

STANDARDS COMMITTEE

Minutes of the meeting held on 9th March 2011

- PRESENT:** Mr J.Cotterell (Chair);
- Lay Members
Ms Sue Morris;
Mrs Pamela Moore;
Prof.R.Grove White;
- Representing the County Council
- Councillor T.Lloyd Hughes;
Councillor Ieuan Williams;
- IN ATTENDANCE:** Monitoring Officer;
Corporate Information Officer (HP);
Customer Care Officer (BJ);
Committee Officer (JMA);
Administration Officer (SJ);
- APOLOGY :** Raymond Evans; Hugh Gray Morris;
-

1. DECLARATION OF INTEREST

There was no declaration of interest by a Member or Officer.

Prior to commencing the Agenda for the meeting the Chair congratulated Councillor Ieuan Williams on his appointment as a Member of the Council's Executive.

2. MINUTES

Minutes of the meetings held on 14th December 2010 were submitted and confirmed as correct subject to the following addendum:-

Page 5 (final paragraph) – The Senior Solicitor added that previous convictions may not preclude applicants from applying.”

3. CONDUCT COMPLAINTS TO THE OMBUDSMAN

Submitted for information – a matrix provided by the Customer Care Officer outlining complaints to and investigations by the Ombudsman as updated on 12th February 2011.

The Officer confirmed that Complaint No.1 has been referred to the Adjudication Panel with the Member having until the end of March to present submissions.

RESOLVED to note the matrix for information purposes.

4. SIGN POSTING/ONE STOP SHOP FOR ENQUIRIES BY MEMBERS

A report by the Customer Care Officer was submitted in relation to the above whereby Members were requested to make comments in a consultative capacity as the proposal involves relations between Members and Officers.

The Officer confirmed that Group Leaders had requested Corporate Directors to nominate an

Officer from each Department/Service to respond to Ward issues. The proposal would be discussed further at the Management Team/Heads of Service meeting on 25th March after which time an appropriate Protocol would be drafted.

Councillor Ieuan Williams said he welcomed the proposal as part of the Customer Relationship Management and could see the reasoning behind the issue. He believed the Executive should look at adopting an electronic Customer Relationship Management System as there is a need for the Council to modernise. However, he added, there would be a requirement to balance the financial cost of any new system.

It was agreed that the new system would be particularly useful for new Members and would be beneficial for both Members and Officers.

RESOLVED to support the report and its contents.

5. **ACCESS RIGHTS AND DATA PROTECTION ISSUES – MEMBER ACCESS TO BACK OFFICE AREAS.**

The Corporate Information Officer presented a report which included a review of the risks of the current access arrangements to Council offices where personal information is used and stored. The review was undertaken following an apparent data breach arising from access to the offices of the Housing Service Department and complaints by officers regarding unauthorised access by members to offices where sensitive personal information is visible whilst it is being used by officers in the course of their daily work.

The report included a number of recommendations intended to ensure compliance with the Data Protection Act 1998 and mitigate against risks to the security of personal and confidential information. The Act states that “*Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.*” In addition, the Information Commissioner had stated that he will impose a monetary penalty notice where organisations seriously “*contravene the data protection principles and the contravention was of a kind likely to cause substantial damage or substantial distress.*”

A risk based assessment had identified the Council’s Housing Service, Social Services, Finance and the Legal Services as being high risk areas. Currently, those service areas can be accessed by any holder of a swipe-card regardless of whether or not that person has a legitimate business need. The revisions to the Member/Officer Protocol seeks to limit ad-hoc meetings in favour of prearranged meetings and briefings in a designated office. In addition, consideration was being given to moving to a “clear desk and screen” policy as a means of minimising potential risk. The Monitoring Officer pointed out that a clear desk policy would only relate to personal data that was not being used, for example whilst officers are away from their desks for a prolonged period or after business hours. She also referred to steps taken within the Council’s HR Service where access by Members and Officers has been restricted to a “needs only” basis and the establishment of a meeting room next to the entrance to the department.

RESOLVED that :-

- (i) **the Council should restrict the current access rights of Members to the high risk service areas as identified, namely, Housing Services, Social Services, Finance and Legal Services;**
The Standards Committee was advised that this would extend to staff as well but the Standards Committee gave no view on this as it is outside its remit.
- (ii) **the Council prepare an appropriate protocol relating to the rights of access of Members to back office areas for inclusion in the Council Constitution;**

6. **GIFTS AND HOSPITALITY PROTOCOL**

Submitted for adoption – a draft Protocol with regard to Gifts and Hospitality.

Members raised a number of points and the following were agreed:-

Section 5.8.4(b) – that a gift or hospitality be limited to the sum of £20 “*per annum*” by the same individual or organisation and that after that threshold has been reached any further gifts or hospitality will become registerable during the remainder of that year;

Section 5.8.4 (a) and (b) should be redrafted so as to separate gifts and hospitality;

Section 5.8.5 – To include “If you receive such an offer on behalf of the Council ***and you have the authority to accept it*** you must first consider.....

The Monitoring Officer reminded Members that they have undertaken a detailed review of the process in the Registers and that there is nothing to suggest that there is any abuse of the current arrangements;

RESOLVED to approve the Gifts and Hospitality Protocol subject to the above amendments.

7. **RECRUITMENT OF THE STANDARDS COMMITTEE FROM DECEMBER 2011-03-07 ONWARDS AND THE ROAD SHOW/HAWL I HOLI PRESENTATION IN RESPECT THEREOF.**

A report by the Solicitor to the Monitoring Officer regarding the above was submitted for consideration.

The Monitoring Officer reported that the matter would be submitted to the County Council at its May meeting. The Council would be asked to approve the intention of asking One Voice Wales to nominate 2 Town/Community Council representatives on the Standards Committee lest one Member was conflicted in the event of a complaint being directed against his/her Council.

The Monitoring Officer reported on the expected number of meetings of the Standards Committee i.e. 4 formal meetings annually together with any additional meetings required to consider applications for dispensations and any referrals from the Ombudsman. She reminded Members there have been no referrals from the Ombudsman for this Committee to consider. She believed the process of reinvigorating the Standards Committee as referred to in the Corporate Governance Inspection Report had been fully accomplished and Members should consider the need for further informal meetings of the Standards Committee or whether it was now appropriate to move to 4 annual meetings and any hearings.

RESOLVED :-

- (i) to accept the draft documentation;**
- (ii) to dispense with informal meetings of the Standards Committee forthwith;**
- (iii) that the Monitoring Officer and Chair of the Standards Committee agree items for inclusion on future Agendas and the Committee’s Work Programme;**

8. **THE COUNCIL’S NEW CONSTITUTION**

Submitted for consideration – Parts 1 and 2 of the new draft Constitution which will be presented to the Executive and thereafter to the County Council in May 2011.

The Monitoring Officer reported that the Council Constitution, at the request of the Interim Managing Director, was being reviewed and re-drafted so as to make it shorter, simpler and include summaries with italicised “on line” links providing up to date information.

The Officer referred to the 3 fundamental changes contained within Parts 1 and 2 thus:-

- (i) Petitions to meetings – would now be extended so as to allow the public to present petitions at Council Meetings;
- (ii) Question/Answer Session – to allow the Committee to question the Leader, Deputy Leader, Members of the Executive, Chairs of Committees including the Standards Committee so as to assist in public engagement but it would be restricted by an appropriate procedure;
- (iii) To change the Membership of the Town and Community Council representation on the Standards Committee from 1 Member to 2;

RESOLVED to approve Parts 1 and 2 of the Draft Constitution.

9. **PRESENTATION OF THE STANDARDS COMMITTEE'S ANNUAL REPORT TO THE COUNTY COUNCIL.**

- (a) **Standards Committee's Annual Report to the County Council on 8th March 2011.**
In the absence of Mr Hugh Gray Morris who had presented the report to the County Council consideration of this item was **deferred to the next meeting of this Committee.**
- (b) **Draft Work Programme for the Standards Committee for 2011/12**
The Monitoring Officer confirmed the programme had been approved by the County Council.
AGREED that a press release be issued by the Chair of the Standards Committee emphasising the intention to advertise for new Members to serve on the Standards Committee.

10. **ICT SKILLS**

A Groupwise Questionnaire for Members, prepared by the Council's Human Resources Section was submitted for consideration and approval.

The Chair believed it was important to identify Councillor's skills and desires with regard to ICT in order to ensure appropriate training could be made available. The Monitoring Officer agreed it may be appropriate to carry out a skills audit of use in the first instance.

RESOLVED to take a "twin track" approach by contacting Councillors who do not currently use ICT asking whether they would wish appropriate training to be arranged for them.

11. **STANDARDS COMMITTEE - INFORMAL MEETING ON 4th MAY 2011**

In accordance with the resolution outlined in 7(ii) above the informal meeting was cancelled. It was agreed that the Monitoring Officer meet with the Chair of the Standards Committee to agree items for inclusion on the Agenda for the next formal meeting which will be held on Wednesday 8th June 2011.

**MR JEFFREY COTTERRELL
CHAIR**