on the implementation of the Concerns and Complaints Policy in April 2013 and a follow-up in 6 months with a particular emphasis of ensuring that departments are recording complaints in the correct manner. The Internal Audit Manager will present a report to the Standards Committee at its meeting in December in respect of audit review of the Complaints Policy.

Members raised issues relating to compensation payments in respect of complaints against the County Council and the level of payments awarded. The Head of Function (Legal & Administration)/Monitoring Officer responded that the Compensation Policy as recommended by WG contains an expectation that a Compensation Clause be included in the Policy. The Head of Service within that particular complainant's grievance decides the level of compensation payment with the Legal Services Manager been consulted.

RESOLVED to accept the report.

ACTION : That the Internal Audit Manager be invited to the Standards Committee in December in respect of an audit review of the Complaints Policy.

6 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES - 6(A)

6(a) Submitted, for information – a report by the Customer Care Officer in the form of an updated matrix for County Councillors.

RESOLVED to note the report for information.

ACTION : An update on any further developments from the Customer Care Officer at the next Standards Committee .

6(b) Submitted , for information – a report by the Customer Care Officer in the form of an updated matrix for Town and Community Councils.

RESOLVED to note the report for information.

ACTION : An update on any further developments from the Customer Care Officer at the next Standards Committee.

7 SUMMARY OF ADJUDICATION PANEL DECISIONS

Submitted and noted – a report by the Customer Care Officer in relation to the above. It was stated that no new cases have been reported.

RESOLVED to note the report.

ACTION : An update on any further developments from the Customer Care Officer at the next Standards Committee.

8 NATIONAL STANDARDS COMMITTEE CONFERENCE

Submitted, for information – the Conference Programme and Nominee List for the Standards Conference Wales to be held at Venue Cymru, Llandudno on 19th April, 2013.

RESOLVD to note the report.

ACTION : That any surplus places on the Conference be allocated to Members of the Standards Committee who have not been nominated to attend.

9 CHANGES TO THE CONSTITUTION AS RESOLVED BY FULL COUNCIL ON 5 MARCH, 2013

(a) Submitted for information – a report on the changes to the Constitution.

The Head of Function (Legal & Administration)/Monitoring Officer referred to the main Constitutional changes to enhance the working of the new Council after 2nd May, 2013, but especially to take into account the corporate workload on reduced number of Members. The changes relate to :-

- Make Member training on the Code of Conduct mandatory;
- Reduce Scrutiny Committees from 5 to 2;
- Reduce numbers on the Planning and Orders Committee (and Licensing) from 14 to 11;
- Reduce County Council Membership on the Audit Committee from 10 to 8;
- Reduce number on the Executive from 10 to 7 (to include the Leader and Deputy Leader);
- To adopt revised Relationship Protocol for Members and Officers;
- To adopt protocol for Multi Member Wards.

RESOLVED to note the changes to the Constitution as noted above.

ACTION : To note that the changes to the Constitution will be discussed at the Executive on 18th February and the full County Council at its meeting to be held on 5 March, 2013.

9(b) Submitted for information – a report on the revision to the Indemnities Policy.

The Head of Function (Legal & Administration)/Monitoring Officer stated that WG favour amending the current Policy to introduce a cap of £20k in those cases which relate to the defence of Public Services Ombudsman for Wales complaints.

The Vice-Chair considered that 4.1 of the Policy needed to be amended to read '*..... that any indemnity granted to a Member in defending allegations of a breach or breaches of the Code of Conduct shall be subject to a **maximum** cap of £20k.*

Councillor John Roberts wished it be minuted his disappointment in the Welsh version of the Ministers letter attached to this report.

RESOLVED to accept the report.

ACTION : That the Policy be amended at 4.1 as noted above.

10 PROPOSED CHANGES TO THE CONSTITUTION

(a) Submitted – a report on the ‘General Principles for a Revised Protocol for Local Resolution’.

It was reported that as part of its Work Programme for 2012/13 the Standards Committee has reviewed the current Protocol, and put forward recommendations for change. The Chair of the Standards Committee will present the Protocol to the Executive and the full Council.

RESOLVED to note the report.

ACTION : To note that the Protocol will be forwarded to the Executive for consideration and thereafter to the full Council.

(b) Submitted – a report on the ‘Planning Procedure Rules’ and to make changes to the Constitution, Section 4.6 to take into account the Multi-Member Wards after the 2013 County Council elections.

The changes are intended to be as permissive as possible to allow any ‘local member’ for a new ward to call-in a planning application the site of which is located in that ward to the Planning and Orders Committee and they will allow any local member for that ward to speak at the Committee on that called-in application as a local member. It was noted that these changes will be forwarded for recommendation by the Executive and thereafter to the full Council.

RESOLVED to note the report.

ACTION : To note that the changes Planning Procedure Rules will be forwarded to the Executive for consideration and thereafter to the full Council.

11 DRAFT PROTOCOL ON THE USE OF SOCIAL MEDIA IN MEETINGS

Submitted – a report by the Corporate Information Officer on the draft Social Media Protocol for Members, which is intended to regulate the use of social media by Elected Members in their official and private capacities. The protocol also relates to the use of social media in meetings by the public.

It was reported that the protocol is intended to set out clearly how Elected Members ought to interact with social media, both as County Councillors and private individuals. The protocol also relates to the use made of social media by members of the public who attend meetings of the Council, Executive and other Committee meetings. The issue of permitting the use of social media during Council meetings by journalists and the public in Wales is part of an ongoing discussion. The Minister for Local Government and Communities has recently written to Welsh Local Authorities to express his support for improving transparency of proceedings by promoting online access. However, it was stressed that inappropriate use of social media by Elected Members could result in breaches of the Code of Conduct. Therefore, it is important that Elected Members recognise the risks associated with social media and ensure that they do not use social media in a way which breaches the Code of Conduct.

Members of the Committee considered that the element of distraction in respect of i.e. ‘Tweeting’ at meeting should be considered and especially incorrect information could be ‘Tweeted’ through the social media. It was considered that the use of mobile devices should be discreet and minimal in meetings.

The Head of Function (Legal & Administration)/Monitoring Officer reported that a bid has been forwarded to WG for funding towards ‘Web-casting’ at meetings. It is anticipated that the funding will be successful and it is intended to have a pilot scheme with web-casting at certain meetings of the County Council. The introduction of ‘remote-casting’ will also need to be considered. The Officer further stated that the funding will require webcasting at Town/Community Councils which will be on a National Basis.

RESOLVED to accept the report in principle.

ACTION : To note that the protocol will be submitted to the Executive for consideration.

12 WORK PROGRAMME 2012/13

Submitted and accepted – a Work Programme for 2012/13.

**MR. MICHAEL WILSON
CHAIR**

PAPUR / ENCLOSURE
B

**CWYNION I AC YMHOIADAU GAN YR OMBUDSMON – “O” -YNGLŶN Â CHYNGHORWYR CYNGOR SIR YNYS MÔN – MAI 2008
YMLAEN**

**COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” -REGARDING ISLE OF ANGLESEY COUNTY COUNCILLORS –
MAY 2008 ONWARDS**

**DIWEDDARIAD / UPDATED – 30 Mai 2013 /30 May 2013
(diweddariad diwethaf / last update 22.02.13)**

Pwyllgor Safonau – 13.03.13 – Standards Committee

Enw'r Cyngorydd Name of Councillor	Enw'r Achwynnydd Name of Complainant	Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) "O"	Dyddiad y Gŵyn - "O" Complaint date - "O"	Disgrifiad Byr o'r Gŵyn Short Description of Complaint	Adrannau'r Cód Sections of the Code	Canlyniad Ymholiad "O" a'r dyddiad neu'r sefyllfa gyfredol Result of "O" Investigation and date or the current situation	Datblygiad Pellach Further Development
1. Cyngorydd Sir / County Councillor Newydd/New	Aelod o'r cyhoedd/ Member of the public	(i) 016752 (ii) 201204406	13.02.13	Peidio dangos parch ar eraill ac ymddwyn mewn ffordd sy'n dwyn anfri ar y swydd neu'r awdurdod / Failing to show respect for other and conduct likely to bring office or authority into disrepute	Rhan / section 4(b),6(1a)	21.02.13 – yr "O" am ymchwilio/ the "O" to investigate	Yn disgwyl penderfyniad yr "O"/ Awaiting the "O"'s decision

PAPUR / ENCLOSURE
C

CWYNION I AC YMHOLIADAU GAN YR OMBUDSMAN – "O" -YNGLŶN Â CHYNGHORWYR CYMUNEDOL A THREFF

**COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – "O" -REGARDING TOWN AND COMMUNITY COUNCILLORS
Diweddariad – Mai 2013 / Update May 2013**

Pwyllgor Safonau- 12.6.13– Standards Committee

Enw'r Cynghorydd Name of Councillor	Enw'r Achwynnydd Name of Complainant	Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) "O"	Dyddiad y Gwyn - "O" Complaint date - "O"	Disgrifiad Byr o'r Gŵyn Short Description of Complaint	Canlyniad Ymholiad "O" a'r dyddiad neu'r sefyllfa gyfredol Result of "O" Investigation and date or the current situation	Datblygiad Pellach Further Development
Cynghorydd Cymunedol / Community Councillor Penmynydd & Star	Aelodau o'r Cyhoedd x 5 / Members of the Public x 5	015776- RMJ 201102856 015775 – RMJ 201102868 015777-RMJ 201102860 201103060 201103282	29.12.11 29.12.11 30.12.11 09.01.12 26.01.12	Methiant i ddatgan diddordeb mewn cais cynllunio ac wedi cymryd rhan yn y drafodaeth. Failure to declare an interest in a planning application and actively took part in the discussion	Cyfarfod arbennig o'r Pwllgor Safonau 7.3.13 i drafod yr achos gyda'r canlyniad bod y Cynghorydd yn derbyn cerydd. Special meeting of the Standards Committee 7.3.13 to discuss the matter resulting in the Councillor being issued with a censure.	Wedi Cau / Closed
Cynghorydd Cymunedol / Community Councillor Llanfaelog	Aelod o'r Cyngor Cymunedol x 5 / Member of the Community Council x 5	016435 – BJ 201201908 016436 – BJ 201201909 014647 – BJ 201201910 016438 – BJ 201201911 016439 – BJ 201201913	18.09.12	Defnyddio iaith ddifriol ac ymddygiad ymosodol mewn cyfarfod o'r cyngor Abusive language and aggressive behaviour in a council meeting	08.03.13 – Swyddogion o Swyddfa'r "O" yma yn cyfweid y Cynghorydd. 08.03.13 - Officers from the "O"'s Officer here to interview the Councillor	Yn disgwyl penderfyniad yr "O" / Awaiting the "O"'s decision

PAPUR / ENCLOSURE
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Cyngor Sir Ynys Môn / Isle of Anglesey

Committee	Standards Committee
Date of Meeting	12 June 2013
Title of Report	Findings of the Adjudication Panel for Wales 1st April 2011 to 29th May 2013.
Report By	Customer Care Officer
Purpose of Report	To provide information on the issues dealt with by the Adjudication Panel for Wales

1.0 Introduction & Background

The Adjudication Panel for Wales came into being as a result of the Local Government Act 2000 and has two statutory functions:-

- To form case or interim case tribunals to consider reports from the Ombudsman following the investigation of allegations that a member has failed to comply with their authority's code of conduct; and
- To consider appeals from members against the decisions of local authority standards committees that they have breached the code of conduct

This report covers decisions made by the Adjudication Panel between the 1st of April 2011 and the 29th May, 2013 and is intended as a factual summary of the issues that come before the Adjudication Panel. It will not replace the report that is presented to the Committee when a complaint relating to Anglesey County Council has been before the Adjudication Panel.

2.0 Decisions made between 1.4.11 and the date of this report

18.4.11 - Cllr. A James, Torfaen County Borough Council
18.5.11 - Cllr. M. Calver, Manorbier Community Council
06.06.11 - Cllr A. Brown, Merthyr Tydfil County Borough Council
29.06.11 – Cllr. J. Adams-Lewis, Ceredigion County Council
12.07.11 – Cllr P Rogers, North Wales Police and Anglesey County Council
27.10.11 – Former Cllr F. Wildgust – Torfaen County Borough Council
27.10.11 - Cllr P Seabourne – Torfaen County Borough Council
27.10.11 - Cllr D Thomas, City & County of Swansea
14.11.11 – Former Cllr L. Bailey – City & County of Swansea
14.11.11 – Cllr I. Tuck, Merthyr Tydfil County Borough Council
03.01.12 - Cllr. K. Armstong-Braun, Saltney Town Council
18.6.12 – Cllr. M. Eckersley, Denbighshire County Council

19.6.12 – Cllr B. Durkin, Anglesey County Council
22.8.12 – Cllr. A. Brown, Merthyr Tydfil County Borough Council
05.11.12 – Cllr. A. Moss, Llantrisant Community Council
16.11.12 – Cllr. H. Thomas, Isle of Anglesey County Council
05.04.13 – Former Councillor Whitby, Coedpoeth Community Council - **NEW**

See Table below which provides a summary of the issues dealt with and the results of the above cases.

Name	Allegations	Findings	Result
<p>Cllr. A. James – Torfaen County Borough Council (27.4.11) APW/007/2010-011/CT</p>	<p>Failing to declare an interest and using his position improperly when making donations to local organizations under the Council's Small Schemes Allowances</p>	<p>On the basis of the findings of fact, the Case Tribunal found by unanimous decision that there was a failure to comply with the Torfaen County Borough Council's code of conduct.</p>	<p>Breach - The Case Tribunal concluded by unanimous decision that a period of suspension is appropriate - Suspended for 1 month</p>
<p>Cllr. M. Calver of Manorbier Community Council (25.5.11) Appeal APW/009/2010-011/A</p>	<p>Appeal against Pembrokeshire County Council's Standards Committee, that he breached Manorbier Community Council's Code of Conduct and should be censured and undertake training on the Code. Original allegations:- Publishing draft minutes without permission Website comments constituted bullying and harassments and /or failed to show respect and consideration Disclosure of confidential (including financial) information not yet in the public domain Made comments which</p>	<p>The Adjudication Panel upheld the decision of the Standards Committee - that he breached Manorbier Community Council's Code of Conduct</p>	<p>The Appeal Tribunal considered all of the facts, submissions and representations made and its own sanction guidelines in appeal tribunals. The Appeal Tribunal saw no compelling reason here to interfere with the sanction imposed by the Standards Committee NOTE – the Appeal Tribunal and Standards Committee decisions were overturned following a Judicial Review by the High Court - Ref:[2012] EWHC 1172</p>

Name	Allegations	Findings	Result
<p>Cllr. A. Brown of Merthyr Tydfil County Borough Council APW/006/2010-011/CT And APW/010/2010-011/CT</p>	<p>brought his office and/or council into disrepute. Using the internet to publish inappropriate comments Misusing Council resources Breaking the Council's Internet Policies Failing to show respect and consideration for others Disclosing a confidential letter Sending inappropriate e-mails Publishing a deliberately misleading press release and thereby bringing the office of councillor and his authority into disrepute</p>	<p>The Case Tribunal did not consider, in all the circumstances, that there were, in accordance with its sanction guidelines, factors which could reasonably justify a disqualification. The Case Tribunal considered whether suspension would be an appropriate sanction, with reference to its sanction guidelines which indicate that a suspension may be appropriate where the circumstances are not so serious as to merit disqualification, but sufficiently grave to give rise to the need to reassure the public and impress upon the Respondent the severity of the matter and the need to avoid repetition.</p>	<p>Breach: The Case Tribunal decided by unanimous decision that the Councillor should be suspended from acting as a member of the Council for a period of nine months</p>
<p>Cllr. J. Adams- Lewis of Ceredigion County Council</p>	<p>Failing to act objectively and in the public interest in the consideration of a planning application at a site meeting of</p>	<p>The Case Tribunal found that the Councillor did act in a way, such that a member of the public might</p>	<p>Breach: Suspended from being a member of the Development Control Committee and Vice Chairman of</p>

Name	Allegations	Findings	Result
APW/007/2009-010/CT	the Council's Development Control Committee on 28/8 and 10/9 2008 and by failing to declare a personal interest and to withdraw at these meetings	reasonably perceive a conflict between his role as a local Councillor and his role in taking a decision on behalf of the Authority	the Council for a period of 3 months
Cllr. P. S. Rogers of Anglesey County Council / North Wales Police Authority APW/011/2010-011/CT	<p>NWP Authority - Attempting to engage in conversation in connection with a complaint against his constituent</p> <p>Sending an email criticising the way the police were dealing with an investigation</p> <p>Displaying overbearing and intimidating behaviour towards three police officers during his visit to Holyhead Police Station and attempting to influence the course of a police investigation.</p> <p>IAOCC -</p> <p>Failing to show respect and consideration for others and bullying and harassing behaviour</p> <p>Disclosing confidential information about the health of a fellow councillor</p> <p>Conduct could be reasonably regarded as bringing his office or authority into disrepute.</p>	<p>Not satisfied that the NWPA code was engaged – Cllr Rogers never gave the impression that he was acting as a representative of the NWPA.</p> <p>Failing to show respect & consideration - Breach</p> <p>Bullying and Harassment – No breach</p> <p>No breach</p> <p>Breach</p>	<p>Breach and the Tribunal concluded that the appropriate sanction was one of censure.</p>

Name	Allegations	Findings	Result
<p>Former Cllr. F. Wildgust of Torfaen County Borough Council APW/001/2011-012/CT</p>	<p>Making unsubstantiated allegations in press releases dated 13.15 and 22 January 2011 about the Council and its senior officers and by repeating those allegations in an e-mail to the Council's Chief Executive and showing utter disrespect to the Monitoring Officer and Chief Executive personally and to their senior officers.</p>	<p>2nd Case Tribunal – 1st held on 24.2.11 the Case Tribunal gave very serious consideration to imposing a disqualification and but for Cllr Wildgust's apology to those concerned, his acknowledgement of his now understanding of the importance of the Code of Conduct and to his having to adhere to it, his undertaking [to the Case Tribunal] to do so and to moderate his behaviour and act in a non-adversarial fashion in the future, the Case Tribunal would have disqualified him from office. However, in reliance on the undertaking and so as to give Cllr Wildgust the opportunity of moderating his behaviour, the Case Tribunal decided to suspend Cllr Wildgust for a period of 12 months with immediate effect".</p>	<p>The First Case Tribunal decision was clear that but for Mr Wildgust's undertakings to comply with the terms of the Code of Conduct, to moderate his behaviour, to apologise and to act in a non-adversarial way in the future, they would have sanctioned a disqualification against him.</p> <p>Mr Wildgust disregarded those undertakings the day following the First Case Tribunal hearing.</p> <p>The Case Tribunal considers that Mr Wildgust's conduct merits a disqualification and that he should be disqualified from holding the office of councillor for a period of 3 years with immediate effect.</p>
<p>Cllr. P. Seabourne of Torfaen County Borough Council</p>	<p>Appeal against the decision of the Standards Committee</p>	<p>Following the decision by the Ethics and Standards Committee, the</p>	<p>The Tribunal was satisfied, on the basis of the evidence given by Cllr. Seabourne that he had not</p>

Name	Allegations	Findings	Result
<p>Appeal APW/012/2010-011/A</p>	<p>Failed to maintain accurate records of his appointments and interests in the statutory register. Failed to declare a personal and prejudicial interest on 27 November 2008 when completing a Small Scheme Application requesting that a payment of £200 be made to Torfaen Access Coalition when he was Chair of the Coalition. Failed to declare a personal interest on 22 September 2009 when completing a Small Scheme Application requesting that a payment of £500 be made to Fairwater Comprehensive School when he was an LEA appointed governor of the School Further in respect of the donation to Fairwater Comprehensive School, failed to declare a personal and prejudicial interest in that his wife was the Chair of governors at the School at the time of the donation.</p>	<p>Ombudsman received a further complaint that Cllr Seabourne had misled that Committee when he stated that the information about his interests was on his website. This was not in fact the case at the time of the Committee hearing as that information was not placed on the website until 14 October 2009.</p> <p>The Appeal was confined to the sanction imposed and not the findings.</p>	<p>misled the committee and had not, either in correspondence or otherwise, suggested that the information regarding his interests was on his website prior to 14 October 2009. On that basis the Tribunal was satisfied that there was no additional aggravating factor to weigh into the balance.</p> <p>The Tribunal accepted that Cllr Seabourne had updated his Declaration of Interests on 14 October 2009 and that this did alter the balance of aggravating and mitigating factors considered by the Ethics and Standards Committee. This was not so substantial an alteration, however, as to lessen the seriousness of the breaches of the Code and, therefore, the need for censure. Decision of the Ethics and Standards Committee upheld – The Tribunal was satisfied in all the circumstances</p>

Name	Allegations	Findings	Result
<p>Cllr. D. Thomas of City & County of Swansea Council Appeal APW/002/2007-08/A</p>	<p>Appeal against the decision of the Standards Committee Failing to reach a decision on the basis of the merits of the circumstances involved when attending a meeting of the Planning Committee on 20 July 2006 and, in so doing, had also failed to have regard to the advice of the authority's Monitoring Officer.</p>	<p>Appeal Tribunal unanimous in their decision that there was a failure to comply with the Code of Conduct. "Having regard" to advice taken to mean accepting such advice in the absence of good reasons not to – no such reasons given</p>	<p>that a censure was an appropriate sanction Decision of Standards Committee upheld. Censure and suspension for 1 month.</p>
<p>Former Cllr. L. Bailey of City & County of Swansea Council APW/001/2007-08/CT</p>	<p>Making improper use of Council-owned computer equipment for private purposes by downloading inappropriate images and sending letters to a local newspaper, which he falsely represented as being from members of the public. In so doing brought the office of member into disrepute. Failed to show respect and consideration for others by failing to take account of the impact of his actions on</p>	<p>Tribunal felt that the breaches were so serious that disqualification was appropriate and that a period in excess of 3 years would be justified</p>	<p>Breach. Disqualification for 2 years and 6 months – reduced length of disqualification due to mitigating factors</p>

Name	Allegations	Findings	Result
<p>Cllr. I. Tuck of Merthyr Tydfil County Borough Council APW/004/2007-08/CT</p>	<p>council employees who later saw the images on the computer equipment. Pattern of persistent misconduct demonstrated a failure to promote the principles of the code by leadership and example Behaviour at a fact-finding site visit by the Council's Planning and Regulatory Committee on 11 October 2006 could be reasonably regarded as bringing the office of member and the Council into disrepute. Using his position as a member of the Planning and Regulatory Committee improperly to secure an advantage for himself and his father at the meeting on 11 October 2006 meeting. At the meeting did not adequately declare a personal interest and did not withdraw.</p>	<p>Finding that there was a failure to comply with the Code of Conduct on all 3 counts. Councillor had resigned and had no desire to stand for public office again.</p>	<p>Breach. Disqualified for 12 months</p>
<p>Cllr. K. Armstrong-Braun Saltney Town Council APW/008/2010-11/CT</p>	<p>Breach of paras 4(b), 5(a), 6(1)(a) and 8(a) of the code of conduct :- That he acted inappropriately</p>	<p>The Case Tribunal found</p>	<p>Breach. Suspended for 12 months</p>

Name	Allegations	Findings	Result
	<p>during Council meetings; caused distress to another person;</p> <p>failed to account for his mayoral allowance</p>	<p>that Cllr Armstrong-Braun, when Mayor, had made inappropriate remarks about Saltney and had subsequently refused to withdraw his remarks; he adjourned the council meeting on 9 July 2008 contrary to the decision of the Town Council; he decided to prematurely close the meeting on 10 September 2008; he was abusive and discourteous to the Town Clerk and Deputy Mayor at the agenda meeting held on 9 September 2008;</p> <p>The Case Tribunal found that Cllr Armstrong-Braun ignored the advice of the Town Clerk concerning his obligation to account for his Mayoral allowance in accordance with Standing Order 40 of the Council's procedure rules as set out in the letter dated 20 November 2009 from the</p>	

Name	Allegations	Findings	Result
	<p>disclosed confidential information and that in respect of both Saltney Town Council and Flintshire County Council his conduct had brought his office and the authorities into disrepute.</p>	<p>Town Clerk to him. The Case Tribunal found that Cllr Armstrong-Braun had written a letter to the Head Teacher of the local Secondary School in breach of the decision of the Town Council's task group that their meetings on 14 and 28 March 2009 were to be held in confidential session and that any matters shared in those meetings should not be shared with third parties.</p>	
<p>Former Cllr. M. Eckersley Denbighshire County Council APW/004/2011-012/CT</p>	<p>Breach of paras 4(a), 4(b) and 6(1)(a) of the Code of Conduct that at a meeting of the Corporate Equalities Group on 22 July 2010, during a discussion about an ancient bye-law which allows individuals to be hanged for speaking Welsh in Chester after 9.00pm, former Cllr Eckersley commented "maybe we should take a load of Welsh Muslims to Chester to test this out" ("the first alleged failure");</p>	<p>The Case Tribunal found by unanimous decision with regard to both allegations that former Cllr Eckersley failed to comply with the Denbighshire County Council's Code of Conduct as follows: Paragraph 4(b) of the Code of Conduct states that "you must show respect and consideration for others".</p>	<p>The Case Tribunal considers that former Cllr Eckersley's conduct merits a censure.</p>

Name	Allegations	Findings	Result
<p>Cllr. B. Durkin Anglesey County Council APW/002/2011-012/CT</p>	<p>and that at a meeting of the Corporate Equalities Group on 14 October 2010 former Cllr Eckersley commented that “Adolf Hitler had the right idea, and that they should be got rid of out of the country” with reference to gypsies and travellers (“the second alleged failure”).</p> <p>making repeated personal attacks of an offensive nature against the then Director of Legal and Democratic Services and Monitoring Officer (Miss Ball) and Mr David Bowles, the former Interim Managing Director; and by making numerous requests for information thereby placing excessive demands and significant burden upon the</p>	<p>The Case Tribunal further finds by unanimous decision that former Cllr Eckersley did not breach paragraphs 4(a) and 6(1)(b) of Denbighshire County Council’s Code of Conduct.</p> <p>The Tribunal found that Cllr Durkin by his actions towards the Miss Ball, in particular the language he used, failed to show respect and consideration and that his actions in relation to Miss Ball also amounted to bullying and harassment. The Tribunal concluded that making repeated serious allegations with no foundation against Miss Ball and suggesting that she was dishonest and corrupt</p>	<p>The Case Tribunal concluded by unanimous decision that Cllr Durkin should be suspended from acting as a member of the Isle of Anglesey County Council for a period of 12 months or, if shorter, the remainder of his term of office, with effect from 17 May 2012.</p>

Name	Allegations	Findings	Result
	<p>Council's Corporate Information Officer (Mr Pritchard)</p>	<p>undermined her authority and position and amounted to bullying and harassment.</p> <p>The Tribunal found that as a more senior officer the actions of Cllr Durkin did not amount to bullying or harassment of Mr Bowles and that Mr Bowles had robustly dealt with Cllr Durkin. The Tribunal did however find that making unfounded allegations in the public media that Mr Bowles was dishonest and corrupt did fail to show Mr Bowles respect and consideration in breach of paragraph 4(b) of the Code.</p> <p>The Tribunal found no breach in relation to his conduct towards Mr Pritchard. The Tribunal did not accept that the Code was not engaged in relation to Mr Pritchard and noted that although the Freedom of Information Act treated everyone as members of the</p>	

Name	Allegations	Findings	Result
		<p>public from the point of view of the Act, Cllr Durkin was making the requests in his capacity as a councillor and for political purposes. However, when considering the evidence the Tribunal was satisfied that Cllr Durkin had made his requests perfectly properly and his letters to Mr Pritchard were appropriate in content and tone.</p> <p>The Tribunal found that Cllr Durkin's actions also amounted to a breach of paragraph 6(1)(a) of the Code. The Tribunal concluded that Cllr Durkin's repeated unfounded allegations of a serious nature against senior officers of the Council in public was bound to undermine the authority and bring it into disrepute. In addition the language used by Cllr Durkin and the fact that the Tribunal found his</p>	

Name	Allegations	Findings	Result
<p>Former Cllr. A. Brown Merthyr Tydfil County Borough Council APW/002/2012-013/CT</p>	<p>Persistently and deliberately misrepresented his position as a councillor following his suspension by a previous Tribunal, in emails, blogs, letters and articles to the press and a radio phone-in in a 3 month period following the Tribunal finding;</p> <p>Deliberately and persistently misrepresented the findings of the previous Tribunal;</p> <p>Misrepresented the Council and its policies; and</p> <p>Despite the finding of the Tribunal on 13 April 2011, he had knowingly published confidential information and failed to</p>	<p>motives were not genuine, further brought the office into disrepute.</p> <p>The Case Tribunal considered all the facts of the case. It had regard to its sanctions guidance which indicates that a disqualification may be appropriate in circumstances where had a person still been a member of their authority a suspension would have been the likely sanction. However, in this case disqualification was considered because former Cllr Brown had deliberately failed to abide by the code and had persistently breached the Code. There were a number of aggravating factors:</p> <ul style="list-style-type: none"> a) Repeated breaches b) Actions brought the Council into disrepute 	<p>The Case Tribunal concluded by unanimous decision that former Cllr Brown should be disqualified for 3 years from being or becoming a member of Merthyr Tydfil County Borough Council or of any other relevant authority within the meaning of the Local Government Act 2000, with immediate effect.</p>

Name	Allegations	Findings	Result
	seek advice from the appropriate authorities.	<ul style="list-style-type: none"> c) Intentionality d) Challenging the investigation and adjudication to the end e) Seeking unfairly to blame others f) Persisting with a pattern of behaviour g) Failing to heed appropriate advice or warnings 	
Cllr. A. Moss Llantrisant Community Council APW/001/2012-013/CT	Breach of paragraph. 6(1)(a) of the Code of Conduct	Decision not yet published	Breach: Suspended for 6 months
Cllr. Hefin Thomas Isle of Anglesey County Council Appeal APW/003/2012-013/A	In June 2012, the Adjudication Panel for Wales received an appeal on behalf of Cllr Thomas against the Isle of Anglesey County Council's Standards Committee's determination that Cllr Thomas should be suspended for a period of 6 months for a breach of	The Appeal Tribunal is satisfied that the Standards Committee gave Cllr Thomas every opportunity to substantiate his mitigation during the Standards Committee hearing. The Appeal Tribunal has duly considered the mitigation put to the Standards Committee and to the	<p>The Appeal Tribunal considers that the 6 month suspension imposed by the Standards Committee was not disproportionate in view of the circumstances of the case.</p> <p>The Appeal Tribunal accordingly decided by unanimous decision to endorse the decision of the Isle</p>

Name	Allegations	Findings	Result
	<p>paragraph 6(1)(a) of the code of conduct</p>	<p>Appeal Tribunal. The Appeal Tribunal is satisfied that appropriate credit was given by the Standards Committee for the mitigation put forward by Cllr Thomas but that the mitigation was outweighed by other factors of the case including Cllr Thomas' credibility. The Appeal Tribunal is satisfied that the Standards Committee applied due proportionality having regard to all the facts in deciding on the sanction that should be applied to Cllr Thomas.</p>	<p>of Anglesey County Council's Standards Committee that Cllr Thomas should be suspended for 6 months.</p>
<p>Former Cllr. Whitby Coedpoeth Community Council APW/003/2011-012/CT APW/005/2012-013/CT APW/007/2012-013/CT</p>	<p>The former Cllr Whitby had breached the above Community Council's Code of Conduct by his behaviour and consequent arrest for a breach of the peace during a demonstration in Liverpool on 4 December 2010, failure to show respect and consideration to the Clerk to the Community Council, his behaviour, arrest, subsequent</p>	<p>The Case Tribunal therefore concluded by unanimous decision that former Cllr Whitby had, by his actions in breaching the code of conduct and in his unacceptable attitude to the investigation and general disregard of the code, demonstrated that he was unfit to hold public office and was unlikely to become fit</p>	<p>Accordingly he should be disqualified for 5 years from being or becoming a member of the Coedpoeth Community Council or of any other relevant authority within the meaning of the Local Government Act 2000.</p>

Name	Allegations	Findings	Result
	<p>imprisonment and non-cooperation with the relevant authorities arising from a protest at Birkenhead County Court on 7 March 2011; and his lack of co-operation with the Ombudsman's investigation of these allegations.</p>	<p>over the next five years.</p>	

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STANDARDS CONFERENCE WALES 2013

Balancing Rights and Responsibilities

Conference Programme
VENUE CYMRU LLANDUDNO – 19 APRIL 2013

10.00 – 10.30	Registration & Tea/Coffee
10.30 – 10.45	Welcome and introduction – Dilys Phillips, Chair of ACSeS
10.45 – 11.30	Plenary session 1 – Peter Tyndall, Public Services Ombudsman for Wales
11.30 – 11.45	Tea/Coffee
11.45 – 12.45	Workshop session 1: 1A. Promoting standards proactively - Gwynedd 1B. Conducting hearings and sanctions – Denbighshire and Conwy 1C. Register of Interests and Dispensations – Isle of Anglesey and Flintshire
12.45 – 13.45	Lunch
13.45 – 14.30	Plenary session 2 – Local Resolution Procedures Daniel Hurford, WLGA Dilys Phillips, Gwynedd Rod Jones, Swansea
14.30 – 14.45	Tea/Coffee
14.45 – 15.45	Workshop session 2: 2A. Promoting standards proactively - Gwynedd 2B. Conducting hearings and sanctions – Denbighshire and Conwy 2C. Standards issues for town and community councils and single purpose authorities – Wrexham and Snowdonia National Park
15.45 – 16.00	Closing remarks – Howie Roberts Chair of the North Wales Forum of Chairs and Vice-chairs of Standards Committees

Cynhadledd Safonau 2013 / Standards Conference 2013

Ffurflen adborth / Feedback form

Os gwelwch yn dda rhowch eich barn am y canlynol: <i>Please give your view on the following:</i>	Ardderchog <i>Excellent</i>	Da <i>Good</i>	Bodddhaol <i>Satisfactory</i>	Gwael <i>Poor</i>
Trefniadau cyn y gynhadledd <i>Pre-conference arrangements</i>	50	21	6	2
Pa mor ddefnyddiol oedd y gynhadledd <i>The usefulness of the Conference</i>	49	28	2	0
Y cyfle i rwydweithio <i>Opportunity for networking</i>	42	30	5	1
Lleoliad/Lluniaeth <i>Location/Refreshments</i>	54	18	3	1
Trefniadau'r gynhadledd <i>The Conference arrangements</i>	55	19	0	1
Deunyddiau'r gynhadledd <i>Conference materials</i>	47	23	8	2
Sesiwn lawn 1 – Peter Tyndall <i>Plenary session 1 – Peter Tyndall</i>	38	34	3	0
Sesiwn lawn 2 – trefn datrys leol <i>Plenary session 2 – local resolution procedure</i>	38	30	0	0
Gweithdy 1A/2A: hyrwyddo safonau <i>Workshop 1A/2A: promoting standards</i>	31	17	1	0
Gweithdy 1B/2B: gwrandawiadau a chosbau <i>Workshop 1B/2B: hearings and sanctions</i>	19	18	6	1
Gweithdy 1C: buddiannau a gollyngiadau <i>Workshop 1C: interests and dispensations</i>	12	9	3	0
Gweithdy 2C: cyngorau cymuned ac un bwrpas <i>Workshop 2C: communities and single purpose</i>	15	8	2	1

Sylwadau pellach / Further comments.

1.	I think we did a good job here in the North. Good balance of presentations and workshops.
2.	Very worthwhile exercise. Informative, lively, information sharing.
3.	Very well organised in all respects.
4.	Very well organised and useful. Well chosen topics. Good venue and good facilities.
5.	Very enjoyable and good Conference.
6.	Should have started at 9 or 9:30. Most stayed overnight or were within 1 hours drive Standards documents too large Perhaps One Voice Wales representative should be invited?
7.	I'd suggest that the Conference should have started earlier in the day. Those that travelled from South Wales probably all stayed the night before. Conference should have finished therefore at 15:30. Conference was excellent.
8.	Diddorol dros ben. Dim digon o drafod/gwaith grŵp yn Gweithdy 1C. Trefniadau da / dwyieithog.
9.	Would have liked longer to discuss Workshop 1A/2A – Promoting Standards.
10.	Would have preferred all the conference materials to be on the web or e-mail. The contents were very heavy to transport and a waste of paper. Could have condensed the day a little to perhaps start at 10:00 to enable us to get home earlier. Would be easier on a midweek day. Good use of bilingual communications.
11.	Found documentation awkward to negotiate.

12.	Generally good – but not as good over the whole range as the last 2/3 annual events have been. Venue (although at the opposite end of Wales for me) was very good.
13.	Nid oedd y brif neuadd yn lleoliad delfrydol ar gyfer y gweithdai (rhy fawr ac amheronol!) At y dyfodol, byddai'n ddefnyddiol pe bai'r dogfennau i aelodau'r gynhadledd gynnwys rhestr o'r holl aelodau, gan nodi pa Gyngor oeddent yn ei gynrychioli.
14.	Cynhadledd wedi ei threfnu'n dda gyda chynnwys ardderchog. Diolch!
15.	<i>Workshop 1C</i> – We didn't have the opportunity to work in small groups although tables were arranged to provide just the opportunity. I would have welcomed more workshop sessions, shorter lunch break if necessary. I would have been happy to forego the cost of having conference documents in English and Welsh.
16.	Page numbers needed on brochure. Morning group sessions not enough "Group Work".
17.	Balance of Workshops/Plenary – just right.
18.	Location – excellent – easy to find and very pleasant vicinity, good facilities. Refreshments – very good. Food – poor – satisfactory – very heavily bread orientated, good fruit sticks option.
19.	Members should have been asked prior to arriving if they wanted material in English or Welsh as of this document is waste! 1B – too rushed – needed 2 hour slot. 2C – Single Purpose Authorities was poor - Registration on interest was good.
20.	Venue could have been warmer and it would have been nice to have had some form of soft drink save for water. Otherwise – Excellent!
21.	As a new member of the Standards Committee I have found the conference to be extremely helpful.
22.	Da lawn.
23.	Excellent conference pack, well organised and relevant. 2C – This took the form of a presentation with questions rather than a workshop.
24.	It is encouraging to see the degree to which all participants engaged with the issues, are willing to share and learn from good practice.
25.	A useful and informative day. Thank you.
26.	The need for mandatory training per town and community councils on the code is foremost. We have to sign to state we have read this when elected but not all understand. Well Done.
27.	Prior commitment prevented attendance to morning session.
28.	Excellent venue and welcome from staff-organisers. I feel that once again Community Councils were disregarded in view of what they do and achieve re training in Standards.
29.	Excellent – particularly hearings and sanctions.
30.	Excellent conference. Acoustic conditions in workshops not good. Microphones needed. Food excellent.
31.	The workshop in interests wasn't really a workshop with participations.
32.	Conference materials overblown. Shiny paper not good. Papers very difficult to find ones way around. Liked idea of allocating people to tables for workshop sessions.
33.	Really good conference, well done to everyone involved in organising the day.
34.	At my first Standards Conference I found it very interesting and enjoyed hearing from others. The setting of the venue was much enjoyed! It was good to be able to chat to those with so much more experience.
35.	Really useful – lots to think about. Look forward to receiving conference notes.
36.	No further comments required. An informative and enjoyable conference.
37.	Wedi mwynhau'r profiad ac wedi dysgu llawer. Cynhadledd wedi ei threfnu yn dda. Diolch am gael bod yna.
38.	A very good day.
39.	Very enjoyable and good to meet other members. More time for Workshops would be good.
40.	I spent the first few minutes of each session trying to find the slides in the conference pack. Rather confusing – please could it be improved, at least with page numbering.
41.	Gormod o ddeunydd yn sleidiau Gweithdy B. Fformat Gweithdy A yn llawer gwell a mwy rhyngweithiol.
42.	Llongyfarchiadau am y trefniadau ac ar lwyddiant yr achlysur.
43.	The standard of arrangements was well above expectation!!

44.	Very well organised and relevant conference.
45.	Really useful, especially the opportunity to discuss with members of other Standards Committees. Raised a lot of new and interesting issues concerning the role of Standards Committees.
46.	Facilities - Main conference room was dark, black walls (!). Poor lighting. The room was very cold. Doors were left open and I asked several times if door could be closed. The women present sat in their coats. Thoroughly enjoyed and learned a great deal from Workshop Session 1A. Content was thin and I felt a wasted opportunity. Pack not numbered, difficult to follow. I do not eat dairy products not asked dietary requirements before attending.
47.	Diwrnod buddiol - yn bennaf i glywed beth sydd yn mynd ymlaen mewn Awdurdodau eraill.
48	Buddiol iawn.

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**FFORWM PWYLLGORAU SAFONAU GOGLEDD CYMRU
NORTH WALES STANDARDS COMMITTEES FORUM**

**Dydd Llun, 20 Mai 2013 am 2.00 pm
Monday, 20 May 2013 at 2.00 pm**

Bodlondeb, Conwy

Ynys Môn/Isle of Anglesey	Michael Wilson – Cadeirydd/Chair Islwyn Jones – Is-Gadeirydd/Vice-Chair Lynn Ball – Swyddog Monitro/Monitoring Officer Robyn Jones – Dirprwy Swyddog Monitro/Deputy Monitoring Officer
<input type="checkbox"/> Conwy	Howie Roberts - Cadeirydd/Chair (Cadeirydd/Chair) Samuel Adams - Is-Gadeirydd/Vice-Chair Delyth Jones - Swyddog Monitro/Monitoring Officer Ceri Williams – Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Sir Ddinbych/Denbighshire	Ian Trigger - Cadeirydd/Chair Rev. Wayne Roberts - Is-Gadeirydd/Vice-Chair Gary Williams - Swyddog Monitro/Monitoring Officer Lisa Jones - Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Sir y Fflint/Flintshire	Patricia Jones – Cadeirydd/Chair Edward Hughes – Is-Gadeirydd/Vice-Chair Gareth Owens – Swyddog Monitro/Monitoring Officer
Gwynedd	Gwilym Ellis Evans – Cadeirydd / Chair Sam Soysa – Is-Gadeirydd/Vice-Chair Dilys Ann Phillips – Swyddog Monitro/Monitoring Officer Siôn Huws – Swyddog Priodoldeb/Propriety Officer
Wrecsam/Wrexham	Rob Dawson – Cadeirydd/Chair Ceri Nash – Is-Gadeirydd/Vice-Chair Trevor Coxon – Swyddog Monitro/Monitoring Officer Sioned Wyn Davies – Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Awdurdod Tân ac Achub/ Fire and Rescue Authority	Jane Eyton-Jones– Cadeirydd Dros Dro/Acting Chair
Parc Cenedlaethol Eryri/ Snowdonia National Park	Peter Rowland – Cadeirydd/Chair

A G E N D A

1. **Appointment of Vice-Chairman**

2. **Apologies**

3. **Minutes**

To approve as a correct record minutes of the previous meeting.
(Pages 3 - 6)

4. **Standards Conference 2013 – Feedback** (Pages 7 - 9)

5. **Any Other Item**

In the event of the fire alarm being activated, would all Members please vacate the premises through the nearest fire exit.

FOR ASSEMBLY POINTS, please refer to “Actions in the Event of a Fire” notice displayed in the Council Chamber / Medium Committee Room / Meeting Room 3

NORTH WALES STANDARDS COMMITTEES FORUM ITEM 3

Monday, 7 January 2013 at 2.00 pm
Bodlondeb, Conwy

PRESENT:	Howie Roberts (Chair)	Chair - Conwy Standards Committee
	Lynn Ball	Monitoring Officer - Isle of Anglesey
	David Clay (In place of Sam W. Soysa)	Independent Member - Gwynedd Standards Committee
	Trevor Coxon	Monitoring Officer - Wrexham
	Gwilym Ellis Evans	Chair - Gwynedd Standards Committee
	Jane Eyton-Jones	Vice-Chair - North Wales Fire and Rescue Authority Standards Committee
	Sion Huws	Propriety Officer - Gwynedd
	Iwan Jones	Monitoring Officer - Snowdonia National Park
	Delyth E. Jones	Monitoring Officer - Conwy
	Islwyn Jones	Vice-Chair - Isle of Anglesey Standards Committee
	Lisa Jones	Deputy Monitoring Officer - Denbighshire
	Pat Jones	Vice-Chair - Flintshire Standards Committee
	Robyn Jones	Deputy Monitoring Officer - Isle of Anglesey
	Gareth Owens	Monitoring Officer - Flintshire
	Dilys Ann Phillips	Monitoring Officer - Gwynedd
	Rev. Wayne Roberts	Vice-Chair - Denbighshire Standards Committee
	Peter Rowland	Chair - Snowdonia National Park Standards Committee
	Ian Trigger	Chair - Denbighshire Standards Committee
	Gary Williams	Monitoring Officer - Denbighshire
	Michael B. Wilson	Chair - Isle of Anglesey Standards Committee
In attendance:	Sian Harland	Committee Services Officer

57. **APOLOGIES**

Apologies for absence were received from Gary Williams (Denbighshire), Ceri Nash (Wrexham), Sam Soysa (Gwynedd), Ceri Williams (Conwy), Rob Dawson (Wrexham) and Sioned Wyn Davies (Wrexham).

58. **MINUTES**

The minutes of the meeting of the North Wales Standards Committees Forum held on 4 October 2012 were submitted for approval.

Gwilym Ellis Evans (Gwynedd) advised that he was in attendance and that Sam Soysa was a representative of Gwynedd and not Wrexham.

RESOLVED-

That, subject to the above amendments, the minutes of the meeting of the North Wales Standards Committees Forum held on 4 October 2012 be approved as a correct record.

59. GOVERNANCE AND ETHICAL ADVICE TO TOWN AND COMMUNITY COUNCILS

Members were advised that the item had been included on the agenda in order to discuss what provision each Local Authority provided in terms of governance and ethical advice to Town and Community Councils, and how this was communicated and promoted.

The Forum was further advised that the topic would be covered at the Standards Conference 2013.

Wrexham

- Training sessions held centrally and in other areas of the County Borough
- Framework for training was the same guidance as used for County Borough Councillors
- Examples based on Ombudsman's cases were used within the training
- Queries were still received from Town and Community Councils, but this was better than having to deal with an investigation
- Attendance was at 40-50%
- Quarterly meetings had been held with Clerks to Town and Community Councils, but were not well attended
- The knowledge of Clerks in relation to the Code of Conduct was variable

Denbighshire

- Quarterly meetings were held with Town and Community Clerks
- Training had been held for Clerks
- A training roadshow was held with training sessions throughout the County
- There was a 30% attendance rate at meetings
- All training had been positively received
- It was important that lines of communication were kept open between the County and Town and Community Councils

Anglesey

- Very few complaints emanated from Town and Community Councils in relation to the Code of Conduct
- Training sessions were held centrally with the Clerk and Chair of Town and Community Councils, with the understanding that Clerks would cascade the training down to their Councillors

60. **OMBUDSMAN'S REVISED GUIDANCE ON THE CODE OF CONDUCT**

Following the request at the last meeting the Monitoring Officer (Gwynedd), who is also the Chair of ACSeS Wales, provided the following update:-

- The Ombudsman's revised guidance was as a result of the Calver v The Adjudication Panel for Wales High Court case, which had ruled that the Councillor involved had been exercising his Freedom of Expression under the Human Rights Act and had therefore not breached the Code of Conduct as the comments were of a political nature
- Members of the Forum and Monitoring Officers were concerned that the threshold of the revised guidance was set too high, and could give Councillors too much leeway
- Following the above reservations being made to the Ombudsman, he had agreed to review the revised guidance to advise Councillors what was not acceptable behaviour, rather than what was acceptable behaviour
- Monitoring Officers had received a draft copy of the revised guidance, but were concerned it did not go far enough in terms of unacceptable behaviour
- As a way forward a sub-group of ACSeS members were currently producing a form of words for the guidance, which they would discuss with the Ombudsman in March 2013
- It was hoped that the revised guidance would be in place by April 2013

Discussion ensued as follows:-

- Members were advised that it would not change the threshold at which the Ombudsman would investigate a complaint
- It would be a decision of individual Councils to adopt protocol for Local Resolution in relation to complaints, which the Ombudsman would not investigate
- It was noted that the Ombudsman would not pursue an appeal in relation to the Calver case

AGREED-

That the information in relation the Ombudsman's revised guidance be noted.

61. **STANDARDS CONFERENCE 2013**

The draft itinerary for the Standards Conference 2013 was presented to the Forum.

Members were advised of the following changes:-

- The Monitoring Officer (Gwynedd), as the Chair of ACSeS, would open the Conference
- There would be space for 130 attendees

- In order to enable attendees to attend sessions it was agreed that the 2 morning sessions on Town and Community Council Relationships and Promoting Standards Proactively would be repeated in the afternoon
- Conducting Hearings and Sanctions would be facilitated by Denbighshire and Conwy
- Register of Interests would be facilitated by Flintshire and Anglesey
- Issues for Single Purpose Authorities would be facilitated by the Snowdonia National Park

Discussion ensued as follows:-

- Although only certain sessions would be facilitated bilingually, all attendees could contribute in either English or Welsh
- Anglesey had requested that, following the Wales Audit Office's (WAO) criticisms of their Standards Committee, a representative from the WAO and the Welsh Local Government Association (WLGA) be invited to take part for the session; Promoting Standards Proactively
- In relation to the attendance of the Welsh Assembly Members to the Conference, it was suggested that, as there was limited space, the Minister for Local Government and Communities be invited to attend as an observer
- It was suggested that as Conwy were hosting the event, the Chair of the Conwy Standards Committee be invited to give the closing remarks

AGREED-

- (a) That the itinerary for the Standards Conference 2013 be approved, subject to such further amendments as were reasonably required by the North Wales Monitoring Officers.**
- (b) That the Chair for the Conwy Standards Committee give the closing remarks.**
- (c) That the Minister for Local Government and Communities, Carl Sergeant AM, be invited to attend the conference as an observer.**
- (d) That the Wales Audit Office and Welsh Local Government Association be invited to send a representative to participate in the Promoting Standards Proactively Workshop.**

62. **ANY OTHER ITEM**

None.

(The meeting ended at 3.00 pm)

Ffurflen adborth / Feedback form

Os gwelwch yn dda rhowch eich barn am y canlynol: <i>Please give your view on the following:</i>	Ardderchog <i>Excellent</i>	Da <i>Good</i>	Bodddhaol <i>Satisfactory</i>	Gwael <i>Poor</i>
Trefniadau cyn y gynhadledd <i>Pre-conference arrangements</i>	50	21	6	2
Pa mor ddefnyddiol oedd y gynhadledd <i>The usefulness of the Conference</i>	49	28	2	0
Y cyfle i rwydweithio <i>Opportunity for networking</i>	42	30	5	1
Lleoliad/Lluniaeth <i>Location/Refreshments</i>	54	18	3	1
Trefniadau'r gynhadledd <i>The Conference arrangements</i>	55	19	0	1
Deunyddiau'r gynhadledd <i>Conference materials</i>	47	23	8	2
Sesiwn lawn 1 – Peter Tyndall <i>Plenary session 1 – Peter Tyndall</i>	38	34	3	0
Sesiwn lawn 2 – trefn datrys leol <i>Plenary session 2 – local resolution procedure</i>	38	30	0	0
Gweithdy 1A/2A: hyrwyddo safonau <i>Workshop 1A/2A: promoting standards</i>	31	17	1	0
Gweithdy 1B/2B: gwrandawiadau a chosbau <i>Workshop 1B/2B: hearings and sanctions</i>	19	18	6	1
Gweithdy 1C: buddiannau a gollyngiadau <i>Workshop 1C: interests and dispensations</i>	12	9	3	0
Gweithdy 2C: cyngorau cymuned ac un bwrpas <i>Workshop 2C: communities and single purpose</i>	15	8	2	1

Sylwadau pellach / Further comments.

1.	I think we did a good job here in the North. Good balance of presentations and workshops.
2.	Very worthwhile exercise. Informative, lively, information sharing.
3.	Very well organised in all respects.
4.	Very well organised and useful. Well chosen topics. Good venue and good facilities.
5.	Very enjoyable and good Conference.
6.	Should have started at 9 or 9:30. Most stayed overnight or were within 1 hours drive Standards documents too large Perhaps One Voice Wales representative should be invited?
7.	I'd suggest that the Conference should have started earlier in the day. Those that travelled from South Wales probably all stayed the night before. Conference should have finished therefore at 15:30. Conference was excellent.
8.	Diddorol dros ben. Dim digon o drafod/gwaith grŵp yn Gweithdy 1C. Trefniadau da / dwyieithog.
9.	Would have liked longer to discuss Workshop 1A/2A – Promoting Standards.
10.	Would have preferred all the conference materials to be on the web or e-mail. The contents were very heavy to transport and a waste of paper. Could have condensed the day a little to perhaps start at 10:00 to enable us to get home earlier. Would be easier on a midweek day. Good use of bilingual communications.
11.	Found documentation awkward to negotiate.

12.	Generally good – but not as good over the whole range as the last 2/3 annual events have been. Venue (although at the opposite end of Wales for me) was very good.
13.	Nid oedd y brif neuadd yn lleoliad delfrydol ar gyfer y gweithdai (rhy fawr ac amheronol!) At y dyfodol, byddai'n ddefnyddiol pe bai'r dogfennau i aelodau'r gynhadledd gynnwys rhestr o'r holl aelodau, gan nodi pa Gyngor oeddent yn ei gynrychioli.
14.	Cynhadledd wedi ei threfnu'n dda gyda chynnwys ardderchog. Diolch!
15.	<i>Workshop 1C</i> – We didn't have the opportunity to work in small groups although tables were arranged to provide just the opportunity. I would have welcomed more workshop sessions, shorter lunch break if necessary. I would have been happy to forego the cost of having conference documents in English and Welsh.
16.	Page numbers needed on brochure. Morning group sessions not enough "Group Work".
17.	Balance of Workshops/Plenary – just right.
18.	Location – excellent – easy to find and very pleasant vicinity, good facilities. Refreshments – very good. Food – poor – satisfactory – very heavily bread orientated, good fruit sticks option.
19.	Members should have been asked prior to arriving if they wanted material in English or Welsh as of this document is waste! 1B – too rushed – needed 2 hour slot. 2C – Single Purpose Authorities was poor - Registration on interest was good.
20.	Venue could have been warmer and it would have been nice to have had some form of soft drink save for water. Otherwise – Excellent!
21.	As a new member of the Standards Committee I have found the conference to be extremely helpful.
22.	Da lawn.
23.	Excellent conference pack, well organised and relevant. 2C – This took the form of a presentation with questions rather than a workshop.
24.	It is encouraging to see the degree to which all participants engaged with the issues, are willing to share and learn from good practice.
25.	A useful and informative day. Thank you.
26.	The need for mandatory training per town and community councils on the code is foremost. We have to sign to state we have read this when elected but not all understand. Well Done.
27.	Prior commitment prevented attendance to morning session.
28.	Excellent venue and welcome from staff-organisers. I feel that once again Community Councils were disregarded in view of what they do and achieve re training in Standards.
29.	Excellent – particularly hearings and sanctions.
30.	Excellent conference. Acoustic conditions in workshops not good. Microphones needed. Food excellent.
31.	The workshop in interests wasn't really a workshop with participations.
32.	Conference materials overblown. Shiny paper not good. Papers very difficult to find ones way around. Liked idea of allocating people to tables for workshop sessions.
33.	Really good conference, well done to everyone involved in organising the day.
34.	At my first Standards Conference I found it very interesting and enjoyed hearing from others. The setting of the venue was much enjoyed! It was good to be able to chat to those with so much more experience.
35.	Really useful – lots to think about. Look forward to receiving conference notes.
36.	No further comments required. An informative and enjoyable conference.
37.	Wedi mwynhau'r profiad ac wedi dysgu llawer. Cynhadledd wedi ei threfnu yn dda. Diolch am gael bod yna.
38.	A very good day.
39.	Very enjoyable and good to meet other members. More time for Workshops would be good.
40.	I spent the first few minutes of each session trying to find the slides in the conference pack. Rather confusing – please could it be improved, at least with page numbering.
41.	Gormod o ddeunydd yn sleidiau Gweithdy B. Fformat Gweithdy A yn llawer gwell a mwy rhyngweithiol.
42.	Llongyfarchiadau am y trefniadau ac ar lwyddiant yr achlysur.
43.	The standard of arrangements was well above expectation!!

44.	Very well organised and relevant conference.
45.	Really useful, especially the opportunity to discuss with members of other Standards Committees. Raised a lot of new and interesting issues concerning the role of Standards Committees.
46.	Facilities - Main conference room was dark, black walls (!). Poor lighting. The room was very cold. Doors were left open and I asked several times if door could be closed. The women present sat in their coats. Thoroughly enjoyed and learned a great deal from Workshop Session 1A. Content was thin and I felt a wasted opportunity. Pack not numbered, difficult to follow. I do not eat diary products not asked dietary requirements before attending.
47.	Diwrnod buddiol - yn bennaf i glywed beth sydd yn mynd ymlaen mewn Awdurdodau eraill.
48	Buddiol iawn.

North Wales Standards Committees Forum
20th May 2013 - 2:00pm – 3:10pm
Conwy County Borough Council

1. Appointment of Vice Chairman – Mr Gwilym Ellis Evans of Gwynedd was appointed Vice Chair and subsequently chaired the meeting in the absence of Mr Howie Roberts (Chair).
2. Apologies were tendered
3. Minutes of the previous meeting approved
4. Matters Arising - none
5. Conference feedback

The Vice Chair thought it was an excellent conference, very well organised and attended, with something for everyone during the day with the Local Resolutions item being particularly useful. It was felt that the conference had compared well with the previous conference arranged by Cardiff, but the room itself was cold initially, and quite morbid with the black curtains. Delyth explained that the room booked, had become unavailable at the last minute. Literature was considered excellent although could have been consecutively numbered for ease of reference. It was suggested that those members who did not attend could be supplied with copies of the notes and that the minutes of the Forum meeting could include an electronic link reference. The conference had been well attended by members from South Wales. Workshops were excellent, but even though there was an abundance of useful information in the slides, they took too long and as a result there was insufficient time to have a proper discussion at the end. It was felt that workshops were more useful than lectures/talks. The Ombudsman's address was very good as always.

The meeting felt that Conferences should be held every 18 months and not annually and that 2015 would be about right for the next one, in order to avoid repetition and ensure that there were sufficient relevant topics to discuss.

6. Any other Item.

- (i) Delyth referred to a discussion between Dilys Phillips, Trevor Coxon and herself about the usefulness of the present arrangements for the Standards Committees Forum. There was concern about low attendance at the meetings and a need to keep the momentum. Felt that in order to achieve this, combining training with the usual business matters, would be useful. This would allow experiences to be shared. The Monitoring Officers could, in turn, be responsible for the training on a topic of their choice, with meetings being held at the offices of the trainer. It was felt that these meetings should occur three, rather than four times a year, but this is a matter to be discussed at the next meeting, when it will be clearer as to how future

meetings are to be conducted. It was however agreed, that the next meeting will be in Wrexham, towards the end of September, with Trevor Coxon being responsible for the training. Sian Harland will continue to be responsible for the agenda, but local officers to take minutes to save Sian having to travel.

- (ii) A brief discussion took place on Local Resolution. It was suggested that the protocol in this respect should be as simple as possible. Anglesey members reported that their protocol had only been used on one occasion in the past because it was too complicated. In view of this, a reviewed protocol will be presented to the full Council on the 22nd of May 2013. An informal approach will be adopted in the future with Group Leaders, although invited, not being obliged to attend. Initially, the emphasis will be on mediation with a short timetable to avoid relationships festering. If the matter remains unresolved, a referral to the Ombudsman will be made.

The Standards Committee is available for dispute resolutions in Gwynedd, but very rarely used.

- (iii) It was agreed that it would be useful for Monitoring Officers to feedback to the Forum after their meetings and that a Monitoring Officers Report should be included on the agenda from now on.

PAPUR / ENCLOSURE
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ISLE OF ANGLESEY COUNTY COUNCIL

MEETING:	County Council
DATE:	23 May 2013 @ 11am
TITLE:	Annual Report of the Chair of the Standards Committee
REPORT BY:	Michael Wilson, Chair of the Standards Committee & Co-opted Member of the Council
PURPOSE OF REPORT:	To Report on the Activities of the Standards Committee in 2012-11 and to secure Council Approval for the Committee's Programme for 2013-14
CONTACT OFFICER:	Lynn Ball, Head of Function Legal and Administration/ Monitoring Officer (ext 2568)

1. At its meeting on the 10th May 2012 the County Council resolved to approve the Standards Committee's Programme for 2012/13. The original Programme identified proposed areas of work, timetable and resources. This document is reproduced at **ENCLOSURE A** to this Report and has been updated to include the work which has since been delivered.
2. The Auditor General published a Report in July 2009 which, among other issues, recommended that the Standards Committee take on a more active role in raising the standard of Member conduct, rather than confining itself to the delivery of strict statutory requirements. Effectively, more prevention and less cure.
3. To achieve this objective, the current Programme and its recent predecessors, were designed to support the Council in delivering its recovery, with an emphasis on self-regulation through Member development and on the Standards Committee providing advice / guidance to resolve disputes, where possible and where appropriate, within the Council rather than through external regulators.
4. The most important element in achieving this objective was the establishment of a comprehensive Annual Member Development Plan, specifically tailored to meet the needs of the Council and its Members. Instrumental in this was the Member Development Working Group (MDWG), which included Members, Officers and representation from the Standards Committee. In addition, the MDWG reported its progress and outcomes to the Standards Committee every quarter.

5. Member support for the original Plan was largely encouraging. It was clear, though, that this support waned as the term of the last Council drew to a close.
6. The work of the MDWG, together with the assurance role undertaken by the Standards Committee, has now transferred to the Democratic Services Committee. On the 18th February 2013 I met with the Chair of the Democratic Services Committee, together with Officers, to share the Standards Committee's concern about the lack of commitment by some Members to their own personal development, and requested that the Democratic Services Committee review, and if necessary address, this issue on a regular basis after May 2013.
7. A report appears elsewhere on this Agenda setting out the proposed Member Development Plan for 2013/14. This Plan has the full support of the Standards Committee and I would urge Members not only to adopt the Plan but to support it through attendance, feedback and evaluation and to address the issue of their personal development and training in the publication of their individual Annual Reports.
8. The MDWG was also responsible for rolling out job descriptions and person specifications to all Members and piloting development reviews for all Members. This initiative, as part of the process of achieving Member Charter status, was well supported and will now continue under the auspices of the Democratic Services Committee. The Standards Committee would like to take this opportunity to thank the Council's Senior HR Development Officer for the significant work which she undertook in supporting Members through the process and keeping the Standards Committee informed. Similarly, the Standards Committee is grateful for the advice provided by the Organisational and Personal Development Advisor at the Welsh Local Government Association
9. In addition to the focus on Member development, the Standards Committee has undertaken an advisory role under the Council's Protocol for Self-Regulation; being the mechanism whereby internal disputes, falling below the Ombudsman's threshold for investigation, may be resolved locally. Having reviewed the current Protocol, the Standards Committee has put forward recommendations for improvements, particularly by creating direct accessibility by any Member, rather than just Group Leaders. The proposed new Protocol appears elsewhere on this Agenda. Where possible, Members are asked to rely on the new Protocol as an informal method of resolving problems and avoiding escalation.
10. While there were four suspensions and one disqualification of County Council Members during the lifetime of the last Council, the Standards Committee received a Report on the 31st October 2012 which indicated that the number of conduct complaints lodged with the Ombudsman was reducing. In an effort to maintain this downward trend, the Standards Committee would urge new and returning Members

to actively support the concepts of their own personal development, and local resolution, as the most effective methods of achieving sustained improvements.

RECOMMENDATION:-

1. To note the Programme delivered by the Standards Committee between April 2012 and May 2013 and
2. To endorse the Standards Committee's Programme for 2013/14 as outlined in **ENCLOSURE B**

ATODIAD / ENCLOSURE
A

STANDARDS COMMITTEE WORK PROGRAMME – APRIL 2012 TO MAY 2013

	TIMETABLE	RESOURCES	STATUS AS AT YEAR END
1.	To conduct hearings into alleged breaches of the Members' Code of Conduct following referrals from the Public Services Ombudsman for Wales (PSOW).	<ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • 15/5/2012 Case Tribunal of the Adjudication Panel for Wales begins hearing, resulting in 12 month suspension of a County Councillor. No appeal. Indemnity voided. • 12/6/2012 Standards Committee hearing resulting in a finding of breach and suspension of County Councillor for 6 months. Appeal filed. • 16/8/2012 Standards Committee begins hearing resulting in complaint dismissed. Costs payable by the Council under indemnity granted by the Indemnities Sub-Committee • 11/10/2012 – Appeal Tribunal of the Adjudication Panel for Wales appeal hearing against the decision of the Standards Committee on 12/6/2012. Appeal dismissed. Suspension stands. No indemnity sought.

				<ul style="list-style-type: none"> • 11/12/2012 Show cause hearing of a complaint against a Community Councillor. Matter referred to full hearing. • 7/3/2013 Standards Committee hearing into complaint against a Community Councillor. Partially upheld. Censure applied. Statutory publication in abeyance pending election.
2.	To conduct hearings into applications for dispensations.	<ul style="list-style-type: none"> • As and when applications are received 	<ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • 25/7/2012 Dispensation Panel of the Standards Committee. Seven applications (some conditional) granted to Members of Beaumaris Town Council. • 31/10/2012 Dispensation Panel grant application for dispensation to a County Councillor
3.	To undertake an advisory role in connection with matters arising under the Council's Protocol for Self Regulation, or its successor.	<ul style="list-style-type: none"> • As and when requested 	<ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • 1/10/2012 Informal Panel convened under Self Regulation Protocol. Complaint rejected. Some recommendations to the parties • 29/10/2012 Informal dispute resolution (outside the Protocol) conducted by Chair of Standards Committee.

				<p>Concluded 25/1/2013.</p> <ul style="list-style-type: none"> • 31/1/2013 Following two reviews of Self Regulation Protocol, Panel of the Standards Committee meets to draft new Local Resolution Protocol. • 14/2/2013 Chair and Vice Chair of the Standards Committee meet with Group Leaders to agree new Local Resolution Protocol. • 30/3/2013 Consultation with all Members on new Local Resolution Protocol closes. • 23/5/2013 New Local Resolution Protocol receives full Council approval.
<p>4. To oversee the Member Development Plan, to include:-</p> <ul style="list-style-type: none"> • Ongoing training for the Standards Committee 	<ul style="list-style-type: none"> • As required 	<ul style="list-style-type: none"> • HR Manager • WLGA • Monitoring Officer • Deputy Monitoring Officer • Corporate Information Officer 	<ul style="list-style-type: none"> • Review published decisions – All Standards Committees and Adjudication Panel for Wales on: 25/7/12 31/10/12 10/12/12 13/3/13 	

	<ul style="list-style-type: none"> • Consideration and preparation for induction and training of intake of Councillors in 2013 • Training to target specific needs of those sanctioned by the Adjudication Panel for Wales (APW) or the Standards Committee 	<ul style="list-style-type: none"> • Before May 2013 • As required 	<ul style="list-style-type: none"> • HR Manager • WLGA • Monitoring Officer • Deputy Monitoring Officer • Corporate Information Officer • HR Manager • WLGA • Monitoring Officer • Deputy Monitoring Officer • Corporate Information Officer 	<ul style="list-style-type: none"> • North Wales Standards Committee Forum: <ul style="list-style-type: none"> 17/7/2012 4/10/2012 7/1/2013 20/5/2013 • 19/4/13 All Wales Standards Conference <ul style="list-style-type: none"> • promoting standards proactively • conducting hearings and sanctions • register of interests and dispensations • local resolution procedures • standards issues for town and community councils • Responsibility passed to the Democratic Services Committee • Standards Committee acts as consultee on the 2013/14 Plan to be considered by Council on 23/5/2013 • None required during the period
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5.	To participate in and receive reports from the Member Development Working Group.	<ul style="list-style-type: none"> Quarterly 	<ul style="list-style-type: none"> HR Manager WLGA Monitoring Officer 	Reports received: <ul style="list-style-type: none"> 25/7/2012 31/10/2012 11/12/2012 13/3/2013 Member Development Working Group dissolved. Responsibility passes to Democratic Services Committee
6.	To supervise the two Registers of Members' Interests by annual reviews followed by advice and guidance, if appropriate.	<ul style="list-style-type: none"> By the end of 2012 	<ul style="list-style-type: none"> Monitoring Officer Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> 31/10/2012 Consultation with all Members on amended form for declarations in meetings begins 24/1/2013 and ends 15/2/2013 Revised form introduced on the recommendation of the Standards Committee on 18/2/2013 Process and outcomes reported to the All Wales Standards Conference on 19/4/2013
7.	To supervise the Register of Gifts and Hospitality by annual reviews followed by advice and guidance, if appropriate.	<ul style="list-style-type: none"> By the end of 2012 	<ul style="list-style-type: none"> Monitoring Officer Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> 31/10/2012 Process and outcomes reported to the All Wales Standards Conference on 19/4/2013
8.	To undertake the role of consultee on any proposed changes to the Constitution which would disproportionately prejudice the rights or interests of any minority group.	<ul style="list-style-type: none"> As and when required 	<ul style="list-style-type: none"> Monitoring Officer Chief Executive 	<ul style="list-style-type: none"> Complaints Management Project (including signposting for members)

				<ul style="list-style-type: none"> • 25/7/2012 • 31/10/2012 • 13/3/2013 • 31/10/2012 Draft Protocol for Multi Member Wards • 11/12/2012 Housing Allocations Policy and the role of Members • 11/12/2012 Planning Procedure Rules outcome of 12 month pilot • 13/3/2013 <ul style="list-style-type: none"> • Constitutional changes • Indemnities Policy • New Local Resolution Protocol / approve consultation • Planning Procedure Rules - Multi Member Wards • Protocol for Social Media in Meetings
9.	To undertake the role of consultee in connection with any draft guidance/protocols etc issued by the PSOW in connection with the Members' Code of Conduct / Protocol for Local Resolution etc.	<ul style="list-style-type: none"> • As and when required 	<ul style="list-style-type: none"> • Monitoring Officer 	<ul style="list-style-type: none"> • 25/7/2012 Consultee on the Welsh Government's Whitepaper on Promoting Local Democracy (Standards Committee related issues) • 31/10/2012 Review of the Code of Conduct and recommendation for

<p>compulsory training (agreed by Executive 18/2/2013 and approved by Council 5/3/2013)</p> <ul style="list-style-type: none"> • 1/10/2012 Informal Panel convened under Self Regulation Protocol. Complaint rejected. Some recommendations to the parties. • 29/10/2012 Informal dispute resolution (outside the Protocol) conducted by Chair of Standards Committee. Concluded 25/1/2013. • 31/10/2012 Review Code of Conduct Guidance from the PSOW issued September 2012 - Circulated to Members and all Town and Community Councils • 31/1/2013 Following two reviews of Self Regulation Protocol, Panel of the Standards Committee meets to draft new Local Resolution Protocol. • 14/2/2013 Chair and Vice Chair of the Standards Committee meet with Group Leaders to agree new Local Resolution Protocol. 			
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				<ul style="list-style-type: none"> • 30/3/2013 Consultation with all Members on new Local Resolution Protocol closes. • 23/5/2013 New Local Resolution Protocol receives full Council for approval.
10.	Following consultation with Members, to oversee the publication of all Members' Declaration Forms on the Council's website and to ensure that the facility is publicised.	<ul style="list-style-type: none"> • Dates to be agreed with ICT 	<ul style="list-style-type: none"> • Head of Service (ICT) • Monitoring Officer 	<ul style="list-style-type: none"> • Progress Reports received • All three registers to be available to the public on the Council's website from June 2013 • Section 81 Register (pre-registration) to be available interactively for Members from June 2013 <ul style="list-style-type: none"> • 25/7/2012 • 31/10/2012 • 13/3/2013
11.	Subject to consultation with Members, to make recommendations for more information to be published on the Council's website (including information about allowances, expenses, attendance records and training hours).	<ul style="list-style-type: none"> • Before May 2013 	<ul style="list-style-type: none"> • Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • Responsibility passed, subject to outstanding statutory regulations, to Head of Democratic Services under Members' Annual Reports
12.	The Chair of the Standards Committee to present an annual report to the full Council outlining the work of the Standards Committee during the previous year.	<ul style="list-style-type: none"> • May 2013 	<ul style="list-style-type: none"> • Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • 23rd May 2013
13.	To recommend a new Protocol for Member / Officer Relations.	<ul style="list-style-type: none"> • Before May 2013 	<ul style="list-style-type: none"> • Monitoring Officer • Solicitor to Monitoring 	<ul style="list-style-type: none"> • Draft out to consultation with Members and Officers between

			Officer	<p>10th October 2012 and 27th November 2012</p> <ul style="list-style-type: none"> Recommended by the Executive 18th February 2013 Approved by Council 5th March 2013 Implementation 3rd May 2013
14.	Miscellaneous	<ul style="list-style-type: none"> Before May 2013 	<ul style="list-style-type: none"> Monitoring Officer Solicitor to Monitoring Officer 	<ul style="list-style-type: none"> Review status of conduct complaints to the PSOW Review decisions of the PSOW Review Adjudication Panel decisions <ul style="list-style-type: none"> 13/03/2012 25/07/2012 31/10/2012 11/12/2012 31/10/2012 Consider PSOW's Annual Report and analyse performance of Ynys Môn Members. Meetings with group leaders on 20/12/2012 14/2/2013 Meeting of Chair of Democratic Services Committee on 18/2/2013 Report quarterly performance indicators <ul style="list-style-type: none"> 19/7/12 30/10/12 10/1/13 25/4/13

				<ul style="list-style-type: none"> • Relationships between Members and political groups <ul style="list-style-type: none"> a) Compliance with new Constitutional arrangements to be considered by the full Council on the 10th May 2012: and subject to Ministerial approval • The effectiveness of the Council's Standards Committee <ul style="list-style-type: none"> a) Conduct a preliminary hearing within 6 weeks following referral from the PSOW or following decision of Indemnities Sub Committee b) Conduct hearings into applications for dispensations within one month of receipt c) Review the two Registers of Members' Interests followed by advice and guidance, if appropriate d) Supervise the Register of Gifts and Hospitality followed by advice and guidance, if appropriate e) Establish meetings of the Standards f) Review Members' Training Plan
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and, attendance at training etc
Committee to review policies
relevant to its remit

- **Standards of conduct and
behaviour by Members and
Officers**

- a) Compliance with Protocol for
Self Regulation adopted by the
County Council 4.3.10 or its
successor, the local resolution
procedure, once published by the
PSOW
- b) Quarterly reports to Standards
Committee
- c) Signed job descriptions and
person specifications received by
Monitoring Officer
- d) Completed enhanced CRB
forms received by HR
- e) PDR interviews taken place
and pro-forma's received by HR
- f) To adopt and comply with any
guidance issued by WG/PSOW,
including the recommended cap
- g) To fully co-operate in local
investigations by the Monitoring
Officer in accordance with the
PSOW's new referrals guidance

STANDARDS COMMITTEE WORK PROGRAMME – MAY 2013 TO APRIL 2014

		TIMETABLE	RESOURCES	STATUS AS AT YEAR END
1.	To conduct hearings into alleged breaches of the Members' Code of Conduct following a referral from the Public Services Ombudsman for Wales (PSOW)	<ul style="list-style-type: none"> As and when referrals are made and in accordance with the performance indicator 	<ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer 	
2.	To conduct hearings into applications for Dispensations made by County Councillors and Town/Community Councillors	<ul style="list-style-type: none"> As and when referrals are made and in accordance with the performance indicator 	<ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer 	
3.	To undertake an advisory role in connection with any matters arising under the Council's Local Resolution Protocol, or its successor in the event that a national model is developed	<ul style="list-style-type: none"> As an when requested 	<ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer 	
4.	To oversee training and development on the Members' Code of Conduct in accordance with paragraph 2.4(e) of the Code; to include training and development for Town and Community Councils.			
5.	To supervise the two Registers of Members'	<ul style="list-style-type: none"> By the end of 	<ul style="list-style-type: none"> Monitoring Officer 	

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	Interests by annual reviews followed by any necessary advice and guidance.	April 2013	<ul style="list-style-type: none"> Deputy Monitoring Officer 	
6.	To supervise the register of Gifts and Hospitality by annual reviews followed by any necessary advice and guidance	<ul style="list-style-type: none"> By the end of April 2013 	<ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer 	
7.	To undertake the role of consultee on any proposed change to the Constitution relevant to the role of the Standards Committee and especially where such proposed changes might disproportionately prejudice the rights and interests of any minority group.	<ul style="list-style-type: none"> As and when required 		
8.	To undertake the role of consultee on any proposed legislative/policy changes relevant to the Standards Committee's area of responsibility.	<ul style="list-style-type: none"> As and when required 	<ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer 	
9.	To make any recommendations to the Council for improvements in those areas of work which relate to the Standards Committee.			
10.	The Chair of the Standards Committee to present an annual report to the Council outlining the work of the committee during the previous year.			
11.	To ensure that the knowledge and skills of the Standards Committee are developed and updated by:- <ul style="list-style-type: none"> regular reviews of decided cases from <ul style="list-style-type: none"> other relevant authorities 			

	<ul style="list-style-type: none"> o Adjudication Panel for Wales - to participate and contribute on the North Wales Standards Committee Forum - to participate and contribute to the All Wales Standards Committee Conference 			
12.	To monitor progress on Member complaints filed with the PSOW and to undertake an annual analysis of complaints data in relation to Ynys Mon County Council in order to identify trends/issues of concern/training needs.			
13.	To maintain contact with Group Leaders, through regular informal meetings, in order to discuss issues of concern/common interest.			
14.	<p>Report quarterly performance indicators</p> <ol style="list-style-type: none"> 1. Relationship between Members and Political Groups. 2. The effectiveness of the Council's Standards Committee 3. Standards of conduct and behaviour of Members 			

12. STANDARDS COMMITTEE ANNUAL REPORT 2012-13

Submitted - A report by Mr Michael Wilson, Chair of the Standards Committee on the Standards Committee Annual Report 2012-13.

Members took the opportunity of thanking the Standards Committee for their work over the last twelve months.

RESOLVED to note the activities of the Standards Committee for 2012-13 and to approve its work programme for 2013-14.

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	Executive Committee
Date	22 April 2013
Subject	To introduce a Social Media Protocol intended to regulate the use of social media by Elected Members in their official and private capacities. The Protocol also covers the use of Social Media during meetings by the Public.
Portfolio Holder(s)	Councillor John Chorlton
Lead Officer(s)	Head of Function Legal and Administration / Monitoring Officer Corporate Information Officer
Contact Officer	Huw Pierce Pritchard (x1806)
Nature and reason for reporting	
<p>This report introduces a draft Social Media Protocol for Members, which is intended to regulate the use of social media by Elected Members in their official and private capacities.</p> <p>Inappropriate use of social media by Elected Members could result in breaches of the Code of Conduct. Therefore, it is important that Elected Members recognise the risks associated with social media and ensure that they do not use social media in a way which breaches the Code of Conduct. In this regard, it is intended that the Council's Standards Committee will have regard to the Protocol when determining an allegation of a breach of the Code of Conduct involving the use of social media.</p> <p>The Council does not currently have a policy on the use of Social Media by the public during meetings.</p>	

A – Introduction / Background / Issues
<p>Social media can play an important part in the operation of a democratic society by offering positive opportunities for the Council and its Elected Members to engage with the citizens of Anglesey. Elected Members can also effectively use social media to interact with constituents and support local democracy. Social media presents the</p>

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Council with opportunities and challenges.

It is recognised that the absence of a definitive position statement on the use of social media by Elected Members and the public during meetings has resulted in a degree of uncertainty on what constitutes an acceptable response to issues such as the filming of meetings by the public.

The protocol is intended to set out clearly how Elected Members ought to interact with social media, both as County Councillors and private individuals. The protocol also relates to the use made of social media by members of the public who attend meetings of the Council, Executive and other committee meetings. The protocol also refers to the rights of the Media to use social media in Council meetings.

B - Considerations

The issue of permitting the use of social media during council meetings by journalists and the public in Wales is part of an ongoing discussion. Recently a campaign to raise awareness of the issue was organized by the Daily Post.

The Welsh Minister for Local Government and Communities has recently written to Welsh local authorities to express his support for improving transparency of proceedings by promoting online access.

The Protocol is intended to be as permissive as possible. This will ensure that the public's expectations concerning the use of Social Media during meetings will not be frustrated and that Elected Members will be able to engage with their constituents through Social Media.

C – Implications and Impacts

1	Finance / Section 151	No comments received
2	Legal / Monitoring Officer	The author of the Protocol reports to the Monitoring Officer. The Protocol contains legal advice.

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C – Implications and Impacts		
3	Human Resources	Not applicable
4	Property Services (see notes – separate document)	Not applicable
5	Information and Communications Technology (ICT)	Comments have been received and included.
6	Equality (see notes – separate document)	The Protocol will not have a differential impact upon any of the groups protected under the Equality Act 2010.
7	Anti-poverty and Social (see notes – separate document)	Not applicable
8	Communication (see notes – separate document)	Comments have been received and included.
9	Consultation (see notes – separate document)	The Protocol was presented to the Standards Committee on 13 March 2013. Comments about the Protocol were supportive.
10	Economic	Not applicable
11	Environmental (see notes – separate document)	Not applicable
12	Crime and Disorder (see notes – separate document)	Not applicable
13	Outcome Agreements	Not applicable

CH - Summary
The Council does not currently have a policy statement on the use of Social Media by Elected Members or the Public. The adoption of the Protocol by the Full Council will provide guidance on the use of Social Media by Elected Members, particularly in

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areas which could constitute a breach of the Code of Conduct.

The Protocol:

- Permits the use of Social Media by the public during meetings.
- Permits the use of Social Media by the Press during meetings.
- Prohibits the use of Social Media by Members during meetings.
- Establishes guidelines for the effective use of Social Media by Members

D - Recommendation

To recommend to the full Council that the Social Media Protocol is adopted.

Name of author of report: Huw Pierce Pritchard

Job Title: Corporate Information Officer

Date: 2 April 2013

Appendices:

Copy of the Social Media Protocol

Background papers

None

1. Introduction

1.1 Definition of social media

1.1.1 Social media is a collective term used to describe online media which offer easy ways to publish content online and also to facilitate and participate in online conversations, which may invite the posting of comments or contributions or otherwise invite discussion.

1.1.2 Social media can involve social networks (eg. *Facebook*); professional networks (eg. *LinkedIn*); content communities sites (eg *Flickr* and *Youtube*); blogs (eg. via sites such as *Wordpress* and *Blogger*); micro-blogging sites (eg. *Twitter*). Social media can be accessed by a variety of digital equipment, such as laptops, smart-phones and tablets, which can also be used to capture audio-visual information.

1.2 Scope

1.2.1 This protocol is intended to set out clearly how Elected Members ought to interact with social media, both as County Councillors and private individuals. The protocol also relates to the use made of social media by members of the public whom attend meetings of the Council, Executive and other committee meetings. It is recognised that the absence of a definitive position statement on the use of social media by Elected Members and the public during meetings has resulted in a degree of uncertainty on the part of Chairs concerning an acceptable response to issues such as the filming of meetings by the public. It is therefore intended that the Protocol provides guidance concerning the permissible use of social media for Chairpersons during meetings.

1.2.2 The Protocol does not relate to Officers of the Council who are covered by separate ICT policies.

1.2.3 The use of social media by Elected Members is covered by part 2.1 of the Protocol. The use of social media by Elected Members during meetings is discussed in 2.1.5.

1.2.4 The use of social media by members of the public during meetings is covered by part 2.2 of the Protocol.

1.3 Background

1.3.1 Social media can play an important part in the operation of a democratic society by offering positive opportunities for the Council and its Elected Members to engage with the citizens of Anglesey. For example, social media can be an efficient and cost effective way for the Council to keep in touch with residents and businesses. Elected Members can also effectively use social media to interact with constituents and support local democracy. It has been demonstrated that, when used effectively, social media can engage those who would not otherwise participate in local politics or interact with their Elected Members.

- 1.3.2 It is apparent that the use of social media also presents the Council and its Elected Members with certain risks and challenges. In particular, the use of social media by Elected Members can potentially result in breaches of the Code of Conduct. Therefore, it is important that Elected Members recognise the risks associated with social media and ensure that they do not use social media in a way which breaches the Code of Conduct.
- 1.3.3 It is intended that the Council's Standards Committee will have regard to the Protocol when determining allegations of breach of the Code of Conduct involving the use of social media.

2 Social Media and the Council

2.1 Use of social media by Elected Members

- 2.1.1 It is likely that the use of social media by Elected Members may include participation in Council sponsored media, such as a Leader's Blog; use made in a private, or seemingly private, capacity through a private account; anonymous participation with, or contribution to blogs, forums or other social media sites.
- 2.1.2 Members are bound by the terms and conditions of the individual social media sites. In addition, Members should recognise that their use of social media could be covered by the Code of Conduct, and it is likely that any failure to comply with the law and user agreements of the sites could constitute a breach of the Code of Conduct. In particular, Members should also avoid using social media in a way which suggests bias and predetermination.
- 2.1.3 In addition to issues covered by the Code of Conduct, Members are reminded that their use of Social Media can have implications in general law, which for an Elected Member may have serious consequences.
- 2.1.4 It is suggested that the potential difficulties arising from the use of social media can be avoided if the information published by Members is objective, balanced, informative and accurate. The effects of publishing information online can be long lasting, as access to online published content is pervasive and effectively published in perpetuity.
- 2.1.5 Members should not use social media during meetings. The restriction extends both to making contemporaneous comments on other individuals or issues and accessing social media during meetings.
- 2.1.6 In addition, Members should seek to avoid giving others the impression that they are not fully attending to the proceedings of a meeting. This can be done by ensuring that mobile devices are used sparingly and discreetly during meetings.
- 2.1.7 Members should avoid using mobile devices to send or receive information which is not connected with the matters under consideration in the meeting. Use made of mobile devices to send or receive private messages or email during meetings ought to be reasonable and discreet. Chairs should reprimand any Member whose use of mobile devices during meetings is deemed to be excessive.

2.1.8 The following paragraphs of the Code of Conduct will apply to the use of social media and other online behaviour. The rights of Members under Articles 8 and 10 (Schedule 1) of the Human Rights Act 1998 have been considered.

2.1.8.1 Paragraph 5.4 (a) *“carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion”*;

Members should ensure that their use of social media does not breach the Council’s principles of equality. Discriminatory statements are also likely to be unlawful.

2.1.8.2 Paragraph 5.4 (b) *“show respect and consideration for others”*

Members should be aware that whilst political comments and the expression of political opinions and arguments are not stifled by the Code of Conduct, it is likely that personal remarks aimed at an individual could be seen as disrespectful and could constitute a breach of the Code.

Members are reminded that their use of social media could result in the libel of another individual. This also applies if a Member with a personal social media site allows any individual to publish libellous content on it.

2.1.8.3 Paragraph 5.4 (c) *“not use bullying behaviour or harass any person”*

Members should be cautious when making personal comments about individuals and social media should never be used to review and discuss the performance of Council staff. The Council will not tolerate any anonymous use by Members of social media which is deemed to bully or harass any person.

Members who maintain a blog or networking site (such as Twitter) should be aware that the comments of others on those sites could be attributed to the Member by association. Members should ensure that defamatory or obscene comments are removed from their personal sites.

2.1.8.4 Paragraph 5.5 (a) *“disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so”*

Members should always be certain that information they discuss or disclose on social media sites is not confidential and that it is proper to do so. Members should remember that information placed on a website, whether anonymously or not, which could only have been obtained by a Member is likely to fall under the Code.

Members should never publish the personal data of individuals on social media sites in breach of the Data Protection Act 1998.

Members should avoid breaching copyright by publishing images or text on a social media site which is the intellectual property of another person.

2.1.8.5 Paragraph 10 (2)(c)(1) Personal interests: *“or any person with whom you have a close personal association”*

Various terms are used to define online contacts and associations on various social media sites. These terms include ‘friends’ (*Facebook*) and ‘followers’ (*Twitter*). Members should be aware that any person they include as a contact on social media sites could be regarded, for the purposes of the Code of Conduct, as a close personal associate. Members should be cautious that their use of social media sites does not give the perception that a conflict of interests exists. It is advisable that Members, when creating their own content on social media sites, seek to emphasise the distinction between business content and pages containing personal content .

2.1.8.6 Paragraph 12 (1) Prejudicial interests: *“...a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest”.*

Members should be cautious that their use of social media sites does not give the perception that they have a prejudicial interest in any matter.

2.1.9 Elected Members are bound by the Code of Conduct if they use social media to conduct Council business or are representing the Council. However, an Elected Member could be open to allegations that he / she acted in breach the Code of Conduct if the use made of social media was inappropriate and that he / she was not conducting official business, but merely claiming or giving the impression that he / she was acting in an official capacity.

2.1.10 Anonymous use of social media by Members can also lead to a breach of the code where it can be demonstrated that a Member uploaded the site content and that they were acting in their capacity as a member.

2.1.11 In order to determine whether a Member was acting in an official capacity, it would be necessary to consider the context of a Member’s use of social media, taking into account such factors as:

- a. The public profile of a Member, which can result in a reasonable assumption being made that the Member was acting as a County Councillor;
- b. The privacy settings on the social media site or blog. It is a Member’s responsibility to ensure that appropriate privacy settings are in place. If constituents can access a Member’s posts they may make the reasonable assumption that the Member is acting in an official capacity;
- c. Members should seek to enable other users of social media to avoid any misunderstanding over the official status, or otherwise, of the Member’s contributions.

2.1.12 Members should avoid discussing Council business on a personal social media site, or make remarks about others. It is not adequate for Members to subsequently claim that any disputed posts were made in a private capacity.

2.2 Use of social media by the public during meetings of the Council

2.2.1 The Council acknowledges the cultural shift towards permitting the use of social media in public life. The Council will therefore permit the use of social media by the public during its meetings provided that the use is unobtrusive and does not disrupt the meeting. The Protocol does not affect the obligations of the Chair to ensure and maintain the good order of the business meeting.

2.2.2 The Council reserves the right to request that members of the public switch off digital equipment if its operation interferes with the operation of the Council's audio-visual equipment or other systems.

2.2.3 The Council tolerates the use by the public of digital media, such as smart-phones, to film its meetings, provided that the use is unobtrusive and does not disrupt the meeting. It is the responsibility of any member of the public that makes use of social media to comply with the law.

2.2.4 It is likely that filming of meetings by the Media may be considered to be more obtrusive and disruptive to the meeting, because of the nature of the digital equipment used. The Council reserves the right to refuse a request by the Media to film meetings, but will permit filming prior to the commencement of any meeting by prior arrangement.

2.2.5 Digital equipment ought not to emit any obtrusive noise which could disrupt meetings. The public ought not to answer telephone calls during meetings, as this is likely to disrupt the meeting. Chairs must advise the public attending meetings of the need to ensure that their digital equipment is set to silent.

8. CHANGES TO THE CONSTITUTION - CREATION OF A PROTOCOL FOR SOCIAL MEDIA IN MEETINGS

Reported - That the Executive upon consideration of the above at their meeting on 22 April, 2013 had resolved as follows :-

“To recommend to full Council that the Social Media Protocol be adopted and incorporated within the Constitution and that authority be given to Officers to make any consequential amendments to the Constitution.”.

RESOLVED to endorse the Executive’s recommendation in this respect.

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ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	Standards Committee, The Executive & Full Council
Date	Standards Committee 13.03.13 Executive 22.04.13 Full Council 23.05.13
Subject	To Make Changes to the Planning Procedure Rules (Section 4.6 of the Constitution) Ahead of Multi-Member Wards following the 2103 Elections
Portfolio Holder(s)	Formerly Councillor Robert Lloyd Hughes
Lead Officer(s)	Head of Service (Planning and Public Protection) Legal Services Manager
Contact Officer	Robyn Jones (x2134)
Nature and reason for reporting	
<p>1.1 To make changes to the Constitution, section 4.6: Planning Procedure Rules, to take into account multi-member wards after the 2013 County Council elections.</p> <p>1.2 The Executive is asked to make a recommendation to the full Council in respect of the proposed changes and the full Council is asked to take a decision to make those changes as shown in the Appendix to this report. The Standards Committee is consulted on the proposal.</p>	

A – Introduction / Background / Issues
<p>2.1 The 2013 County Council elections will bring into being 11 multi-member wards.</p> <p>2.2 The move to multi-member wards affects the Planning Procedure Rules ('the Rules') at section 4.6 of the Council's Constitution</p> <p>2.3 The Rules have been reviewed to take into account the move to multi-member wards and the proposed changes are set out and tracked in the Appendix to this report.</p>

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B - Considerations
<p>3.1 The changes are intended to be as permissive as possible. They will allow any 'local member' for a new ward to call-in a planning application the site of which is located in that ward to the Planning and Orders Committee and they will allow any local member for that ward to speak at Committee on that called-in application as a local member.</p> <p>3.2 A number of consequential and other minor changes are made as shown on the attached Appendix.</p>

C – Implications and Impacts		
1	Finance / Section 151	No comments received
2	Legal / Monitoring Officer	The Committee's legal adviser is a co-author of the report and the legal view is expressed in it
3	Human Resources	Not applicable
4	Property Services (see notes – separate document)	Not applicable
5	Information and Communications Technology (ICT)	Not applicable
6	Equality (see notes – separate document)	These changes will not have a differential impact on any of the groups protected under the Equality Act 2010.
7	Anti-poverty and Social (see notes – separate document)	Not applicable
8	Communication (see notes – separate document)	No comments

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C – Implications and Impacts		
9	Consultation (see notes – separate document)	The matter has been brought to the attention of elected members through correspondence and the report and Appendix were presented to the Standards Committee. Comments received will be reported verbally.
10	Economic	Not applicable
11	Environmental (see notes – separate document)	Not applicable
12	Crime and Disorder (see notes – separate document)	Not applicable
13	Outcome Agreements	Not applicable

CH - Summary
<p>4.1 Post-election May 2013:</p> <p>4.1.1 To allow any of the local members for a new ward to ‘call-in’ to the Planning Committee a planning application situated in that ward.</p> <p>4.1.2 To allow all of the local members for a new ward to speak as local member (if they wish) at the Planning Committee on a planning application situated in that ward.</p> <p>4.1.3 To make the above changes and other minor and consequential changes to the Constitution at section 4.6 as shown on the Appendix to this Report.</p>

D - Recommendation
<p>5.1 The recommendations are as follows:</p>

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To the Executive:

5.2 To recommend to the full Council that the changes to the Rules in the Council's Constitution as detailed in the the Appendix to this report are made.

To the Full Council:

5.3 To make the changes to the Rules in the Council's Constitution as detailed in the the Appendix to this report, and

5.4 To delegate to the Head of Function (Legal and Administration) the power to make the necessary changes to the Constitution to implement the Council's decision.

Name of author of report: Robyn W. Jones

Job Title: Legal Services Manager

Date: 19 February 2013

Appendices:
Copy of the Rules showing the proposed amendments.

Background papers
None.

APPENDIX

Deleted: Matters

4.6 Planning Procedure Rules

CONTENTS

4.6.1 Introduction

4.6.2 Decision making on planning applications

4.6.3 Pre-determination discussions by officers with applicants

4.6.4 Lobbying of and by councillors

4.6.5 Seating and speaking arrangements at meetings of the Planning and Orders Committee

4.6.6 Public meetings relating to development proposals

4.6.7 Councillors who are members of the Planning and Orders Committee and who are also town or community councillors

4.6.8 Correspondence received by councillors

4.6.9 Registration and declaration of interests

4.6.10 Development proposals submitted by councillors and officers

4.6.11 Officers' report to the Planning and Orders Committee

4.6.12 Decisions contrary to officer recommendation

4.6.13 Appeals against Council decisions

4.6.14 Conduct of officers

4.6.15 Councillor/officer relationship

4.6.16 Site visits by the Planning and Orders Committee

4.6.17 Gifts and hospitality

4.6.18 Training

Appendix

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4.6.19 Protocol for site visits by the Planning and Orders Committee

4.6.20 Role of the Committee Chairperson

4.6.21 Public Speaking

4.6.1 Introduction

4.6.1.1 Determining planning applications is an important duty undertaken by the County Council. These rules set out how the Council as local planning authority will deal with planning applications. The rules apply to councillors and officers as the context requires.

4.6.1.2 Most applications will be determined by planning officers acting on behalf of the local planning authority and the Planning and Orders Committee (the Committee) will determine all other applications. The rules as to whether officers or the Committee will determine applications are contained in Part 3 of this Constitution. Of those instances where the decision may be made by the Committee, the potentially most significant is where the local councillor (that is any one of the councillors in whose ward the proposed development site is located) may require that the application (which would otherwise be decided by officers) should be submitted to the Committee for determination. In these cases, the local councillor must 'call-in' such application in writing addressed to the Chief Planning Officer within 21 days of the date of the letter notifying him / her of the application. In the case of those applications classified as 'fast-track' economic ones, the period within which to refer it to the Committee will be only 14 days. The local councillor(s) who called-in the application may withdraw their call-in at any time before the Committee Agenda is published by notifying to the case officer and confirming the withdrawal in writing.

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4.6.1.3 Planning is not an exact science. Rather, it relies on informed judgement within a firm policy context. It is also highly contentious because the decisions affect the lives of everyone and the private interests of individuals, landowners and developers. This is heightened by the openness of the system (it actively invites public opinion before taking a decision) and the legal nature of development plans and decision notices. It is important, therefore, that the process is characterised by open and transparent decision making.

4.6.1.4 One of the key purposes of the planning system is to control development in the public interest. In performing this role, planning necessarily affects land and property interests, the financial value of landholdings and the quality of the environment. It is important, therefore, that local planning authorities should make planning decisions affecting these interests, openly, impartially, with sound judgement and for justifiable reasons. The process should leave no justifiable grounds for suggesting that a decision has been partial, biased or not well-founded.

4.6.2 Decision Making on Planning Applications

4.6.2.1 Decisions on planning applications are sometimes referred to as regulatory or quasi-judicial decisions and this means that those making such decisions must

4.6.2.1.1 take into account all relevant planning considerations

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4.6.2.1.2 ignore irrelevant or non planning considerations

4.6.2.1.3 act impartially, fairly and not take into account any political considerations

4.6.2.2 Planning law requires local planning authorities to determine planning applications in accordance with the Statutory Development Plan unless material planning considerations indicate otherwise. The emphasis in determining applications is upon a 'plan-led' system.

4.6.2.3 The basis of the planning system is the consideration of private proposals against wider public interests. Much is often at stake in this process and opposing views are often strongly held by those involved.

4.6.2.4 Those persons determining planning applications have a duty to take into account representations made to the local planning authority as a result of consultation with interested bodies or as a result of public notice or neighbour notification. In doing so it is necessary to decide which representations are material to the decision to be made, and, if so, what weight to attach to them. This conclusion should not be reached by the Committee until all the facts have been presented in the officer's report to the Committee.

4.6.2.5 Councilors must not give a commitment in relation to any planning matter prior to its consideration at Committee. It is recognised, however, that councilors will from time to time be approached individually by applicants, agents and objectors in relation to planning proposals. These rules are intended to assist councilors in dealing with these approaches and is designed to ensure that the integrity of the decision making process is preserved.

4.6.2.6 Failure to follow these rules without good reason could be taken into account in investigations into possible maladministration and any investigation regarding the conduct of councilors and / or officers.

4.6.3 Pre-determination Discussions by Officers with Applicants

4.6.3.1 In any discussions on planning issues, it will always be made clear at the outset, that such discussion:

- will not bind the local planning authority to make a particular decision, and
- that any views expressed are based on the officers' provisional professional judgement but do not commit the local planning authority to any particular decision.

4.6.3.2 Any advice given will:

- be consistent and based upon the Development Plan and other material considerations,,
- be impartial and the best that the officer can give in the circumstances, and
- try to highlight any apparent problems.

4.6.3.3 No Councilor shall take part in the officers' discussions with applicants at any stage prior to determination of the application. Where this does occur, a complaint may be made against the councilor to the Council's Monitoring Officer.

4.6.4 Lobbying of and by Councilors

4.6.4.1 Councilors who are Members of the Committee

4.6.4.1.1 Councilors who are members of the Committee are likely to be approached by applicants, objectors and others interested in the outcome of planning applications.

Because of the quasi-judicial or regulatory nature of planning decisions, councilors on the Committee should not allow themselves to be lobbied by anyone - whether for or against an application. If approached they should inform the person seeking to lobby them that if they discuss the application with that person, this may disqualify them from taking part in the decision on the application. Instead potential lobbyists should be advised to contact either their local councilor (see 4.6.4.3 below) or an appropriate officer within the Planning Department.

4.6.4.1.2 Councilors who are on the Committee should not organise local support or opposition to a planning proposal if they later wish to take part in the discussion on the application.

4.6.4.1.3 In taking into account the need to make decisions impartially, councilors on the Committee should not favour or appear to favour any person, company, group or locality and should not declare which way they intend to vote in advance of the meeting. To do so without all relevant information and views would be unfair and prejudicial. If the councilor feels that the public would believe he/she had come to a conclusive view on the planning matter or application before the meeting, or that he/she has been lobbied by an interested person then he/she should not take part in the debate, nor vote on the issue - this is without prejudice to his/her right to address the committee as provided for in section 4.6.5.2 of these rules.

4.6.4.1.4 Where the Monitoring Officer or his/her representative believes that a councillor has prejudiced his/her position by expressing a conclusive view on an application before its determination by the Committee, the Monitoring Officer or his/her representative will advise the councillor that it would be inappropriate for him/her to take part in the debate, or vote on the application. The final decision, however, rests with the councillor - subject to any external scrutiny.

4.6.4.2 Councillors who are not members of the Committee

Councillors who are not members of the Committee should not be lobbied, whether by applicants, objectors or anyone else interested in the outcome of a planning application. If approached such councillors should inform the person seeking to lobby them that they should either contact one of their local councillors (see 4.6.4.3 below) or an appropriate officer in the Planning Department. If such a councillor is lobbied he/she should not lobby councillors who are members of the Committee and he/she will not be entitled to speak at meetings of the Committee.

4.6.4.3 Local Councillors

4.6.4.3.1 There are differences to the rules set out in 4.6.4.1.1 and 4.6.4.2 in relation to the 'local councillor' i.e. any of the councillors in whose ward the proposed development is located.

4.6.4.3.2 If the local councillor is not a member of the Committee then he/she can legitimately be lobbied by an applicant, objector or anyone else interested in the outcome of a planning application. If such councillor is lobbied then, provided that he/she does not have an interest to declare in accordance with the Council's Code of Conduct for Councillors, he/she will be entitled to make representations to and address the Committee. However he/she must not themselves lobby, whether directly or indirectly, councillors who are on the Committee.

4.6.4.3.3 If a local councillor is a member of the Committee then, the provision of rule 4.6.4.3.2 above will also apply to them and he/she may address the Committee but will **not** have the right either to propose or second any recommendation or to vote on the application. But he/she may should they so wish, refer the person seeking to lobby them to another councillor who is not on the Committee and, for the purpose of these rules, such a councillor will be regarded as a local councillor.

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4.6.4.3.4 Local councillors may not become involved in making any representations at meetings of the Committee or participating in decision making on planning applications if they have an interest to declare in accordance with the Council's Code of Conduct for Councillors. This is so regardless as to whether or not they are on the Committee. If a local councillor is in this position he / she should refer any potential lobbyists to another councillor who is not on the Committee and, for the purpose of these rules, such a councillor will be regarded as a local councillor.

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4.6.4.4 Where letters of 'neighbour notification' of a planning application are sent to properties not in the same ward as the application site, then the councillors who represents those properties may also speak as local councillors at the Committee. This rule only gives the right to speak at the Committee and confers no other rights on that

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councillor as a local councillor.

4.6.5 Seating and Speaking Arrangements at Meetings of the Committees

4.6.5.1.1 When attending meetings of the Committee, councillors who are not members of the Committee should sit quite separately from councillors who are on the Committee - whether or not they intend addressing the Committee. They should not communicate with those councillors who are on the Committee and who will be making decisions. The objective of this rule is to emphasise the quasi-judicial nature of the Committee's proceedings when considering planning applications.

4.6.5.1.2 Other than speaking as local councillor, members of the Committee may only participate on an application where they have been present at all previous substantive considerations of that application by the Committee. Substantive consideration means where there has been a presentation by the officer on the application, any discussion by the Committee on the merits of the application or an official site visit of the application site.

4.6.5.2 The right to address the Committee shall apply to any member of the Planning and Orders Committee (including a local councillor) who:

- has been lobbied, or
- who may have already expressed a conclusive view on an application, or
- who has spoken on the application at Town or Community Council level or the local councillor, or
- is a councillor who represents another ward as referred to in 4.6.4.3.3.

However if this right is exercised, the councillor on the Committee should comply with paragraph 4.6.5.1 above when consideration is given to the particular matter and may not participate in the decision making and should declare at the meeting why he/she is not participating in the decision.

4.6.5.3 The Committee Chairperson will conduct business at the meeting in accordance with the attached Appendix.

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4.6.6 Public Meetings Relating to Development Proposals

4.6.6.1 Officers involved in the processing or determination of planning matters should not attend public meetings in connection with development proposals or submitted planning applications, unless those meetings have been arranged by or with the express agreement of the Authority. To do so could lead to allegations of bias or prejudice in relation to a particular point of view. If put in such a position of attending meetings arranged by, or with the consent of, the Authority, or by accident, then officers should take great care to maintain impartiality, concentrate on providing factual information, listen to comments and avoid giving views on the merits or otherwise of the proposal.

4.6.6.2 Similarly, councillors involved in the determination of planning applications should take great care to maintain impartiality when attending public meetings in relation to planning matters. At such meetings no view on the merits or otherwise of a proposal should be given.

4.6.7 Councillors who are Members of the Committee and who are also Town or Community Councillors

These councillors should make a choice in relation to every planning application which may be considered by a Town or Community Council (or a committee or subcommittee of the same). The choices are either:

4.6.7.1 Participate in the discussion at Town or Community Council level and then, if they wish, speak at the Committee as provided for in of these Rules but not otherwise take part in the deliberations of the Committee or vote on the application, or

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4.6.7.2 Take no part in discussions at Town or Community Council level (and preferably not be in the room when the matter is discussed) and then participate fully at the Committee.

4.6.7.3 **NB:** those councillors who sit on the Committee but who are **not** members of the Town or Community Council have, like any other member of the public, the right to attend public meetings of that Council. In these cases those councillors should only observe proceedings at the Town or Community Council and not take part in them.

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4.6.8 Correspondence Received by Councilors

Should councilors receive directly any correspondence from persons interested in the outcome of a planning application they shall ensure that a copy is forwarded to the Development Control Section. The Section will then:

4.6.8.1 if time permits, send a copy to the applicant or his/her agent so as to allow him/her an opportunity to respond,

4.6.8.2 place a copy of all representations on the Planning file,

4.6.8.3 if time permits ensure that the report to Committee refers to the correspondence received.

4.6.9 Registration and Declaration of Interests

The Law and the Council's Code of Conduct for both councilors and officers in relation to these matters is of particular relevance to those dealing with planning applications and must be followed at all times.

4.6.10 Development Proposals Submitted by Councilors and Officers

4.6.10.1 Proposals by serving councilors (whether or not they are councilors on the Committee), certain categories of officers and their close friends and relatives can easily give rise to suspicions of impropriety. It is vital that they are handled in a way which gives no grounds for accusations of favouritism. In these rules "relatives" encompass spouse or partner, parent, grandparent, child, grandchild, brother or sister.

4.6.10.2 Planning applications falling within the following categories will be reported to the Committee for consideration and not dealt with by officers under 'delegated powers':

- those where the applicant is a serving councilor or the relative of a serving councilor,
- those where a serving councilor acts as agent or has prepared any part of the application or plans,
- those where the applicant is a relevant officer or their relative. In this rule "relevant officer" means the **Chief Executive**, all Corporate Directors, all Heads of Service, all officers working in the Planning Department and all other officers whose work is directly linked to the development control process (such as officers in Highways and Environmental Health who are consultees or lawyers who advice and represent the Planning Department in development control matters),
- those where the applicant is a close friend of a serving councilor or relevant officer.

In this rule "planning application" shall mean all applications required by statute to be made and which (apart from this rule) would fall to be determined under the Council's Constitution by the Head of Planning Service. These would include applications for outline consent, reserved matters approval, listed building consent, conservation area consent, consent under Tree Preservation Orders and so forth.

4.6.10.3 Planning officers shall endeavour to identify and highlight such applications and shall accordingly inform the Head of the Planning Service and the Authority's Monitoring Officer. Serving councilors who make applications, who act as agents or who prepare plans or whose relatives make applications, should play no part in the decision-making

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process for that proposal.

4.6.10.4. The Monitoring Officer should confirm in the Committee report that such application has been processed normally and must, therefore, be given the opportunity to review the file.

4.6.10.5 Officers involved in the development control process must not prepare plans or act as agent for any person or body (including their relatives) pursuing a planning matter with the Council. If they submit a proposal on their own behalf, they should take no part in the processing of that application.

4.6.11 Officers' Report to the Committee

4.6.11.1 All planning applications reported to the Committee will have a full written report including a reasoned assessment of the proposal and a justified recommendation.

4.6.11.2 Any new matters which have arisen between the preparation of the report and the date of the Committee will be reported orally and references to this will be included in the minutes.

4.6.11.3 Every planning application file will contain an accurate account of events throughout its life, particularly the outcome of meetings or significant telephone conversations.

4.6.11.4 The same principles of good record keeping will also be observed in relation to enforcement matters. Monitoring of record keeping will be undertaken on a continuous basis by managers within the Development Control Section.

4.6.12 Decisions Contrary to Officer Recommendation

4.6.12.1 Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution.

4.6.12.2 The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised.

4.6.12.3 In the case where councillors wish to add or amend conditions which are recommended by officers, the officers should be invited to draft such a condition and bring this back for approval at the subsequent meeting unless the drafting is straightforward and can be agreed at the initial meeting.

4.6.12.4 Where planning officers are unable to defend such decisions on appeal (due to requirements of the professional conduct rules of the Royal Town Planning Institute - RTPI) they shall make this point known to the Committee before the final vote is taken. In such cases the Committee shall nominate (at least) two of its members who voted contrary to the recommendation to appear at any appeal and explain the Committee's decisions and the reasons for them. These should, normally, be the proposer and seconder of the proposal which was contrary to the officer's recommendation.

4.6.13 Appeals Against Council Decisions

4.6.13.1 Officers will organize and generally appear as witnesses at planning appeals and other proceedings on behalf of the Council. In some circumstances it may be necessary to appoint consultants to appear for the Council.

4.6.13.2 In giving evidence, officers will present the best possible case on behalf of the Council whilst complying with the RTPI Code of Professional Conduct.

4.6.13.3 Where a decision contrary to officer recommendation is subject to an appeal and officers have previously made known to the Committee that they are unable to defend such decisions, officers shall report the appeal to the next Committee meeting. Councillors will then be responsible for presenting the Council's case at the appeal.

4.6.14 Conduct of Officers

4.6.14.1 Officers who are Chartered Town Planners are guided by the Royal Town Planning Institute Code of Professional Conduct. All officers whether members of the Institute or not shall abide by the same principles namely they -

4.6.14.1.1 Shall act with competence, honesty and integrity;

4.6.14.1.2 Shall fearlessly and impartially exercise their independent professional judgement to the best of their skill and understanding;

4.6.14.1.3 Shall discharge their duty to their employers, clients, colleagues and others with due care and diligence in accordance with the provisions of this Code;

4.6.14.1.4 Shall not bring the profession or the Royal Town Planning Institute into disrepute;

4.6.14.1.5 Officers shall not disclose or use to the advantage of themselves or the Authority information acquired in confidence in the course of their work;

4.6.14.1.6 Officers shall decline any discounts, gifts or commissions offered by any third parties in connection with their work as professional planners.

4.6.15 Councilor / Officer relationship

4.6.15.1 In order to engender a committed professional relationship between both officers and councilors, each shall have respect and regard for the roles both play within the decision making process.

4.6.15.2 Councilors shall respect the advice given by officers at Committee or when dealing with delegated applications and shall not place pressure on officers for a particular recommendation or decision. Any officer who considers that this has happened should deal with the matter as set-out under section 5.3.4 of this Constitution (Bullying, Intimidation and Harassment).

4.6.16 Site Visits by the Planning and Orders Committee

4.6.16.1 The protocol on site visits is attached as an Appendix to these Rules.

4.6.17 Gifts and Hospitality

4.6.17.1 Advice to councilors on registration of gifts and hospitality is contained within the Council's Code of Conduct for Members and shall be accordingly observed.

4.6.17.2 Officers during the course of carrying out their duties may be offered hospitality from people with an interest in a planning proposal. Officers should refuse offers of hospitality of any kind. If the receipt of hospitality is unavoidable officers must ensure that the absolute minimum level is accepted and declare its receipt as soon as possible to the Monitoring Officer.

4.6.18 Training

4.6.18.1 No member may sit on the Planning and Orders Committee unless and until they have attended Induction Training. The contents of the Induction Training shall from time to time be determined by the Head of Service (Planning and Public Protection). Updating training thereafter will be provided at least twice a year to include changes in legislation or procedure.

4.6.18.2 Councilors shall ensure that they attend a minimum 3 training events over a two year period in order to keep abreast of planning matters and thus provide a positive input into the decision making process. Attendance records will be monitored and reported to the Council. Any member of the Planning and Orders Committee who fails to attend the stated minimum number of training sessions shall be removed or suspended from the Committee by vote of the full Council at such time as when the attendance records are reported.

Appendix

4.6.19 Protocol Regarding Site Visits by the Planning and Orders Committee

4.6.19.1 Criteria for Site Visits

4.6.19.1.1 It is important that criteria should be set out for deciding when a site visit is justified and consider the procedure for such visits. In this respect account should be taken of the following points:-

(i) site visits can:

- cause delay to the decision making process,
- possibly lead to an appeal to The Planning Inspectorate on the basis of 'non-determination',
- affect the Service's performance in respect of its 8 week target, and
- lead to additional costs both to the Service and possibly to the applicant(s).

(ii) there needs to be consistency both in the way that it is decided that a site visit should take place and in the conduct of such visits. Otherwise it may leave the Authority open to the accusation that site visits are arbitrary or possibly a lobbying device.

(iii) site visits should be carefully organised and well-attended to ensure that the purpose, format and conduct are clearly established at the beginning and subsequently adhered to.

(iv) site visits should be used only where the expected benefits are substantial. The 'substantial benefit' test should apply in every case. Site visits should only be necessary if the impact of the proposed development is difficult to visualise and comprehend, i.e. where lack of clarity with the application makes visual assessment necessary

(v) site visits may be appropriate to consider large, more complex applications.

(vi) if the Committee are of a view that the site needs to be visited and seen before the application can be determined, then only those members who attended the official site visit may participate in and vote on the application when it is further considered by the Committee.

Recommendation of site visits by officers shall be referred to within the report to Committee.

4.6.19.1.2 Site visits should **not** apply in the following cases:

(i) to solely consider boundary or neighbour disputes,

(ii) to consider objections issued on competition grounds,

(iii) to consider objections raised on the ground of loss of property values,

(iv) to consider any other issues which are not material planning considerations,

(v) where council|ors have already visited the site within the last 12 months, except in exceptional circumstances

4.6.19.2 Requests for Site Visits

In order to adopt a structured approach to site visits the following format should be adhered to:-

4.6.19.2.1 All requests for site visits must be made in writing to the **Chief Planning Officer/** Planning Control Manager by 1.00pm on the final working day prior to the Committee meeting. Any verbal request received prior to the Committee meeting must be followed up in writing before the Planning Committee commences. The reason for the 'site visit' shall be clearly stated and accordingly reported to the Planning Committee.

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4.6.19.2.2 If a request is made for a 'site visit' during the Planning and Orders Committee Meeting once again the reasons for the visit shall be recorded in the minutes.

4.6.19.3 Procedures at the Site Visit

4.6.19.3.1 The applicant shall be informed that a site visit will take place but will not be allowed to be present during the visit to make any representations.

4.6.19.3.2 The primary purpose of the site visit will be for the planning officers to explain the planning issues relating to the case and for council|ors to view the site.

4.6.19.3.3 There shall be no discussions at the site visit as regards the merits of the application. The site visit shall not be used as a forum for debate.

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4.6.19.3.4 The Chairperson or Vice-Chairperson shall conduct and lead the site visit. If either the Chairperson or the Vice-Chairperson is absent, councilors shall vote for one of their number to act as Chairperson.

4.6.19.3.5 The Chairperson shall formally open the meeting and set out the reasons for the visit.

4.6.19.3.6 The planning officer shall be requested to outline the proposal and the main issues.

4.6.19.3.7 The councilors shall view the site, relevant buildings and surroundings as necessary.

4.6.19.3.8 Councilors shall be offered the opportunity to raise questions or seek clarification of points of fact with the planning officer and/or local councilors.

4.6.19.3.9 All local councilors in whose Ward the application site is located (if present) shall be offered the opportunity to comment on the proposal.

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4.6.19.3.10 Notes shall be made of the site meeting and these shall be accordingly minuted at the following Planning Committee Meeting when the application is discussed.

4.6.19.4 Regular Review of Decisions

4.6.19.4.1 The Audit Commission's Report 'Building Quality' recommends that councilors should visit a sample of implemented planning permission to assess the quality of the decision. Such a review should improve the quality and consistency of decision-making, thereby strengthening public confidence, and assist with reviews of planning policy.

4.6.19.4.2 The review should be undertaken annually. It should include examples from a range of categories of development including applications which officers have determined under delegated powers.

4.6.20 Role of the Committee Chairperson and Conduct of Business at the Committee

4.6.20.1 Election of the Chairperson / Vice-Chairperson

4.6.20.1.1 The Chairperson shall be elected to his/her post by the councilors on the Committee at its first meeting following the annual Council meeting. The councilors shall at the same time elect a Vice-Chairperson for the same period of office or until such time as either or both of them step down.

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4.6.20.1.2 In the absence of the Chairperson for the whole or part of the Committee meeting, the Vice-Chairperson shall be the Chairperson. If the Vice-Chairperson shall be absent, the Committee shall choose one of their number present to be Chairperson for that meeting or part of it until the Chairperson (or Vice-Chairperson) returns.

4.6.20.2 Responsibility of the Chairperson

The Chairperson shall have the following responsibilities:

4.6.20.2.1 to preside over meetings so that Committee business can be carried out efficiently and with regards to the rights of councilors, officers and the interest of the community as a whole.

4.6.20.2.2 to ensure that the Committee meeting is properly conducted as a forum for debate on planning matters and statutory orders only.

4.6.20.2.3 to ensure that the business of the meeting is carried out in accordance with the relevant provisions contained within the Council's Constitution.

4.6.20.2.4 to support the planning officers and the Monitoring Officer's representative in reminding members about their duty to adhere to genuine and material planning discussions in their decision making process.

4.6.20.3 The Role of Officers at Committee Meetings

4.6.20.3.1 Officers shall provide professional advice to the Chairperson in order to ensure that he/she is able to discharge the duties of the post.

4.6.20.3.2 Officers shall provide advice as follows:

(i) at pre-Committee meetings so that the Chairperson is fully briefed on issues that may arise at meetings

(ii) at any post-Committee meetings (if relevant)

(iii) during Committee meetings where questions are directed towards the Chairperson for response

(iv) during any meetings which may be convened by officers in order to discuss issues relevant to 'planning' or 'orders' issues

4.6.20.4 Conduct of Committee Meetings

4.6.20.4.1 Each agenda item for discussion or for information shall be introduced by the Chairperson.

4.6.20.4.2 Once introduced the Chairperson shall ensure that the officer is allowed to report on the item. Where the public speaking procedure applies to a particular application, this shall occur before the officer reports on the item.

4.6.20.4.3 The Chairperson shall allow the local councillors to speak first after the officer's report. This is whether the local councillors wish to speak for or against the item and whether or not they are on the Committee.

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4.6.20.4.4 The Chairperson shall then allow the councillors to participate in the discussion in the order in which he/she acknowledges their wish to speak.

4.6.20.4.5 The Chairperson will ensure that all councillors shall abide by the provisions of the Council's Constitution and by the relevant provisions of these Procedure Rules.

4.6.20.4.6 All those councillors wishing to speak shall be allowed an opportunity to do so. Councillors shall refrain from making speeches and shall address the Committee on 'planning' (i.e. material planning considerations) and 'orders' matters only. The Chairperson may intervene and curtail councillors who are making repetitions or irrelevant statements.

4.6.20.4.7 Where officers need to respond to comments or questions from councillors then the Chairperson shall ensure that officers are given that opportunity.

4.6.20.4.8 If the Chairperson wishes to speak as a local councillor on an item then the provision of the Constitution shall apply equally to him/her as they apply to all councillors.

4.6.20.4.9

(i) At the conclusion of the discussion the Chairperson shall request councillors on the Committee to vote on the matter under discussion. Unless councillors disagree with the officers' recommendation they shall indicate their voting intention through the showing of hands.

(ii) Should an amendment be proposed and seconded to the officer's recommendation that amendment will be voted on first.

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4.6.20.4.10 All councillors and officers shall respect the position of Chairperson. The ruling of the Chairperson on all questions of procedure at the Committee shall be final and not open to discussion. The Chairperson shall ensure that at all times regard is had by all councillors (including himself/herself) and officers to the protocol on Member/Officer relationship and that respect is shown to the advice given by officers at the Committee.

4.6.21 Public Speaking

Eligibility to Speak

4.6.21.1 The planning application concerned must be on the agenda of the Planning and Orders Committee meeting in question. In the event of an application being deferred, public speaking will not be allowed if an opportunity has already been given at a previous Committee meeting when the application has been fully considered.

4.6.21.2 Both applicants (or their agents) and objectors (or their agents) can speak and there are no other qualifying criteria other than compliance with the Council's procedure.

4.6.21.3 Normally only one person can speak for and one person against an application. Very exceptionally the Chair of the Committee may exercise his/her discretion to allow one additional speaker per 'side'. This discretion will usually only be exercised for major applications where there are significant differences of view within one 'side' (e.g. two people speaking against an application for a large supermarket where one represents the views of retailers and the other the views of nearby residents). In such cases the 'other side' will be allowed 2 speakers or twice the normal time, if they wish to use it.

4.6.21.4 Anyone requesting to speak must allow the Council to give their name and contact number to other people (of the same view) wishing to speak so that they can agree on a spokesperson, the issue to raise etc. If they cannot agree, the first person who notified the Council of his/her intention to speak will normally be chosen to speak.

4.6.21.5 Requests to speak must be made to the Administrative Officer in the Planning Department before the deadline referred to in the notification letters sent to applicants and neighbours.

Time allowed to Speak

4.6.21.6 The spokesperson will be allowed up to 3 minutes to address the Committee.

Visual Aids

4.6.21.7 The spokesperson may not circulate or display written material in the Committee meeting. Any written representations should have been submitted to the Council during the statutory publicity period and will be summarised in the Officer's report.

Procedure

4.6.21.8 The procedure for public speaking at Committee is described in the appropriate documents.

7. CHANGES TO THE COUNCIL'S CONSTITUTION - CHANGES TO THE PLANNING PROCEDURE RULES AHEAD OF MULTI-MEMBER WARDS FOLLOWING THE 2013 ELECTIONS

Reported - That the Executive upon consideration of the above at their meeting on 22nd April, 2013, had resolved as follows:-

“To recommend to the County Council that it amends the Council’s Constitution as indicated in the report and to authorise officers to make any consequential amendments to the Constitution”.

RESOLVED to endorse the Executive’s recommendation in this respect.

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ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	COUNCIL
DATE:	23 MAY 2013 @ 11.00AM
TITLE OF REPORT:	TO ADOPT A NEW LOCAL RESOLUTION PROTOCOL IN PLACE OF THE CURRENT PROTOCOL FOR SELF REGULATION
REPORT BY:	THE CHAIRMAN OF THE STANDARDS COMMITTEE
PURPOSE OF REPORT:	TO IMPROVE THE EXISTING ARRANGEMENTS FOR DEALING WITH SOME CODE OF CONDUCT COMPLAINTS

BACKGROUND

1. In July 2009 the Wales Audit Office concluded that the Council was poor at regulating its own behaviour, and that improvements were required.
2. In response to that concern, on the 4th March 2010, the Council adopted a Protocol for Self Regulation, which had been devised by the Council's Group Leaders. A copy of the Protocol is attached at **Enclosure 1**.
3. The Protocol was unanimously adopted by the Council and its operation came to be reviewed, by the Standards Committee, as part of the Standards Committee's Work Programme.
4. The Standards Committee, on its first review of the Protocol, decided not to recommend any changes as it appeared (at that time) that a national model protocol was likely to be devised as a result of work being undertaken by the Welsh Local Government Association, the Public Services Ombudsman for Wales (PSOW) and ACSeS (The Wales Monitoring Officers' Group).
5. The Standards Committee also made its view clear to the Welsh Government, on the desirability of a national model, in its consultation response on the Welsh Government's White paper on promoting local democracy. A copy of that response is attached at **Enclosure 2**.
6. However, when the Standards Committee came to review the Protocol again, it was clear that there was no significant progress on a national basis, save for a summary document which outlined the practices of those eight County Councils in Wales which had adopted some type of local resolution. A copy of that summary is attached at **Enclosure 3**.
7. Given the lack of progress on a national basis, despite the expectations expressed by the PSOW in September 2012 (**Enclosure 4**) the Standards Committee established a Panel to look at this Council's existing Protocol and to put forward recommendations for improvements.

CURRENT CONTEXT

8. In broad terms, the Panel concluded that the Protocol adopted in 2010 is too slow, too bureaucratic, and too inaccessible, in that it requires complaints to be pursued through Group Leaders (or the Chair of the Council for unaffiliated Members). The Standards Committee also wanted to depoliticise the role of the Council Chair.
9. Against those findings, the Panel devised a set of sixteen general principles for a new Local Resolution Protocol. These principles were presented, by the Chair and Vice-Chair of the Standards Committee, to the Group Leaders, in a meeting on the 14th February 2013.
10. The Group Leaders endorsed the general principles, and on the 26th February 2013, they were circulated to all Members and Senior Officers, by way of consultation. A copy of the consultation is at **Enclosure 5**.
11. Members should also be aware that, during the period when revision of the Protocol was ongoing, the Minister for Local Government and Communities circulated a letter to the Leaders of all County Councils requesting that those without such protocols adopt them as soon as possible. A copy of the Minister's letter is attached at **Enclosure 6** with the relevant sections highlighted.
12. As a result of the Minister's letter, discussion around the implementation of a single national model protocol has been reinvigorated but, as yet, there is no tangible progress or timetable. If the position changes then, of course, a further Report will be brought to Council for consideration.

RECOMMENDATION

13. In the meantime, given the lack of certainty on the development of a national protocol, and given the Standards Committee's concerns about the current local arrangements, it is recommended that the Council abolish the Protocol adopted on the 4th of March 2010 and, in its place, adopt the new Protocol attached at **Enclosure 7**.

RESOLUTION

14. "The Council resolves to abolish the Self Regulation Protocol adopted on the 4th March 2010 and, with immediate effect, adopts a new Local Resolution Protocol in accordance with the document attached at **Enclosure 7** to this Report".

PAPUR / ENCLOSURE

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ISLE OF ANGLESEY COUNTY COUNCIL

PROTOCOL FOR SELF REGULATION

General Principles

- To promote high standards of conduct and behaviour as a means of strengthening respect and trust among members and between members and officers
- In all but serious cases* of alleged misconduct members will make all reasonable attempts to resolve disputes through agreed internal processes
- Referral to external regulators will become a last resort
- Members will avoid personal confrontation in any public forum, especially full Council and through the media
- These commitments will not stifle legitimate political debate or scrutiny
- Group discipline will become the cornerstone of self-regulation with Group Leaders taking responsibility for their own members
- Group Leaders individually and collectively will work to ensure compliance with this protocol
- Members will commit to training and development in support of this protocol

*evidence of criminality or tangible damage to a third party which is incapable of remedy, or conduct which involves significant evidence of a serious breach of the Code of Conduct which, if proved, would be likely to result in a sanction being applied by the Standards Committee or Adjudication Panel.

Working to avoid problems

To minimise the number of instances of alleged breaches all Group Leaders have committed to :-

- **A Member Development Plan** – to which they will secure the commitment of their group members. All reasonable endeavours will be made to ensure that the Development Plan is tailored to meet the needs of members and that the training provided will be “short, sharp and punchy” as opposed to some of the “lengthy, technical and tedious” training which some members may feel they have been subjected to in the past. A joint working group of members, including a Member Development Champion, a member of the Standards Committee, officers and a representative of the WLGA will be established to drive the Plan, measure its success and make any changes or adjustments to the Plan as it evolves.
- **Job Descriptions and Annual Reports** - Group Leaders have committed to ensuring that all their group members, including those on the back benches, agree to and sign

“Job Descriptions” and “Person Specifications”, as a way of reinforcing the principles described above and bringing additional clarity to the roles and responsibilities of members.

- **WLGA Charter** – The Council will sign up to the Charter, fully support its objectives, including appointing a Member Development Champion. Group Leaders will secure individual member commitment to training and keep this under review.

Role of Group Leader in Serious Cases

Serious cases are defined as :

***evidence of criminality or tangible damage to a third party which is incapable of remedy, or conduct which involves significant evidence of a serious breach of the Code of Conduct which, if proved, would be likely to result in a sanction being applied by the Standards Committee or Adjudication Panel.**

A complaint by a member relating to a member of the same group will be referred to the Group Leader. A complaint by a member concerning the activities of a member of a different political group will be discussed with the complainant’s own Group Leader, who will refer the issue to the Group Leader with responsibility for the member against whom the complaint is made.

The Group Leader with responsibility for the member against whom the complaint has been made will refer the matter to the appropriate authority. Before making such a referral, the Group Leader may seek the views of the other Group Leaders. Technical advice concerning the filing of complaints may be obtained from the Managing Director or the Monitoring Officer.

Role of Group Leaders and Less Serious Complaints

A complaint by a member relating to a member of the same group will be referred to the Group Leader. A complaint by a member concerning the activities of a member of a different political group will be discussed with the complainant’s own Group Leader, who will then refer the issue to the Group Leader with responsibility for the member against whom the complaint is made.

Upon receiving a complaint, it is the role of Group Leaders to take responsibility for discipline within their groups. Group discipline should seek to be informal, resolved through face to face meetings. Group Leaders will need to retain some records but the process will not be “document heavy”. The emphasis should be on training, education, mediation and conciliation.

When appropriate, a sanction such as removal from a committee or an outside body, may be used in extreme cases or after persistent breaches.

Prior to considering any sanction, or training, the relevant Group Leader may consult with an informal panel (meeting in private) consisting of any two members of the Standards Committee. The Standards Committee will seek to ensure fairness and consistency in the discipline imposed within each group.

At the next available Group Leaders' meeting any issue of discipline which has been referred to a Group Leader will be discussed with the group and with the objective of seeking to ensure that fair and consistent sanctions are applied.

Unaffiliated Members

As far as unaffiliated members are concerned, the Chair of the Council will fulfil the role of Group Leader. Concerns regarding the conduct of an unaffiliated member should be referred to the Chair who will apply the same principles and standards as those of the Group Leaders in terms of training/mediation/conciliation.

In the event that an unaffiliated member refuses to provide reasonable co-operation to the Chair of the Council, or if the breach is significant, or in the event of repeated breaches, then the Council may remove the unaffiliated member from any committee seats allocated by the full Council. Such a proposal should be put to the Council jointly by the Group Leaders.

Again, an informal panel of the Standards Committee might be asked by the Chair, or the Group Leaders, to advise on an appropriate sanction.

Persistent Breaches

In the case of persistent breaches, or areas where the Group Leaders have concerns that the conduct of an individual member or members is damaging to relations between political groups or to the reputation of the Council, then the Group Leaders will meet with the Managing Director and the Monitoring Officer to agree a way forward. Consideration will be given to joint references to the Ombudsman, by the Group Leaders, for persistent low level breaches. The collective Group Leaders will also assume this responsibility in relation to unaffiliated members.

Action Outside Protocol

Group Leaders will regard any member taking action outside this Protocol (eg referring the matter direct to the Ombudsman, or the Auditors, or the media etc) as a serious breach of discipline. The Chair will take the same view with regard to the conduct of unaffiliated members.

Investigation

In the event that any complaint requires a degree of internal investigation, then the Group Leader, against whose member the complaint has been made, may ask the Managing Director to arrange for this to take place. Bearing in mind the need to ensure that Council resources are properly utilised, this shall be at the absolute discretion of the Managing Director who will need to be satisfied that investigation is necessary and appropriate taking into account the principles of proportionality, including the nature of the allegation/s and the level of resources required.

Standards Committee

- Owing to any potential issues of conflict, any involvement will include no more than two members of the Standards Committee. This will be subject to a rotational basis and in accordance with availability.
- The Standards Committee Members will play a supporting/advisory role to the Group Leaders. This process will be initiated at the request of the Group Leader, in a particular case.
- Such meetings will be private and informal.
- Any documentation, attendance notes, file notes or advisory notes passing between a Group Leader (or as appropriate the Chair of the Council) and the members of the Standards Committee shall remain private and confidential.
- When acting in an advisory role to the Group Leaders/Chair of the Council, the Standards Committee has no right of sanction. However, it shall be open to the Group Leader to request that the Standards Committee, as a last resort, issue a public censure against a group member. Where this is to be considered, the member who may be subject to censure, will be provided with a reasonable opportunity to make submissions to the Standards Committee members, either in person or in writing.
- The recommendations available to the Standards Committee will include a recommendation that a Group Leader takes action against one of their members, including removal from committee or outside body or even that they report their member to the Ombudsman or another appropriate regulator.

Complaints by Officers

- The principles and procedures outlined in this Protocol shall apply equally to complaints made by officers save that :-
 - any such complaint must first be referred, via the relevant Head of Service, to the Managing Director. The Managing Director will, if appropriate, refer the matter to the relevant Group Leader or Council Chair.
 - This Protocol shall not affect the contractual rights of officers to pursue complaints through other HR procedures or processes.

PAPUR / ENCLOSURE
2

**RESPONSE OF THE STANDARDS COMMITTEE IN RESPECT OF THE WELSH GOVERNMENT'S
WHITE PAPER ON PROMOTING LOCAL DEMOCRACY**

Question 29: Should the Panel be empowered to require local authorities to publish information relating to all remuneration received by individual councillors in connection with the performance of public duties?

Yes ✓

No

But it should include expenses and there should be clarity around the definitions of key elements like "publish", "remuneration", "public duties"; to ensure consistency and comparability.

Question 38: What are the practical barriers to extending the local resolution process to community and town councils and how might they be overcome?

Any process / mechanism for local resolution needs to remain within the relevant Town / Community Council as there are significant resource implications if Standards Committees and Monitoring Officers are required to support the process.

Question 39: To what extent is it desirable or necessary to modify the current statutory framework or model code of conduct to facilitate local resolution of complaints?

- To achieve consistency, the first sift, currently required by statute, should remain. However, matters referred to the PSOW, which fail to meet his threshold test, should be referred back for a decision to be taken at local level as to whether or not the matter is suitable for local resolution. As things stand, that decision will be discretionary falling outside the statutory framework.
- However there is no statutory requirement for authorities to adopt a local resolution procedure, much less a requirement for consistency in local protocols. We consider that a model local resolution protocol would be desirable to ensure consistency, transparency and to avoid duplication. At the very least, guidance should be issued setting out the general principles, which would need to address key issues, such as :-
 - Local resolution protocols should relate only to Member / Member complaints;
 - Having completed the first sift, and failing to reach the PSOW's threshold, a matter referred back for local resolution must be capable of early rejection if spurious, trivial or time wasting. There needs to be clarity about who exercises that discretion, as well as how it is exercised, as the process may attract controversy. Our view is that the decision should be taken by an independent member of the Standards Committee, in consultation with the Monitoring Officer. We appreciate that there are other options.
 - There needs to be clarity around the role of the Standards Committee in any local resolution process.
 - There needs to be clarity around potential outcomes from such a process.

Question 40: Should the ethical framework in Wales be more radically modified (e.g. to introduce local assessment and investigation of all alleged breaches of the code of conduct) and, if so, how?

Yes

No

√

A first sift at national level is still desirable for fairness and consistency, and to avoid “tit for tat” complaints.

Question 41: Are the “call-in” arrangements sufficient, or should cases which fall just short of the Ombudsman’s current criteria be routinely referred for local investigation and determination?

Yes

No

√

All cases of Member / Member complaints, which fall short of PSOW’s current threshold, should be referred for local resolution but there must be a discretion at a local level about whether or not to pursue local resolution, or reject the complaint; a kind of informal second sift. Please see the response to question 39.

Question 42: Is the voluntary cap on indemnities provided for this purpose appropriate and sufficient?

Yes

No

√

Question 43: Should the Welsh Government introduce a statutory limit on indemnities through subordinate legislation?

Yes

√

No

We suggest there should be different caps for hearings before Standards Committees, Adjudication Panel for Wales or High Court, with an overall cap of 20k.

Question 44: What are the perceived barriers, if any, to the establishment of regional standards committees?

We favour maintaining local Standards Committees but providing power to “share” independent members, if and when required, on a sub-regional basis

PAPUR / ENCLOSURE

3

Informal Local Resolution – ACSeS Update November 2011

Background

1. A number of authorities have developed or are considering local protocols and processes around managing 'low level' member-on-member complaints. A number of authorities also have similar protocols to manage officer-on-member complaints.
2. The Ombudsman is keen to see a common, national approach implemented and the issue been discussed at the recent Standards Conference, ACSeS meeting and a WLGA-convened working group including ACSeS members, Ombudsman, Chair of the Adjudication Panel and WLGA and WG officials.
3. The working group agreed to refer key issues back to ACSeS for consideration.

Why have an informal local approach to resolution?

4. A significant number of member-on-member complaints referred to the Ombudsman relate to low-level, behavioural issues, typically during the 'cut and thrust' of council debates. Most, if investigated, would not result in sanction.
5. Such complaints could therefore be more appropriately resolved informally and locally in order to:
 - Speed up the 'complaints' process
 - Avoid unnecessary escalation
 - of the situation which might impact on personal relationships and potential wider damage to corporate governance or wider reputational damage
 - of the formal complaints process and involvement of Ombudsman
6. Such an approach would also complement a new approach that the Ombudsman is planning to introduce in the near future, where low-level complaints, where there is evidence of a breach of the Code but which the Ombudsman considers to be unlikely to attract a sanction, will be referred back for local consideration/investigation.

Protocol: What might be the key features of any local Members' Protocol?

7. For any local approach to be successful, it would need to be based on consistent principles and features and therefore agreed nationally (via WLGA, ACSeS and Ombudsman). National agreement would ensure consistency around principles and features of both a local protocol and features of a local resolution process.
8. There has been some discussion about the definition or interpretation of a 'low level complaint'. Consensus suggests that it fundamentally relates to behaviour

and conduct, rather than more significant breaches of the code and broadly relates to Paragraph 4 of the Code:

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

9. It could possibly also cover Paragraph 6 (1) d:

6.—(1) You must —

....

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

10. The local protocol could therefore reasonably cover a complaint from a member about a member or an officer about a member

11. Should there be agreement (nationally and locally) to introduce informal local protocols, the Ombudsman should revise his guidance to clarify that:

- Although the Code of Conduct states that members have a duty to refer any breach of the Code to the Ombudsman, the Ombudsman would regard any such referral of an alleged breach of the Code to an agreed local resolution process as satisfying this requirement of the Code
- Whilst, members could not and would not be precluded from referring any complaint to the Ombudsman if they so wished, the Ombudsman expects that members would commit to instigate the local resolution process in the first instance.
- Any repeated breach of a local protocol would be referred to Ombudsman.

12. A local Member Protocol would need to complement the Code of Conduct, and might specifically state that it covered Paragraph 4 and 6 (1) d of the code and any local officer-member protocols.

13. The protocol would need to outline the local resolution process (see below).

14. Although the Protocol and resolution process is designed to promote speedy redress and resolution rather than sanction per se, the protocol would need to specify potential 'outcomes'. These could include:

- Awareness raising about appropriate and acceptable future behaviour or conduct, which might be supported by relevant training (where appropriate)
- Apology (public nature of apology would be dependent on public nature and/or severity of the complaint)

- Group discipline were relevant and appropriate, including temporary removal from committee or outside body
- Referral to Ombudsman for persistent breaches

Process: What might be the key features of any local resolution process?

15. Although a local approach aims to speed up the complaints process and reduce bureaucracy (in particular in terms of escalation to the Ombudsman), there would need to be a clear and consistent set of stages within which matters could be resolved locally:

Stage 1

- Complaint raised with Monitoring Officer (or other designated person) and he/she determines whether complaint relates to Paragraph 4 and 6 (1) d breaches of the Code of Conduct.
- Complainant is advised of the options available to him/her in resolving the complaint:
 - Mutual Resolution – where the Monitoring Officer/designated person meets with individual members to resolve informally
 - Group Leaders’ Resolution (i.e. complainant’s Group Leader and subject member’s Group Leader) – used where breach/complaint is clear i.e. behaviour witnessed in council or public meeting (This option will not be appropriate in some councils)
 - Local Resolution Panel
 - Ombudsman

Stage 2a – Mutual Resolution

- Monitoring Officer/designated person manages a meeting of key parties and seeks informal resolution
- If this is not successful members will then have a choice as to which one of the following resolution processes to follow – either 2(b) or (c)

Stage 2b – Group Leaders’ Resolution

- Monitoring Officer refers complaint to relevant Group Leaders (Council Chair and/or Chair of Democratic Services could be involved for unaffiliated members)
- Group Leaders liaise with complainant/member subject to complaint and Deputy Monitoring Officer/Head of Legal Services (in order to avoid potential future conflict of interest for Monitoring Officer should complaint progress).
- Group Leaders agree and record appropriate sanction which would be actioned immediately and reported to next relevant committee meeting (should committee membership be temporarily suspended) and to next full Council meeting. A public apology (if appropriate) would take place at the next relevant meeting of the council i.e. full council or the committee meeting in which the original breach occurred.

Stage 2c – Local Resolution Panel

- Monitoring Officer convenes Local Resolution Panel within x days and asks complainant to submit nature of complaint in writing, with the member (subject of complaint) providing a written response.
- Member Resolution Panel should include Group Leaders and Council Chair/Chair of Democratic Services Committee
- Local Resolution Panel meets with complainant and member subject to complaint. The Panel is supported by Deputy Monitoring Officer/Head of Legal Services to avoid future potential conflict of interest should a complaint escalate.
- Contempt and/or unreasonable non-participation at process from member (subject of complaint) would be regarded as escalation and complaint would then be referred to Ombudsman.
- Local Resolution Panel determines whether there is basis to allegation. Unanimity is necessary.
- Local Resolution Panel agree appropriate sanction which would be actioned immediately and reported to next relevant committee meeting (should committee membership be temporarily suspended) and to next full Council meeting. A public apology (if appropriate) would take place at the next relevant meeting of the council i.e. full council or the committee meeting in which the original breach occurred.

Stage 2d - Ombudsman

- The complainant can refer matter directly to Ombudsman, and can do throughout process if not content with the process or outcome.

Issues to consider

16. One person's 'low-level' is another's 'serious breach' - some aspects of Paragraph 4 are serious e.g. bullying, sexism, racism etc. The authority needs to be seen to be dealing with such breaches consistently, proportionately and publicly. It is likely that any conduct in breach of the equality duties will be serious enough to refer to the Ombudsman.

17. Are all stages appropriate? In particular

- During discussions at the working group, some monitoring officers were keen to maintain an informal role to seek mutual resolution. Is this necessary if a consistent informal process is introduced, and also does this risk compromising the Monitoring Officer's role should a complaint escalate? Does this need to be included in a written protocol at all, could it not still be an option to deal with low-level misunderstandings etc.
- Stage 2c – Local resolution Panel is more bureaucratic and requires some organising e.g. getting together a range of Group Leaders within an appropriately short space of time. Although low-level complaints are a rarity currently, if a formal process is introduced, might more members seek to use this process (and therefore consequent implications on Monitoring Officers and Group Leaders time) where they may not have taken an issue further previously as they realised it was perhaps not severe enough to warrant raised a formal complaint to the Ombudsman?

18. What happens where Group Leader/s are the subject of a complaint? Should this automatically be a Stage 2c Local Resolution Panel issue, whereby colleague Group Leaders together with the Council Chair/Chair of Democratic Services considers the issue?
19. What is the appropriate role for the Chair and members of the Standards Committee in this process?
-

Daniel Hurford, Welsh Local Government Association
17th November 2011

PAPUR / ENCLOSURE
4

The Code of Conduct

for members of local authorities in Wales

Guidance from the
Public Services Ombudsman for Wales
for members of county and county borough councils,
fire and rescue authorities, and
national park authorities

However, if I am aware of previous complaints about the same member and believe these may be indicative of a pattern of breaches, I will then often choose to investigate. Where there is prima facie evidence of a breach of the Code, and I do not decide to investigate, I will almost always write to the member concerned making it clear that my decision should not in any way be regarded as approval for any breach of the Code and making clear that I will take it into account if there are further reported breaches.

The process I use for investigating complaints is on my website at www.ombudsman-wales.org.uk. If I find that a complaint is justified, I may refer it either to your Standards Committee or to a tribunal convened by the Adjudication Panel for Wales. If it then finds the complaint proven, it can impose a range of sanctions.

Local Resolution Process

During the course of the life of this guidance I expect local authorities across Wales to have implemented local resolution procedures to deal with low level complaints which are made by a member against a fellow member. Typically these complaints will be about alleged failures to show respect and consideration for others as required by paragraph 4(b) of the Code or the duty not to make vexatious, malicious or frivolous complaints against other members under paragraph 6(1)(d) of the Code. Whilst a member may still complain directly to me about a fellow member if the matter being complained about concerns paragraphs 4b and 6(1)(d) I am likely to refer the matter back to the Council's Monitoring Officer for consideration under this process.

In my view such complaints are more appropriately resolved informally and locally in order to speed up the complaints process and to ensure that my resources are devoted to the investigation of serious complaints. The aim of local resolution is to resolve matters at an early stage so as to avoid the unnecessary escalation of the situation which may damage personal relationships within the authority and the authority's reputation. The process may result in an apology being made by the member concerned. However, where a member has repeatedly breached their authority's local protocol then I would expect the Monitoring Officer to refer the matter back to me.

When I have investigated a complaint I may refer the matter to a Standards Committee or the Adjudication Panel for Wales which have the following roles:

Standards Committee

Where a Standards Committee concludes that a member or co-opted member has failed to comply with the relevant authority's code of conduct, it may determine that:

1. no action needs to be taken in respect of that failure;
2. the member or co-opted member should be censured; or
3. the member or co-opted member should be suspended or partially suspended from being a member of that authority for a period not exceeding six months.

A censure takes the form of a public rebuke of the member concerned.

PAPUR / ENCLOSURE
5

Medwen Jones

From: Medwen Jones
Sent: 26 February 2013 10:11
To: RPJED@anglesey.gov.uk; Bethan Jones; Gwynne Jones; Arthur Owen; Gwen Carrington; Mike Barton; Anwen Davies; Carys Edwards; Carys Emyr Edwards; John Fidoe; Anwen M. Hughes; 'J Huw. Jones (JHJCE@anglesey.gov.uk)'; 'J Huw. Jones (JHJCE@anglesey.gov.uk)'; Gwyn Parry (GXPED@anglesey.gov.uk); Einir W. Thomas; John Rees. Thomas; Dewi R. Williams; Dylan Williams; Shan Lloyd. Williams; Jim Woodcock; Gill Lewis; Lynn Ball; Clare J. Williams; John Chorlton; Eufryn Davies; Lewis Davies; Jim Evans; Richard Dew; Cliff Everett; Fflur Hughes; Kenneth Hughes; Robert Ll Hughes; Trefor Lloyd Hughes; R Vaughan Hughes; William I Hughes; Aled M. Jones; Dylan Jones; Eric Jones; Gwilym Jones; Hywel Eifion Jones; O Glyn Jones; Raymon Jones; Robert Llewelyn Jones; Thomas H Jones; Clive McGregor; Rhian Medi; Bryan Owen; John Victor Owen; Richard Owen; Bob Parry; Goronwy Parry; ARWEL ROBERTS; Eric Roberts; Gareth Winston Roberts; Peter Rogers; Elwyn Schofield; Ieuan Williams; Selwyn Williams; Alun W. Mummery; Vaughan Hughes
Cc: Michael Wilson; Islwyn Jones; Leslie Lord; Denise-Harris Edwards; Dilys Shaw; williamevansandsonsltd@hotmail.co.uk; drharrisedwards@yahoo.co.uk; John Roberts; 'hsb1@btinternet.com'; 'shw127@hotmail.co.uk'
Subject: PROTOCOL HUNAN REOLEIDDIO / SELF REGULATION PROTOCOL
Attachments: 165338 - PDF COPY CYM - Revised Protocol for Self Regulation - Suggested Principles.pdf; 165337 - PDF COPY ENG - Revised Protocol for Self Regulation - Suggested Principles.pdf

Fel yr ydych yn gwybod, mae'r Cyngor Sir wedi mabwysiadu Protocol Hunan Reoleiddio i ddatrys anghydfodau bychan sy'n ymwneud ag Aelodau, gyda golwg ar osgoi iddynt gael eu cyfeirio i'r Ombwdsmon.

Fel rhan o'i Raglen Waith ar gyfer 2012/13 mae'r Pwyllgor Safonau wedi adolygu'r Protocol cyfredol, ac wedi rhoi argymhellion ymlaen ar gyfer newid.

Mae'r newidiadau a awgrymir wedi eu hymgorffori mewn cyfres o egwyddorion cyffredinol, ac y mae copi ohonynt ynghlwm.

Mae'r rhain wedi derbyn cytundeb yr Arweinyddion Grwpiau ond cyn i'r Pwyllgor Safonau ddechrau drafftio protocol newydd, byddent yn falch o dderbyn eich barn a'ch sylwadau, yn cynnwys unrhyw gynigion eraill.

Os bydd gennych unrhyw sylwadau, byddwn yn ddiolchgar o'u derbyn, yn ysgrifenedig, erbyn diwedd mis Mawrth.

Llawer o ddiolch,

As you know, the County Council adopted a Self Regulation Protocol to resolve minor disputes involving Members, with a view to avoiding escalation of complaints to the Ombudsman.

As part of its Work Programme for 2012/13 the Standards Committee has reviewed the current Protocol, and put forward recommendations for change.

The suggested changes are embodied in a set of general principles, a copy of which is attached.

These have the agreement of the Group Leaders but, before the Standards Committee embarks on drafting a revised Protocol, they would be grateful for your comments and observations, including any alternative proposals.

If you have any comments, I would be glad to receive them, in writing, by the end of March.

Many thanks

Lynn

Pennaeth Adnoddau Cyfreithiol a Gweinyddol/Swyddog Monitro

Head of Function Legal and Administration/Monitoring Officer

Cyngor Sir Ynys Môn / The Isle of Anglesey County Council

Ffôn / Phone: 01248 752586

E-bost / E-mail: LBXCS@anglesey.gov.uk

Document: CC-016592-LB/165334

Isle of Anglesey County Council's Revised Protocol for Self Regulation

Suggested Principles :

1. Change the name to Local Resolution Protocol
2. Limit the Protocol to dealing with paragraphs (4)(b) and (6)(1) (d) of the Code i.e. alleged failure to show respect and consideration for others and not to make vexatious, malicious or frivolous complaints against Members or Officers (copy extracts attached).
3. Purpose is swift mediation and reconciliation and not punishment.
4. Complaints may be made by any Member against any other Member or by any Officer against any Member.
5. A Member or Officer wishing to use the Protocol will put their complaint in writing to the Monitoring Officer, on a short, standard form.
6. Any complaint must be lodged within 7 working days from the date of the event, or 7 working days from the date when the event came to the knowledge of the complainant.
7. The Monitoring Officer will send a copy of the complaint to the Member who is the subject of the complaint.
8. The Member who is the subject of the complaint will have 7 working days within which to send a reply to the Monitoring Officer.
9. Upon receipt of any reply, or when the 7 working days for reply has elapsed, the Monitoring Officer will arrange an informal Panel of the Standards Committee, to consider the complaint, on the first convenient date available.
10. The Panel will consist of two Members of the Standards Committee (on a rotational basis, and will not include Community Councillors).
11. The Panel meeting will take place in private and any paperwork it receives, or generates, will remain confidential (subject to any legal duty to disclose eg to the Ombudsman; if the matter escalates).
12. The parties concerned will be invited to attend the Panel, and may bring any witnesses upon whom they intend to rely.
13. Group Leaders will be invited and may attend if they wish.
14. The Monitoring Officer, or her representative, will attend to advise the Panel.
15. After hearing from the parties, and any witnesses, the Panel will express a view and make recommendations for resolution. Such recommendations may include a request that action be taken by Group Leaders, including, in relation to unaffiliated Members.
16. The outcome of all Panels will be reported, in anonymised format, to quarterly meetings of the Standards Committee.

council which has functions in relation to the community council for which it is responsible under section 56(2) of the Local Government Act 2000.

Part 2 - General Provisions

2. (1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a police authority or Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6. (1) You must —

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to the Public Services Ombudsman for Wales and to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

PAPUR / ENCLOSURE
6

Carl Sargeant AC / AM
Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref SF/CS/0102/13

To:
Leaders, County and County
Borough Councils

Chairs, Fire and Rescue
Authorities

Chairs, National Park Authorities

15th January 2013

LOCAL GOVERNMENT ETHICAL FRAMEWORK

I am writing to follow up aspects of last year's 'Promoting Local Democracy' White Paper covering matters relating to the operation of the ethical framework established under the Local Government 2000 ("the 2000 Act").

The 'Programme for Government', published in September 2011, included a commitment to review the process for making a complaint under the local government member code of conduct to ensure that it is used only for the purpose for which it was intended.

Last year's White Paper conveyed our view that the current framework in Wales, founded upon a common set of guiding principles and a statutory model code of conduct, provides an appropriate balance between guiding members on standards of conduct and giving reassurance to the public that misconduct will be dealt with consistently and appropriately. However, I believe that there is scope for a more local approach to the resolution of low-level complaints, without immediate resort to the full and potentially costly investigatory role of the Public Services Ombudsman for Wales, in some circumstances.

With this in mind, the White Paper welcomed discussions that had already taken place on the voluntary adoption by local authorities of a common, national approach to informal local processes for dealing with member-on-member and officer-on-member complaints. The White Paper indicated that the Welsh Government wished to see such processes

Bae Caerdydd • Cardiff Bay
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CF99 1NA

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Llinell Ymholiadau Cymraeg 0845 010 4400
Correspondence: Carl.Sargeant@wales.gsi.gov.uk

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implemented by all county and county borough councils, national park authorities and fire and rescue authorities as soon as practicable following last year's local elections.

The White Paper also welcomed discussions that have taken place on the introduction of a voluntary cap of £20,000 on the level of indemnity offered by authorities to members subject to misconduct proceedings under the 2000 Act. Authorities powers to provide indemnities are derived from the 'Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006'. These powers would enable them to set such a limit and, again, the White Paper indicated that the Welsh Government wished to see this implemented soon after last year's elections.

I understand that some authorities have responded positively to these proposals. However, I am concerned that perhaps not all authorities have made progress and, through this letter, I want to impress upon those who have yet to do so the importance that I place on taking this forward.

In order that I have a complete picture of the current position across Wales, I ask that you report back to me on what steps your authority has taken, or plans to take (with timescales), to introduce a local resolution process and to adopt the voluntary cap on indemnities for member code of conduct proceedings. This information should be sent by email by the end of February to: CorrespondenceMail-CS@Wales.GSI.Gov.UK.

To facilitate the introduction of local resolution processes, I intend to remove the obligation on members contained in paragraph 6(1)(c) of the model code of conduct to report potential breaches of the code to the Ombudsman. The Ombudsman has issued guidance on how he will deal with low-level alleged breaches made to his office and this obligation need not, therefore, give cause for delay in the introduction of local resolution processes where this has yet to be done.

In addition to removing the obligation to report breaches to the Ombudsman, I intend to address concerns arising from the interpretation of paragraph 10(2)(b) by removing this from the model code. Members taking decisions, whether acting collectively or individually, would still be required by paragraph 8 of the code to act objectively and in the public interest when doing so. I consider, therefore, that paragraph 10(2)(b) can be removed without detriment to the code.

Also in relation to the code, you will no doubt be aware of the High Court ruling last year – '*R (Calver) v the Adjudication Panel for Wales*' - in relation to the requirement in paragraph 4(b) of the code for members to show respect and consideration for others. The Ombudsman has revised his guidance to take account of the ruling, but I have also asked my officials to consider whether any modification of the code is necessary.

Whilst writing, I note with concern that the Ombudsman has again found it necessary to make reference in his latest annual report to the number of member on member complaints which might be regarded as vexatious. Paragraph 6(1)(d) of the code could not be clearer in stipulating that members must not make vexatious, malicious or frivolous complaints against other members or anyone who works for their authority. If unchecked, such actions have potential to clog up the system and divert resources from more important matters. I would ask that this issue is given some prominence when refresher training on the code is arranged for members.

Also, you will not have failed to have seen recent reporting in the media of unfortunate events arising from the inappropriate use of social media. The Ombudsman's guidance on the code makes clear the circumstances in which use of electronic and social media is covered by the code. This is a continually evolving area and again it is timely, I believe, to

encourage members to avail themselves of the training which authorities provide on the use of social media and the potential pitfalls to be avoided.

Any observations or comments that you may wish to make in relation to these or other aspects of the code when responding as requested above would be most welcome.

Finally, I would like to take this opportunity to mention an issue that has been raised with me recently regarding the publication of registers of members' interests maintained under section 81 of the 2000 Act. At present, registers must be available at an office of the authority for inspection by members of the public at all reasonable hours. However, citizens increasingly expect to be able to access information about councils and their elected members via the internet. Consequently, I have sympathy with the view expressed to me that authorities should be required to additionally publish these registers on their websites to facilitate access and to improve transparency. I am, therefore, minded to bring forward an amendment to the Local Government (Democracy) (Wales) Bill to give effect to this. There is a brief window of opportunity for bringing forward such an amendment but, before doing so, I would welcome any views that you may have on this.



Carl Sargeant AC / AM

Y Gweinidog Llywodraeth Leol a Chymunedau
Minister for Local Government and Communities

PAPUR / ENCLOSURE
7

ISLE OF ANGLESEY COUNTY COUNCIL

LOCAL RESOLUTION PROTOCOL

Generally

1. The purpose of the Protocol is to promote high standards of conduct, with a view to fostering positive working relationships among Members, and between Members and Officers, to avoid spurious complaints to the Public Services Ombudsman for Wales (PSOW) and to safeguard the Council's reputation.
2. The Protocol will only apply to cases of alleged misconduct against Members under paragraphs 4(b) and 6(1)(d) of the Code of Conduct. That is to say, allegations of failure to show respect and consideration for others, or allegations that a Member has made vexatious, malicious or frivolous complaints against other Members or anyone who works for, or on behalf of, the Council.
3. The Protocol seeks to achieve swift mediation and reconciliation. It is not punitive but it may become relevant to sanction if a formal complaint, involving a pattern of similar conduct, is made to the PSOW.
4. The Protocol is not intended to interfere with, or take the place of, group or party discipline.
5. The Protocol is not intended to interfere with, or take the place of, any statutory or contractual rights which Officers may have.
6. The Protocol is not intended to oust the jurisdiction of the PSOW but, rather, to deal with a limited category of cases, where a breach of paragraphs 4(b) or 6(1)(d) of the Code may have occurred, but where such a finding would probably not result in disciplinary action. Such cases, at least individually, would not meet the PSOW's threshold test for investigation.

Procedure

7. A Member or Officer wishing to use the Protocol must put their complaint in writing to the Monitoring Officer, explaining when and where the alleged breach occurred, how and why paragraph 4(b) and/or 6(1)(d) have been breached, together with the details of any witnesses and any relevant documentation.
8. Any written complaint must be sent to the Monitoring Officer within 7 working days from the date of the event which is the subject of the complaint, or 7 working days from the date when the event came to the knowledge of the complainant.
9. The Monitoring Officer, or his/her representative, will send a copy of the complaint, and any supporting evidence, to the Member who is the subject of the complaint. That Member will have 7 working days, from receipt, within which to send a written reply to the Monitoring Officer setting out their response and providing details of any witnesses and any relevant documentation.
10. Having received a reply from the Member complained of, or when the time for reply has elapsed, the Monitoring Officer will:-

- copy the full response to the complainant;
 - arrange a meeting of an informal Panel of the Standards Committee to consider the complaint on the first convenient date available for all concerned.
11. The meeting of the Standards Committee Panel will take place in private and any paperwork which it receives, or which it generates, will remain confidential to the Panel, its advisors, and the parties. This is, however, subject to any legal duty to disclose e.g. to the PSOW in the event that matters escalate.
 12. Any informal Panel of the Standards Committee will consist of two Members of the Committee, on a rotational basis, but will not include a Community Council Member.
 13. The parties will be asked to attend the Panel and will be responsible for bringing along any witnesses upon whom they intend to rely.
 14. In the absence of a party or witness it will be a matter for the discretion of the Panel as to whether or not they proceed, or reschedule.
 15. If the complainant, or the Member complained of, is a Member of a political group then he/she may invite their Group Leader to attend the Panel. Any relevant Group Leader is not required to attend, but is encouraged to do so.
 16. The Monitoring Officer, or his/her representative, will attend to advise the Panel.
 17. The procedure of any Panel will be informal. The Panel will endeavour to be fair and even handed to both parties. There will be no rules of evidence, as such, but any witnesses called will only attend to share their information with the Panel; they will not "sit in" during the meeting.
 18. After hearing from the parties, and any witnesses, together with the Group Leaders (should there be Group Leaders in attendance and should they wish to address the Panel) the Panel will then retire to private session, returning to express its view and to put forward any recommendations it may have for resolution. The Panel has no disciplinary powers but may make recommendations to Group Leaders individually, in relation to Members of their Group and, to the Group Leaders collectively in relation to any unaffiliated Member.
 19. There will be no right of appeal under this process.
 20. The parties will receive written confirmation of the Panel's findings and the outcome of all Panels will be reported, albeit in an anonymised format only, to all quarterly meetings of the Standards Committee.
 21. The outcome of any Panel will also be discussed as a standing item at Group Leaders' meetings.

11. TO ADOPT A LOCAL RESOLUTION PROTOCOL IN PLACE OF THE CURRENT SELF-REGULATION PROTOCOL

Submitted - A report by Mr Michael Wilson, Chair of the Standards Committee on the adoption of a Local Resolution Protocol in place of the current Self-Regulation Protocol.

RESOLVED to abolish the Self-Regulation Protocol adopted on the 4th March, 2010 and, with immediate effect, adopt a new Local Resolution Protocol in accordance with the document attached at Enclosure 7 to this report.

PAPUR / ENCLOSURE
NG

AGENDA ITEM NO.
[Not for publication by virtue of
Paragraph(s) of Schedule
12A to the Local Government Act
1972]

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	Executive Committee
Date	22 04 2013
Subject	Criminal Records Policy
Portfolio Holder(s)	
Lead Officer(s)	Monitoring Officer
Contact Officer	Rhys Hughes Senior Solicitor
Nature and reason for reporting	
Updating the Corporate Policy following new legislation	

A – Introduction / Background / Issues
<p>Full Council adopted a Corporate Policy on 12 may 2011. Central Government’s intention to legalste was noted at that time together with the need to update the Policy.</p> <p>The Policy implements the new legislation ensuring everyone who provides a service on behalf of the Council undertake am criminal check where necessary.</p>

B - Considerations
<p>The Corporate Policy needs to be updated in accordance with new legislation</p>

C – Implications and Impacts		
1	Finance / Section 151	None

CC-14538-RMJ/169099

C – Implications and Impacts		
2	Legal / Monitoring Officer	Need to amend the Policy
3	Human Resources	Clarification to Departments undertaking checks
4	Property Services (see notes – separate document)	The Department will implement the new Policy
5	Information and Communications Technology (ICT)	
6	Equality (see notes – separate document)	
7	Anti-poverty and Social (see notes – separate document)	The Department will implement the new Policy
8	Communication (see notes – separate document)	
9	Consultation (see notes – separate document)	Extensive consultation was undertaken in respect of the original Policy
10	Economic	
11	Environmental (see notes – separate document)	
12	Crime and Disorder (see notes – separate document)	
13	Outcome Agreements	

CH - Summary

CC-14538-RMJ/169099

The current Corporate Policy needs to be updated in accordance with new legislation

D - Recommendation

1. Adopt the Policy
2. Publish on the Council's webpage
3. Arrange training workshops

Name of author of report Rhys Hughes
Job Title Senior Solicitor
Date 11.04.2013

Appendices:

2nd Criminal Records Policy

Background papers

Cyngor Sir Ynys Môn/Isle of Anglesey County Council

2ND CRIMINAL RECORDS POLICY

This Policy applies to i) permanent and temporary staff ii) independent contractors iii) elected and co-opted members and iv) volunteers. This is an update to the Policy adopted by full Council on 12.05.2011.

<i>Paratowyd gan Swyddog Monitro / Prepared by: Monitoring Officer</i>	<i>L . Ball Cyf/Ref O.R.Hughes</i>
<i>Cyngor Llawn / Full Council:</i>	
<i>Gweithredwyd / Implemented:</i>	

Cyngor Sir Ynys Môn/Isle of Anglesey County Council

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CRIMINAL RECORDS POLICY

Introduction

On 20th September 2012 the law relating to criminal records checks changed. This is now administered by the Disclosure and Barring Service (“DBS”).

The Council is committed to safeguarding the welfare of those accessing its services. It has a statutory duty of care towards vulnerable members of society under the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012 and the Exceptions Order to the Rehabilitation of Offenders Act (1975) and other relevant legislation.

This Policy will apply to those aged 16 or older seeking employment or volunteering opportunities with the Council, seasonal work or placements, permitted drivers, elected members, contractors and other positions involving unsupervised contact with vulnerable individuals.

The Council is registered to undertake checks with the DBS to supplement background, character and other vetting checks in accordance with the current Human Resources Recruitment and Selection Policy.

Each Directorate is responsible for implementing this Policy and may supplement it with internal guidance – for example undertaking a check with any professional body with whom an applicant is a member.

NOTE:

A person affected by this Policy may already have a DBS check to the necessary level. Directorates have the discretion to accept production of the original DBS check together with the necessary identification evidence (see C1d below) provided the DBS is no more than 1 year old. This does not obviate the need to undertake a renewed check in due course in accordance with this Policy.

Further information is available from Policies

Disclosure and Barring Service :
on the Referral to the DBS, on Rehabilitation of Offenders and Self Disclosure.

A. LAW

- Rehabilitation of Offenders Act 1974 and (Exceptions) Order 1975
- Police Act 1997 and Regulations
- Data Protection Act 1998
- Human Rights Act 1998
- Protection of Children Act 1999
- Care Standards Act 2000
- Freedom of Information Act 2000
- Safeguarding Vulnerable Groups Act 2006 (as amended)
- Protection of Freedoms Act 2012

- Disclosure and Barring Service Code of Practice

B. TYPES OF DBS CHECKS

1. Standard The position is included in the Rehabilitation of Offenders Act 1974 Exceptions Order 1975.

2. Enhanced The position must be included in both the Rehabilitation of Offenders Act 1974 it's Exceptions) Order 1975 and in Police Act Regulations.

3. Enhanced and Children and/or Adult Barred List The position falls within definition of Regulated Activity under the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

4. Adult First An urgent DSB check in exceptional circumstances for positions with vulnerable adults only.

5. Definitions and Process

“Vulnerable people” - these comprise all children and vulnerable adults.

a) A child is someone under the age of 18 years old (Children Act 1989 s105 (1)).

b) A vulnerable adult “is or may be, in need of community care services by reason of mental or other disability, age or illness and who is, or may be, unable to take care of himself or herself, or unable to protect himself or herself against significant harm or serious exploitation” Law Commission (from “Who decides?; Making decisions on behalf of mentally incapacitated adults 1997” as adopted by the North Wales Policy and procedure for the protection of Vulnerable Adults “POVA).

Storage of information from the DBS

The Council will comply with the Data Protection Act 1998 and the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Checks and Disclosure information.

6. How to decide upon a DBS check.

a) Employees Volunteers Placements Drivers Contractors

Directorates will compare the position specification with the Appendices to the Human Resources Services' Recruitment and Selection Policy to determine whether a position requires a DBS check and if so what kind. This will be recorded with the Human Resources Section.

b) Anyone undertaking a position requiring a check cannot commence without an acceptable DBS certificate.

c) DBS checks will be repeated every 3 years for all those posts for which checks are required.

d) Directorates may decide to repeat a DBS check more frequently or change the type of check at their discretion.

C1 Recruitment by the Local Authority in a post requiring a DBS check

a) Every post requiring a DBS check will be advertised as being conditional upon a satisfactory DBS check. The application pack for such a post will include the Authority's Policy Statement on the Recruitment of ex-Offenders.

b) Every post requiring a DBS check will require the disclosure of all offences including spent convictions, details of any cautions, reprimands or warnings. Employment is conditional on a satisfactory DBS check.

c) DBS Disclosure Applications will be submitted once an offer of employment has been accepted with the aim that employment will only commence upon the return of a satisfactory DBS check. A decision on whether or not a DBS check is satisfactory will be made by the relevant Head of Service in consultation with HR.

d) The applicant for the post will verify his/her identity by producing original documents for inspection and copying. The following are essential;

- Birth Certificate
- Evidence of any change of name
- Passport or photo card driving licence
- 2 documents proving current address e.g. utility bills or bank/credit card statements.

C2 Criminal records disclosed by the applicant – Paid Employees

a) Past convictions/cautions/reprimands or warnings may not necessarily be a bar to obtaining employment.

b) Consideration will be given to the nature of the matters disclosed by the applicant in his/her application form and relevance to the post applied for. This will be considered by designated officers of the Directorate who would interview the person and assess the risk against set criteria.

c) Failure to disclose past criminal history at the application stage may be seen as an attempt to gain employment by deception, and will normally result in the withdrawal of any offer of employment.

d) Failure to return a correctly completed DBS Disclosure Application (together with the documentation required for identification purposes) within a timescale set by the officer designated to oversee the recruitment process will lead to a withdrawal of any offer of employment.

e) A DBS check is one part of a sound recruitment process and does not obviate the need for a thorough selection process appropriate to the level of the position, the checking of work and

personal references employment history and appropriate qualifications and membership of professional body/ies.

C3 Independent Contractors and other types of Agency Workers (“the contractor”) undertaking work on behalf of the Council

a) Work to be undertaken will be risk assessed (as for employed staff) and the advertisement and contract of work will state whether a satisfactory DBS check is required and if so what type. The DBS check will not be more than 1 year old.

b) The contractor will produce an original DBS check and evidence as to identity (as set out above) for every person undertaking the work. Copies will be retained securely by the Directorate.

c) A contractor with a criminal history wishing to undertake work with vulnerable people will be subject to the same process as set out in C2b) above.

d) For the avoidance of any doubt these requirements are in addition to the requirements of the Care Standards Act 2000 and Regulations thereunder and the requirements of the Care and Social Services Inspectorate Wales and other relevant legislation.

C4 Elected and Co-opted Members of the Council

a) Members are an integral part of the Council’s work. They are the public face of the Council and make vital decisions in relation to sensitive matters including decisions which fundamentally affect the lives and interests of children and vulnerable adults. Certain Member roles will also involve disclosure to them of personal and sensitive information about children and vulnerable adults individually, and collectively, in the context of service provision of Education and / or Social Services. The enhanced DBS vetting process will ensure every Member undertaking these roles is able to do so.

b) Currently Members serving or attending the following Committees, Panels or Boards are required to undertake an Enhanced DBS check :

Executive

Corporate Parenting Panel

Scrutiny Committees when considering issues relating to Education / Social Services

Special Educational Needs Joint Committee

Licencing Committee

Relevant Task Panels

Local Safeguarding Children’s Board

c) Within 1 month of being appointed to any of the roles described in paragraph C4_b) above each elected and co-opted Member will complete an Enhanced DBS check application form and produce the supporting paperwork as to identification. This will be repeated at the commencement of every new term of office (that is, generally, every 4 years). If, at the date of appointment, a Member, or co-opted Member, already holds an Enhanced DBS check which is 12 months old or less, such check will be accepted for the remainder of the Member’s term of office and no further DBS check will be required.

d) In the event of non-participation with the Enhanced DBS check process, or if the information revealed in the Enhanced DBS check raises concerns about the Member's suitability to participate in any of the roles described in paragraph C4b) above, then the Monitoring Officer will, following consultation with the relevant Group Leader (or all Group Leaders in the case of any unaffiliated or co-opted Member):-

i) Determine whether an elected or co-opted Member is suitable to be appointed to any internal post or external body.

ii) Notify the Member accordingly, and if already in post or on an external body, invite the Member to withdraw from serving thereon.

iii) Failure to comply with such decision will be in breach of Council Policy and liable to be the subject of a complaint to the Public Services Ombudsman for Wales and / or notification of the concern to any appropriate external body. The issue may also be a matter for discipline within any relevant political group.

e) All DBS check disclosure information will be held securely by the Monitoring Officer.

C5 Volunteers on behalf of the Council or Independent Contractors.

A volunteer is a person who performs an activity which involves spending time unpaid (except for expenses) doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives.

Directorates will determine whether, at what level, and at what frequency DBS checks will be undertaken and by whom.

10. TO ADOPT A NEW DBS POLICY IN PLACE OF THE CURRENT CRB POLICY

Reported – That the Executive upon consideration of the above at their meeting on 22nd April, 2013, had resolved to recommend to the County Council as follows:-

- *“That it adopts the updated DBS Policy (formerly the Corporate Criminal Records Policy) with delegated authority to the Monitoring Officer to amend the draft as regards naming of Scrutiny Committees and reconciling (if possible) the period when the DBS checks can remain valid; and that it be published on the Council’s webpage.*

- *That arrangements be made to convene training workshops for Members”.*

RESOLVED to endorse the Executive’s recommendations in this respect.

PAPUR / ENCLOSURE
H

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	Standards Committee
Date	12 June 2013
Subject	Broadcasting of Meetings
Lead Officer(s)	Interim Head of Democratic Services

A – Introduction / Background / Issues

Background

There has been a lot of debate recently amongst Welsh Local Authorities about the potential for webcasting and allowing remote attendance at Council meetings. Section 4 of the Local Government (Wales) Measure legislates for remote attendance at meetings and whilst there is no specific legislation for webcasting it is linked to the provisions to strengthen local democracy.

The debate has been further fuelled by an offer of grant funding by the Welsh Government in relation to 'Broadcasting of Council meetings and Community Council Websites'.

The Minister has not legislated in the area of webcasting but he has the powers to do so. The broadcasting of meetings is linked to the provisions within the Local Government (Wales) Measure 2011 to strengthen local democracy; the intention is to strengthen the structures and working of local government in Wales at all levels and to ensure that local Councils reach out to, and engage with, all sectors of the community they serve.

Grant

In January 2013, the Minister for Local Government and Communities wrote to all Local Authorities on the issue of promoting local democracy and public engagement. Each principal council has been allocated £40,000 to assist with broadcasting and remote attendance plus an extra £500 for each Community Council to support the establishment of Community Council websites. The grant allocation needs to be spent during 2013/14. There is no guarantee of grant funding for future years. In utilising this grant Welsh Government have set a number of targets including broadcasting all/some Council meetings and arranging for remote attendance by Councillors at Council meetings by 31st March 2014. With regard to remote access, Welsh Government have recently issued draft guidance for consultation.

Welsh Authorities current position

There are a number of English Local Authorities that regularly webcast their Council meetings, but in Wales some authorities webcast meetings including:

- **Cardiff** webcasts their Council meetings only (hosted by Public-i)
- **Powys** has used Public-i for meetings of high public interest – about 6-8 meetings so far and on-line viewing figures are rising.
- **Brecon Beacons National Parks Authority** webcast all their major meetings using a system provided by Public-i, on an 18 month pilot, funded by the Information Commissioners Office.

Welsh Local Authorities are now considering their position as a result of the Measure and the offer of grant funding.

Broadcasting of Meetings

At present audio recordings of proceedings at the Planning Committee are posted to the Council website and this has not been extended to other Committees.

With regard to Webcasting of meetings, and the grant allocation this will be reported to the Democratic Services Committee as part of its current work programme. There are various issues, technical and non-technical that need to be addressed in order to take full advantage of webcasting Council meetings and future requirements in relation to remote access.

Website for Community Councils

The Local Democracy Bill includes a requirement for all Community Councils to develop websites. There is an expectation for the Council to collaborate with One Voice Wales to discuss how the grant provision element for Community Council websites should be coordinated and further guidance from One Voice Wales is awaited.

Recommendation

The Standards Committee is requested to note the information in this report.

Huw Jones
Interim Head of Democratic Services
03/06/13

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PAPUR / ENCLOSURE
I



Y FFRAMWAITH MOESEGOL THE ETHICAL FRAMEWORK

15 Mai / May 2013

- **Pam?**
- Rôl gynrychioliadol (Rhan 2)
- Rhaid gwneud penderfyniadau sydd er budd y cyhoedd (Rhan 3)
- **Why?**
- Representative role (Pt 2)
- Decisions must be taken in the public interest (Pt 3)



DOGFENNAU PERTHNASOL

- **Côd Ymddygiad Statudol**

<http://www.ynysmon.gov.uk/cyngor-a-democratiaeth/cynghorwyr-democratiaeth-ac-etholiadau/cyfansoddiad/cyfansoddiad-rhan-5-codau-a-protocolau/cyfansoddiad-51-cd-ymddygiad-i-aelodau?redirect=false>

- Canllawiau

http://www.ombudsman-wales.org.uk/~media/Files/CodeofConductguidance_W/Code%20of%20Conduct%20Guidance%20for%20Members%20of%20CC%20%20CIBC%20NPA%20etc%20W%20%20issued%20Oct%202012.ashx

- Achosion a gyhoeddwyd

<http://wales.gov.uk/apwsubsite/APW-PDC/?skip=1&lang=cy>

- Caniatâd Arbennig

http://www.legislation.gov.uk/wsi/2001/2279/pdfs/wsi_20012279_mi.pdf

- Polisi Datrysiad Lleol
- Polisi Indemniadau
- Protocol Perthynas ar gyfer Aelodau a Swyddogion (gan gynnwys Wardiau Amlaelod)

<http://www.ynysmon.gov.uk/cyngor-a-democratiaeth/cynghorwyr-democratiaeth-ac-etholiadau/cyfansoddiad/cyfansoddiad-rhan-5-codau-a-protocolau/cyfansoddiad-531-protocol-ar-gyfer-y-berthynas-rhwng-aelodau-a-swyddogion?redirect=false>
- Egwyddorion Ymddygiad mewn Bywyd Cyhoeddus

http://www.legislation.gov.uk/wsi/2001/2276/pdfs/wsi_20012276_mi.pdf

RELEVANT DOCUMENTS

- **Statutory Code of Conduct**

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-5-codes-and-protocols/constitution-51-members-code-of-conduct/>

- Guidance

http://www.ombudsman-wales.org.uk/~media/Files/CodeofConductguidance_E/Code%20of%20Conduct%20Guidance%20for%20Members%20of%20CC%20%20CIBC%20NPA%20etc%20E%20%20issued%20Oct%202012.ashx

- Published cases

<http://wales.gov.uk/apwsubsite/APW-PDC/?lang=en>

- Dispensations

http://www.legislation.gov.uk/wsi/2001/2279/pdfs/wsi_20012279_mi.pdf

- Local Resolution Protocol

- Indemnities Policy

- Relationship Protocol for Members and Officers (including Multi Member Wards)

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-5-codes-and-protocols/constitution-531-relationship-protocol-for-members-and-officers/>

- Principles of Conduct in Public Life

http://www.legislation.gov.uk/wsi/2001/2276/pdfs/wsi_20012276_mi.pdf

- **Côd Ymddygiad Statudol**
 - Anghenion hyfforddi newydd
 - Côd mewn pedair rhan
 - **Rhan 1 – Dehongliad**
 - **Rhan 2 – Ymddygiad**
 - **Rhan 3 – Diddordebau**
 - **Rhan 4 - Cofrestru**
- **Statutory Code of Conduct**
 - New training requirement
 - A Code in four parts
 - **Part 1 – Interpretation**
 - **Part 2 – Behaviours**
 - **Part 3 – Interests**
 - **Part 4 – Registration**

Rhan 2 y Côt

Part 2 of the Code



1. Pa bryd y mae'r Côt yn berthnasol?
 - **Ar fusnes y Cyngor**
 - Yn y Cyngor
 - Y tu allan i'r Cyngor
 - Ffurfiol ac Anffurfiol
 - **“Rhoi'r argraff o fod yn gweithredu yn eich rôl fel Cyngorydd”**
 - **“Bob amser ac mewn unrhyw gapasiti”**
 - Defnydd amhriodol o swydd
 - Dwyn anfri
1. When does the Code apply?
 - **On Council business**
 - Inside the Council
 - Outside the Council
 - Formal and Informal
 - **“Holding out” eg**
 - **“At all times and in any capacity”**
 - Improper use of position
 - Disrepute

Rhan 2 y Côd Parhad

Part 2 of the Code

Continued



2. Sut fath o ymddygiad a ddisgwylir?
 - Y modd yr ydych yn trin eraill
 - Cydraddoldebau
 - *Respect (R (Calver) v Dyfarnu Cymru) (Rev 1)[2012] EWHC1172 (Admin)(03 Mai 2012)
<http://wales.gov.uk/apws/website/APW-PDC/RegTrib/PreviousTrib/cllrmcalver/?lang=en>
 - Bwlio/hambygio
 - Didueddrwydd staff
2. What are the expected behaviours?
 - **Treatment of Others**
 - Equalities
 - *Respect (R (Calver) v Adjudication Panel for Wales) (Rev 1)[2012] EWHC1172 (Admin)(03 May 2012)
<http://wales.gov.uk/apws/website/APW-PDC/RegTrib/PreviousTrib/cllrmcalver/?lang=en>
 - Bullying/harassment
 - Impartiality of staff
- **Gwybodaeth** – sesiwn hyfforddi bellach
- ***Dwyn anfri** – rhaid bod cyswllt, ee
- **Information** – further training session
- ***Disrepute** – must be a link eg

Rhan 2 y Côt Parhad

Part 2 of the Code Continued



- **Cyfrifoldebau adrodd / ymchwiliadau**
 - “Cred resymol” droseddol
 - Ombwdsman
 - Blinderus/maleisus/gwamal
 - Cydweithrediad
- **Defnydd amhriodol o**
 - Swydd fel Cyngorydd
 - Adnoddau'r Cyngor
- **Yn ôl eu haeddiant/gyda rhesymau**
- **Sylw dyledus i gyngor gan Swyddogion**
 - Costau a lwfansau
 - Gofynion cofrestru x3
- **Reporting obligations / investigations**
 - Criminal “reasonable belief”
 - Ombudsman
 - Vexatious/maleicious/frivolous
 - Co-operation
- **Improper use of**
 - Position as a Councillor
 - Council resources
- **On the merits/with reasons**
- **Have due regard to Officer advice**
 - Expenses and allowances
 - Registration requirements x3

Rhan 3 y Côt

Part 3 of the Code



Diddordebau personol

Amcan : mynd â mandad democrataidd at y llinell ond heb ei chroesi

Mae gennych ddiddordeb personol os yw'r eitem dan sylw **yn ymwneud â / yn debygol o effeithio** un neu ragor o'r categorïau a restrir yn y Côt:

1. Ymwneud â thrafodaethau yn ogystal â phenderfyniadau
2. Yn berthnasol i'r cyffredinol ac nid â'r penodol yn unig, **e.e.**
3. "Y chi a phopeth sy'n gysylltiedig â ch"
- Cysylltiadau personol agos gan gynnwys animws
4. Yn berthnasol i chi a phopeth sy'n gysylltiedig â chi i raddau helaethach na mwyafrif trethdalwyr/preswylwyr eich Ward". **ee**

Personal Interests

Objective : push democratic mandate up to the line without crossing it

You have a personal interest if the item under discussion **relates to / is likely to affect** one or more of the categories listed in the Code.

1. Applies to discussions, not just decisions
2. Applies to the general, not just the specific **e.g.**
3. "Yours"
- Close personal associates and includes animus
4. Applies to you or "yours" to a "greater extent than the majority of other Council Tax payers/inhabitants of your Ward". **eg**

Rhan 3 y Côt Parhad

Part 3 of the Code

Continued

Categoriâu o Ddiddordebau

Personol

1) Ariannol

- Gwaith/busnes
- Treuliau gwleidyddol
- Cyfalaf cyfranddaliadau
- Contractau
- Buddion Tir

2) Cyrff Allanol

- Penodiad Cyngor neu beidio
- Cyflawni swyddogaethau cyhoeddus
- Elusennau/dibenion elusenol
- Grŵp pwysu/undeb llafur/cymdeithas broffesiynol
- Clybiau preifat

Categoriâu o Personol Interests

1) Financial

- Employment/business
- Political expenses
- Share capital
- Contracts
- Land interests

2) Outside Bodies

- Council appointment or not
- Exercising public functions
- Charity/charitable purposes
- Pressure group/trade union/professional association
- Private clubs

Rhan 3 y Côt Parhad

Part 3 of the Code

Continued



(3) Eich Ward

“Efallai y bydd aelod o’r cyhoedd yn rhesymol yn gweld gwrthdaro rhwng eich rôlar ran eich awdurdod yn ei gyfanrwydd a’ch rôl yn cynrychioli..... eich ward”

(4) Lles

- Ariannol neu les, e.e.

(3) Your Ward

“A member of the public might reasonably perceive a conflict between your role on behalf of your authority as a whole and your role in representing your ward”

(4) Wellbeing

- Financial or wellbeing e.g

Rhan 3 y Côd Parhad

Part 3 of the Code Continued



Datgelu Diddordebau Personol

- Datgeliad llafar
 - pryd?
 - beth?
 - cadarnhad ysgrifenedig
 - cyfarfodydd ffurfiol/ffurflen safonol
 - cyfarfodydd anffurfiol/yn ysgrifenedig o fewn 14 diwrnod

- Cyfathrebu ysgrifenedig
- Cymryd rhan lawn gyda “rhybudd iechyd”

Disclosure of Personal Interests

- Oral disclosure
 - when?
 - what?
 - written confirmation
 - formal meetings/standard form
 - informal meetings/in writing within 14 days
- Written communications
- Full participation with “health warning”

Rhan 3 y Côd Parhad

Part 3 of the Code Continued



Diddordebau sy'n Rhagfarnu

hy, diddordeb personol:

“y byddai aelod o'r cyhoedd (1) sydd â gwybodaeth am y ffeithiau perthnasol yn rhesymol (3) yn ystyried eu bod mor arwyddocaol fel eu bod yn debygol o (4) ragfarnu yr hyn yr ydych yn ei ystyried sydd o fudd i'r cyhoedd (5)”

- (1) Prawf gwrthrychol
- (2+3) Canfyddiad cyhoeddus gwybodus a rhesymol
- (4) Trothwy uchel
- (5) Dyletswydd sy'n bwysicach na dim arall

ee

Prejudicial interests

ie a personal interest which:

“a member of the public (1) with knowledge of the relevant facts (2) would reasonably (3) regard as so significant that it is likely (4) to prejudice your judgment of the public interest (5)”

- (1) Objective test
- (2+3) Informed and reasonable public perception
- (4) High threshold
- (5) Overriding duty

eg

Rhan 3 y Côd Parhad

Part 3 of the Code Continued



- Diddordeb sy'n rhagfarnu = datgan a gadael yr ystafell gyfarfod
- Prejudicial interest = declare and leave the meeting room

OND

- Caniatâd arbennig?
- Pwyllgor Safonau (datgeliad)
- “wedi ei adeiladu i mewn” (dim datganiad)
 - Rhai cyrff cyhoeddus eraill
 - Tenantiaethau
 - Prydau/cludiant ysgol ac ati
 - Lwfansau Aelodau
- Ymarfer hawliau fel aelod o'r cyhoedd

BUT

- Dispensation?
- Standards Committee (disclosure)
- “built in” (no disclosure)
 - Some other public bodies
 - Tenancies
 - School meals/transport etc
 - Members' allowances
- Exercising public rights

Caniatâd Arbennig

- cybwyso cyfranogiad democrataidd gyda hyder y cyhoedd
- mynd y tu draw i ddiddordeb sy'n rhagfarnu
- rhesymau:
 - hanner + o'r Aelodau'n rhannu diddordeb ee
 - cydbwysedd gwleidyddol
 - hyder y cyhoedd
 - cyfran sylweddol o'r cyhoedd
 - cyfiawnhad oherwydd rôl/arbenigedd e.e.
 - anariannol a sgrwtini
 - sefydliad gwirfoddol
 - er budd yr ardal leol
- cais ysgrifenedig drwy'r Swyddog Monitro
- Panel Pwyllgor Safonau
- mynychu gwrandawriad cyhoeddus
- caniatâd cyffredinol
- efallai y bydd cyfyngiadau
- gofynion o ran datgelu

Dispensations

- balance democratic participation with public confidence
- overreaches prejudicial interest
- grounds:
 - half + Members share interest **eg**
 - political balance
 - public confidence
 - significant proportion of the public
 - justified by role/expertise **eg**
 - non pecuniary and scrutiny
 - voluntary organisation
 - interest of locality
- written application via Monitoring Officer
- Standards Committee Panel
- attendance at public hearing
- blanket dispensations?
- may be limitations
- disclosure requirement

- **Protocol Datrysiad Lleol**
 - ar gais yr Ombwdsmon/Llywodraeth Cymru
 - dull amgen o ddatrys anghydfodau
 - Cyngor llawn 23/5/2013
 - Aelodau/Aelodau a Swyddogion/Aelodau
 - Achosion honedig o dorri paragraffau 4(b) neu 6(1)(d) y Côd (h.y. parch/cwynion blinderus)
 - methu'r prawf trothwy
 - cais ysgrifenedig drwy'r Swyddog Monitro
 - ar gael i unrhyw Aelod/Swyddog
 - Rôl ar gyfer y Pwyllgor Safonau
 - Anffurfiol, preifat, cyflym OND gwirfoddol a chymodol
- **Local Resolution Protocol**
 - request of Ombudsman/Welsh Government
 - alternative dispute resolution
 - full Council 23/5/2013
 - Member/Members and Officers/Members
 - alleged breaches of paragraphs 4(b) or 6(1)(d) of the Code (i.e. respect/vexatious complaints)
 - fails the threshold test
 - written application via the Monitoring Officer
 - accessible by any Member/Officer
 - role for the Standards Committee
 - informal, private, quick BUT voluntary and conciliatory

Polisi Indemniadau

- is-bwyllgor o'r Cyngor llawn
- cydbwysedd gwleidyddol
- ffioedd cyfreithiol ar gyfer amddiffyn ymchwiliadau'r Ombwdsmon
- proses ymgeisio drwyadl
- eitem "Rhan 2" rhaglen
- caniatâd cyffredinol
- uchafswm o 20k
- dim yn ôl-weithredol
- yn amodol ar ganlyniadau

Indemnities Policy

- sub-committee of full Council
- politically balanced
- legal fees for defending Ombudsman investigations
- rigorous application process
- "Part 2" agenda item
- blanket dispensation
- 20k maximum cap
- not retrospective
- subject to outcome

Gofynion Cofrestru

Y TAIR COFRESTR:

1. Cofrestr Sefydlog (Cyn Cofrestru)*
2. Cofrestr Rhoddion a Lletygarwch*
3. Cofrestr Datganiadau mewn Cyfarfodydd*

*Adolygiad Blynyddol gan y Pwyllgor Safonau

Registration Requirements

THE THREE REGISTERS:

1. Standing Register (Pre-Registration)*
2. Gifts and Hospitality Register*
3. Declarations in Meetings Register*

*Annual Review by Standards Committee

COFRESTR SEFYDLOG (CYN COFRESTRU)

- Nid yw'n berthnasol i Gynghorau Cymuned
- Yn agored i'w harchwilio gan y cyhoedd
 - ar-lein yma
- Rhaid cofrestru newidiadau cyn pen 28 diwrnod
 - yn rhyngweithiol o fis Mehefin 2013
 - ym meddiant y Swyddog Monitro
- Yn ymwneud â:
 - diddordebau ariannol eraill
 - cyrff allanol
 - cyflogaeth/ busnes
 - tir
- Tor-amod Technegol
 - prawf trothwy
 - effaith gronnoel
 - gwerth tystiolaethol

STANDING REGISTER (PRE-REGISTRATION)

- Does not apply to Community Councils
- Open to public inspection
 - online here
- Changes must be registered within 28 days
 - interactive from June 2013
 - held by Monitoring Officer
- Covers:
 - other financial interests
 - outside bodies
 - employment/business
 - land
- Technical breach
 - threshold test
 - cumulative impact
 - evidential value

RHODDION A LLETYGARWCH

- Nid yw'n berthnasol i Gynghorau Cymuned
- Yn agored i'w harchwilio gan y cyhoedd
 - ar-lein yma
 - dim cynlluniau i fynd yn rhyngweithiol
 - ym meddiant y Gwasanaethau Pwyllgor
- Rhaid cofrestru o fewn 28 diwrnod o'u derbyn
- Cefnogi gan y Protocol lleol ar gyfer Rhoddion a Lletygarwch
- Y trothwy ariannol a weithredir yn lleol - £20
- Sgôp ar gyfer safonau cenedlaethol?
- Tor-amod technegol
 - yn annhebygol o gwrdd â'r prawf trothwy
 - effaith gronno
 - gwerth tystiolaethol

GIFTS AND HOSPITALITY

- Does not apply to Community Councils
- Open to public inspection
 - online here
 - no plans to go interactive
 - held by Committee Services
- Must be registered within 28 days of receipt
- Supported by local Gifts and Hospitality Protocol
- Financial limit applied locally - £20
- Scope for national standards?
- Technical breach
 - unlikely to meet threshold test
 - cumulative impact
 - evidential value

DATGANIADAU MEWN CYFARFODYDD

- Yn berthnasol hefyd i'r Cyngorau Cymuned
- Yn agored i'w harchwilio gan y cyhoedd
 - ar-lein yma
 - dim cynlluniau i fynd yn rhyngweithiol
 - ym meddiant y Gwasanaethau Pwyllgor
- Diddordeb Personol
 - datgan a chyfranogi
 - tor-amod technegol
- Diddordeb Personol sy'n rhagfarnu
 - datgan a gadael y cyfarfod
 - risg ddifrifol i'r Awdurdod ac i chi
- A oes caniatâd arbennig wedi ei adeiladu i mewn?
- Os nad oes, a ddylid gofyn am ganiatâd arbennig?

DECLARATIONS IN MEETINGS

- Also applies to Community Councils
- Open to public inspection
 - online here
 - no plans to go interactive
 - held by Committee Services
- Personal interest
 - declare and participate
 - technical breach
- Personal and prejudicial interest
 - declare and withdraw
 - serious risk to the Council and to you
- Is there a "built in" dispensation?
- If not, apply for a dispensation?

RÔL Y PWYLLGOR SAFONAU O RAN RHOI SICRWYDD

- Dylatswydd Bersonol Aelodau
- Adolygiad blynyddol
 - 28 diwrnod
 - cyrff Allanol
 - methiant i lenwi ffurflenni mewn cyfarfodydd
 - datganiadau anghyflawn e.e. eitem ar y rhaglen / diddordeb personol neu ddi-ddordeb personol ac un sy'n rhagfarnu
 - datganiadau sy'n or-ofalus heb fod raid
 - datganiadau cyffredinol
- Atgoffa'n flynyddol
- Sicrhau ansawdd yn barhaus

ASSURANCE ROLE OF THE STANDARDS COMMITTEE

- Personal duty on Members
- Annual review
 - 28 days
 - outside bodies
 - failure to complete forms in meetings
 - incomplete declarations e.g. agenda item / personal or personal and prejudicial?
 - unnecessarily cautious declarations
 - blanket declarations
- Annual reminder
- On going quality assurance



SWYDDOGAETHAU A CHYFRIFOLDEBAU

1. Ombudsmon Gwasanaethau
Cyhoeddus Cymru
2. Panel Dyfarnu Cymru
3. Pwyllgor Safonau

ROLES AND RESPONSIBILITIES

1. Public Services Ombudsman for
Wales
2. Adjudication Panel for Wales
3. Standards Committee

1. Ombwdsmon Gwasanaethau Cyhoeddus Cymru

- rôl ddeuol
- “didoli am y tro cyntaf” dan y Côd
- prawf trothwy
- ymchwiliadol/erlyniadol
- Cyfeirio i Banel Dyfarnu Cymru
- 4 math o gyfeiriad lleol:
 - protocol datrysiad lleol
 - ymchwilio a chyfeirio ar gyfer adolygiad
 - ymchwilio a chyfeirio ar gyfer gwrandawriad
 - agor achos a’i gyfeirio ar gyfer ymchwiliad lleol

1. Public Services Ombudsman for Wales

- dual role
- “first sift” under the Code
- threshold test
- investigative/prosecutorial
- referral to Adjudication Panel for Wales
- four types of local referral:
 - local resolution protocol
 - investigate and refer for a view
 - investigate and refer for a hearing
 - open case and refer for local investigation

- | | |
|--|---|
| <p>2. <u>Panel Dyfarnu Cymru</u></p> <ul style="list-style-type: none"> • “Pwyllgor Safonau” cenedlaethol • statws tribiwnlys / 3 aelod / ei gadeirio gan gyfreithiwr / bargyfreithiwr • yn derbyn: <ul style="list-style-type: none"> • cyfeiriadau gan yr Ombudsmon • apeliadau yn erbyn y Pwyllgor Safonau • gwrandawiaidau <ul style="list-style-type: none"> • yn gyhoeddus, os ceir her • gwrthwynebus • cynrychiolaeth gyfreithiol • “ar y papurau”, os cosb yn unig • cosbau sydd ar gael <ul style="list-style-type: none"> • dim gweithredu pellach (indemnïad yn brathu) • cerydd (indemnïad yn ddewisol) • gwaharddiad hyd at 1 flwyddyn (colli indemnïad) • Gwaharddiad hyd at 5 mlynedd (colli'r indemnïad) | <p>2. <u>Adjudication Panel for Wales</u></p> <ul style="list-style-type: none"> • national “Standards Committee” • tribunal status / 3 members / chaired by solicitor / barrister • receives: <ul style="list-style-type: none"> • referrals from the Ombudsman • appeals against Standards Committees • hearings <ul style="list-style-type: none"> • in public, if contested • adversarial • legal representation • “on the papers”, if sanction only • sanctions available <ul style="list-style-type: none"> • no further action (indemnity bites) • censure (indemnity discretionary) • suspension up to 1 year (indemnity lost) • disqualification up to 5 years (indemnity lost) |
|--|---|

3. Pwyllgor Safonau

- 9 Aelod
 - 5 cyfetholedig
 - 2 cynghorydd sir (seddi gweigion)
 - 2 gynghorydd cymuned
- dyletswyddau statudol
 - **cyfeiriad gan yr Ombwdsmon**
 - gwrandawïadau cychwynnol
 - gwrandawïadau llawn
 - yn gyhoeddus
 - gall y partion gael cynrychiolaeth gyfreithiol
 - apêl i'r Panel Dyfarnu
 - gwaharddiad o hyd at 6 mis
 - **caniatâd arbennig**
 - **indemniadau – ymarfer disgrisiwn**
- cyfrifoldebau eraill
 - gweler yr adroddiad i'r Cyngor 23/5/2013
 - hyfforddiant a datblygu
 - adolygu cofrestrïad

3. Standards Committee

- 9 Members
 - 5 co-opted
 - 2 county councillors (vacant seats)
 - 2 community councillors
- statutory duties
 - **referral from Ombudsman**
 - preliminary hearings
 - full hearings
 - in public
 - parties may be legally represented
 - appeal to Adjudication Panel
 - maximum 6 months suspension
 - **dispensations**
 - **indemnities – exercise of discretion**
- other responsibilities
 - see report to Council 23/5/2013
 - training and development
 - review registration

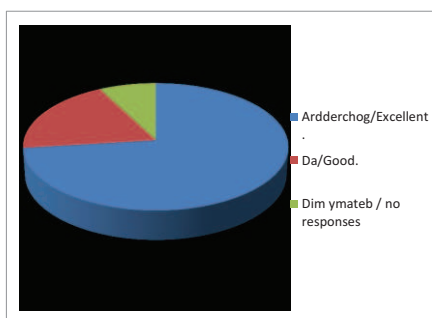
"Fframwaith Moesegol" - 15.05.2013

"Ethical Framework" - 15/05/2013

***Annarllenadwy / Illegible**

Enw / Name	1. Beth ydych wedi'i ddysgu a fydd o gymorth i chwi fel aelod yn eich ardal? / <i>What have you learned that will help you in your role as a member in your ward?</i>	2. Beth ydych wedi'i ennill a fydd o gymorth i chwi fel aelod wrth drafod materion tu hwnt i'r plwy? (e.e. materion polisi y Cyngor ayyb). / <i>What have you gained that will help you as a member in relation to matters beyond your ward (e.g. Council policy matters etc.).</i>	3. Sut fydddech yn mesur y profiad? / <i>How would you measure the experience?</i>	4. Unrhyw sylwadau eraill / <i>Any other comments</i>
Lewis Davies	Y pwysigrwydd o fod yn dryloyw a dilyn rheolau fframwaith moesegol.	Llawer o wybodaeth moesegol a all ddylwanadwy ar benderfyniadau sirol.	Ardderchog/Excellent.	Canmoliaeth i'r Swyddog Monitro am gwrw trwyadl.
Richard Dew	Various categories for declaration of interest.		Da/Good.	Well presented.
Jeffrey M Evans	Information as to ethics/standards expected from a Member.		Da/Good.	
Jim Evans	If a problem arises seek advice from the Monitoring Officer.		Ardderchog/Excellent.	A great deal of advice to consider in my role as Councillor. Further sessions on the subject would be welcomed.
Ann Griffith	Awareness of the Code of Practice.	Personal and Prejudicial Interest.	Ardderchog/Excellent.	Excellent representation of a very complex area.
John Griffith	Defnyddiol iawn ar gyfer sut l ymddwyn yn gyhoeddus ac mewn project lle mae arferion yn croesi.		Ardderchog/Excellent.	Hyfforddiant arbennig o dda.
Derlwyn Hughes	Cyflwyniad clir yn atalfenestru peth gwybodaeth flaenorol.		Ardderchog/Excellent.	Defnyddiol i gael gwybodaeth fanwl ar y fframwaith foenegol.
Kenneth Hughes	The importance of seeking advice if you are in any doubt.		Ardderchog/Excellent.	Check equipment is working well in advance of start of meeting!
Trefor Hughes	Full knowledge.	Understanding.	Ardderchog/Excellent.	Good afternoon and info.
Vaughan Hughes	Yr angen i ymgynghori cyson a'r canllawiau pan fo'r mymryn lleiaf o amheuaeth.	Bod rôl Cyngorwr yn un cymhleth ac amrywiol sy'n galw am bwyll a gofal.	Ardderchog/Excellent.	Cyflwyniad meistrolgar gan Lynn.
T. Victor Hughes	Syniad eitha da beth sydd yn ddisgwyliedig ohonnom.	Fel yr uchod.	Da/Good.	
Will Hughes	Bod yn hollol agored a gofalus.		Ardderchog/Excellent.	
Llinos Medi Huws	Pa bryd sydd rhaid datgan diddordeb a cael mynegi barn fel Cyngorydd.	Yr drefn o gwyno.	Ardderchog/Excellent.	
Carwyn Jones	Importance of being fair and transparent.	When to declare.	Ardderchog/Excellent.	Very good for a new Member.
Hywel Eifion Jones	Good reminder of framework.	See above comment.	Ardderchog/Excellent.	
Meirion Jones	Eglurhad pellach o chyfredol o'r rheolau.	Gweithredu o fewn y rheolau a be ydy'r cyfyngiadau - pethau sy'n rhagfarnu.	Ardderchog/Excellent.	Diolech Lynn.
Richard Owain Jones			Da/Good.	
Aled Morris Jones	Dim ymateb/No response.			
Alun Mummyery	Y ffordd i weithredu yr gywir.	Fel cwestiwn 1.	Da/Good.	
Robert G Parry, OBE	Clear understanding of protocol.	When to declare interest.	Ardderchog/Excellent.	Presentation very well presented.
Dylan Rees	What is meant by a personal and prejudicial interest.	How to apply for dispensations so I can still represent my community.	Ardderchog/Excellent.	Very informative and helpful training.
Nicola Roberts	When and when not to comment!	Contact is key.	Ardderchog/Excellent.	
Peter Standing Rogers	Very much - so much better prepared.	Listen and use of advice available.	Ardderchog/Excellent.	Tremendous delivery.
Alwyn Rowlands	That I have a lot of reading to catch up on.	The explanation given was easy to understand and very informative.	Ardderchog/Excellent.	I anticipate that I will seek more advice as time goes on.
Dafydd Rhys Thomas	Dim ymateb/No response.			
Ieuan Williams	Gwybodaeth ac y fframwaith moesegol.	Bydd angen deall y gwybodaeth pam ymhob sefyllfa lle rwyf yn fy rôl fel Cyngorydd.	Ardderchog/Excellent.	

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<u>Gwahoddiad / Invited</u>	<u>Wedi Mynychu / Attended</u>	<u>Ymddiheuriad / Apologies</u>	<u>Dim Ymddiheuriad / No Apologies</u>
Lewis Davies	✓		
Richard Dew	✓		
Jeffrey M Evans	✓		
Jim Evans	✓		
Ann Griffith	✓		
John Griffith	✓		
Derlwyn Hughes	✓		
Kenneth Hughes	✓		
Trefor Hughes	✓		
Vaughan Hughes	✓		
T. Victor Hughes	✓		
Will Hughes	✓		
Llinos Medi Huws	✓		
Carwyn Jones	✓		
Gwilym O Jones			✓
Hywel Eifion Jones	✓		
Meirion Jones	✓		
Raymond Jones			✓
Robert Llewelyn Jones		✓	
Richard Owain Jones	✓		
Aled Morris Jones	✓		
Alun Mummery	✓		
Robert G Parry, OBE	✓		
Dylan Rees	✓		
J Arwel Roberts		Ymrwymiad gwaith / <i>Work Commitments</i>	
Nicola Roberts	✓		
Peter Standing Rogers	✓		
Alwyn Rowlands	✓		
Dafydd Rhys Thomas	✓		
Ieuan Williams	✓		

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of the Local Government Act 1972.

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