

Public Document Pack



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 IAU, 12 RHAGFYR, 2013 am 2 o'r gloch	THURSDAY, 12 DECEMBER 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

William Raymond Evans
John Roberts

A G E N D A

1 DECLARATION OF INTEREST

2 MINUTES OF MEETING (Pages 1 - 6)

To confirm the minutes of the meeting held on 12 September, 2013.
(ENCLOSURE 'A')

3 COMPLAINTS MANAGEMENT PROJECT - AUDIT REVIEW (Pages 7 - 8)

To consider and discuss the draft Audit Assignment Planning Sheet – to be presented by the Monitoring Officer.
(ENCLOSURE 'B')

4 DECLARATIONS OF INTEREST IN MEETINGS AND REGISTER OF GIFTS AND HOSPITALITY (Pages 9 - 10)

To receive a report from the Corporate Web & Information Manager on progress to enable Members to complete the registers on-line.
(ENCLOSURE 'C')

5 WEB CASTING/REMOTE ATTENDANCE AND ICT SUPPORT FOR TOWN AND COMMUNITY COUNCILS (Pages 11 - 16)

To receive an update report from the Head of Democratic Service.
(ENCLOSURE 'CH')

6 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES
(Pages 17 - 20)

6A A report by the Customer Care Officer in the form of an up-dated matrix for County Councillors. For information and any questions.
(ENCLOSURE 'D')

6B A report by the Customer Care Officer in the form of an up-dated matrix for Town and Community Councils. For information and any questions.
(ENCLOSURE 'DD')

7 ADJUDICATION PANEL DECISIONS (Pages 21 - 44)

A report by the Customer Care Officer for information and a Paper by the Solicitor (Corporate Governance) containing a summary of recent decisions.
(ENCLOSURE 'E')

8 PRE-REGISTRATION OF INTERESTS - UPDATES BY COUNTY COUNCILLORS
(Pages 45 - 46)

To receive a report by the Customer Care Officer.
(ENCLOSURE 'F')

9 TOWN AND COMMUNITY COUNCILS - CODE OF CONDUCT AND UNDERTAKINGS UPDATE REPORT (Pages 47 - 48)

To receive a report by the Customer Care Officer.
(ENCLOSURE 'FF')

10 **TRAINING FOR MEMBERS AND TOWN AND COMMUNITY COUNCILS- TRAINING ON THE CODE OF CONDUCT**

10A To receive a report from the Senior Development Officer on the current situation with member training to include progress re: Members Annual Report.
(ENCLOSURE 'G' – **TO FOLLOW**)

10B To receive a report from the Senior Development Officer on the Training offered to Town and Community Councils and the feedback received.
(ENCLOSURE 'NG' – **TO FOLLOW**)

11 **TOWN AND COMMUNITY COUNCILS - TRAINING ON THE CODE OF CONDUCT**
(Pages 49 - 54)

To receive a report from the Monitoring Officer on future training needs following the sessions held in September.
(ENCLOSURE 'H')

12 **REVIEW OF REGISTERS** (Pages 55 - 62)

To receive a report and guidance from the Solicitor (Corporate Governance) and discuss the annual review of registers.
(ENCLOSURE 'I')

13 **INDEPENDENT REMUNERATION PANEL CONSULTATION** (Pages 63 - 76)

To receive a report from the Monitoring Officer as to the outcome of the consultation discussed at the September meeting.
(ENCLOSURE 'L')

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STANDARDS COMMITTEE

Minutes of the meeting held on 12 September 2013

PRESENT: Independent Members

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

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

Representing Town and Community Councils

Councillor John Roberts

Representing the County Council

Councillor Trefor Lloyd Hughes
Councillor Dafydd Rhys Thomas

IN ATTENDANCE: Head of Function (Legal & Administration)/Monitoring Officer,
Legal Services Manager (RJ) (In respect of Item 8),
Customer Care Officer (BJ) (In respect of Items 3, 4, 5, 6 & 7),
Committee Officer (MEH),
Administrative Assistant (SC).

ALSO PRESENT: None

APOLOGIES: Councillor Raymond Evans (Representing Town & Community Councils)

1 DECLARATION OF INTEREST

No declaration of interest received.

2 MINUTES OF MEETING

The minutes of the meeting held on 12 June, 2013 were confirmed.

3 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

3A 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.

3B Submitted, for information – a report by the Customer Care Officer in the form of an update matrix for Town and Community 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.

4 ADJUDICATION PANEL DECISIONS

Submitted and noted – the findings of the Adjudication Panel for Wales from 1st April, 2011 to 29th August, 2013.

RESOLVED to note the report.

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

5 PRE-REGISTRATION OF INTERESTS - UPDATES BY COUNTY COUNCILLORS

Submitted – a report by the Customer Care Officer in relation to the above.

The Customer Care Officer stated that 3 County Councillors are still to update their pre-registration of interests. Numerous requests had been made to request them to complete the pre-registration of interest document.

RESOLVED to note the report.

ACTION :

- **That a letter be sent to the 3 County Councillors, from the Chair of the Standards Committee, requesting them to update their pre-registration of interests within 7 days of the date of the correspondence;**
- **A copy of the correspondence be forwarded to the Group Leader of the Political Groups the elected Members are affiliated to ;**
- **The elected Members be summoned to appear before the Standards Committee if they fail to comply with the request;**
- **An update on any further developments from the Customer Care Officer at the next Standards Committee.**

6 TOWN AND COMMUNITY COUNCILS - CODE OF CONDUCT AND UNDERTAKINGS

Submitted – a report by the Customer Care Officer in relation to the above.

The Customer Care Officer stated that all Town/Community Councils but one have responded in respect of the Code of Conduct and Undertakings.

RESOLVED to note the report.

ACTION :

- **To receive an update by the Customer Care Officer at the next Standards Committee.**

7 TOWN AND COMMUNITY COUNCILS - TRAINING ON THE CODE OF CONDUCT

Submitted – a report by the Customer Care Officer in relation to the above.

The Customer Care Officer stated that 34 out of 40 Town/Community Councils have responded with 64 Councillors attending suitable sessions on the Code of Conduct.

The Chair stated that he and the Vice-Chair together with Mrs. Dilys Shaw intend to attend the Training Sessions. Mr. Wilson stated that they would emphasise the need for Town/Community Councillors to attend training on the Code of Conduct and to cascade that training within their Community Councils.

The Head of Function (Legal & Administration)/Monitoring Officer stated that a letter can be sent to all the Town/Community Councillors personally rather than through the Clerk of the Town/Community Councils.

RESOLVED to note the report.

ACTION : Following the Training Session to be held at the end of this month, a letter is sent to each individual Town/Community Councillor, from those which do not send representation, expressing the importance of attending training on the Code of Conduct.

8 PLANNING PROCEDURE RULES

Submitted – a report by the Deputy Monitoring Officer/Senior Solicitor (Planning) for recommendation to the Executive/Council.

The Deputy Monitoring Officer/Senior Solicitor (Planning) stated that the recommended changes to the Constitution are as follows :-

Planning Procedure Rules (the Rules) :

Change 1 (paragraph 3.5.3.15.5) – That, in future, departure applications made by Councillors, relevant Officers or their close family or friends may, rather than being referred to the Planning Committee (the Committee) as at present, be refused by Planning Officers under delegation and then be subject to a full report to the next Committee meeting. Where Officers want to approve such a departure application then it could only be approved by the Committee;

Change 2 (section 4.6) – The Rules be amended to reflect the legal position and to take account of Section 25 of the Localism Act 2011. That Members of the Committee are allowed to express an opinion on the merits of an application even before it comes to the Committee for a decision provided the opinion they express is a predisposition and not a predetermination. This would include allowing Members of the Committee who are also Members of a Town/Community Councils to participate in a planning matter at meetings of their Town/Community Council.

RESOLVED to accept the report and recommendations contained therein.

ACTION : That the report of the Deputy Monitoring Officer/Senior Solicitor (Planning) be submitted to the Executive/Council in due course.

9 INDEPENDENT REMUNERATION PANEL CONSULTATION

Submitted – report by the Head of Function (Legal & Administration)/Monitoring Officer in relation to the above.

The Head of Function (Legal & Administration)/Monitoring Officer stated that the Independent Remuneration Panel for Wales publish an Annual Report. This year they have been visiting Local Authorities together with Town/Community Councils to obtain views regarding IRP reports and what allowance is permitted. In the context of Co-opted Members of Local Authorities the IRP have now issued a Draft Supplementary Report, on payments, by way of consultation. Correspondence was received dated 1st August, 2013 from IRP which listed the 4 matters which require the views of Local Authorities before they produce a final Supplementary Report.

- (1) *Reasonable time for pre-meeting preparation is eligible to be included in claims made by co-opted members in the extent of which can be determined by the appropriate Officer in advance of the meeting;*

The Head of Function (Legal & Administration)/Monitoring Officer stated that Co-opted Members will now be eligible to claim for pre-meeting preparation, such preparation to be determined by an appropriate Officer (Monitoring Officer) in advance of the meeting. A reasonable time estimate will need to be calculated before papers are sent out to Co-opted Members in respect of preparation/reading of the documentation.

Members of the Committee agreed that the Chair and Vice-Chair should meet with the Monitoring Officer to decide the reasonable time required to prepare for a meeting as documentation for some meetings can be extensive particularly Hearings can take longer to prepare for discussion.

RESOLVED to agree in principle to (1) noted above and that further negotiations take place centrally in respect of agreeing standard preparation time for meetings.

- *(2) Travelling time to and from the place of the meeting can be included in the claims for payments made by Co-opted Members (up to the maximum of the daily rate);*
- *(3) The appropriate Officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed;*
- *(4) Meetings eligible for the payment of fee include other Committees and Working Groups (including Task and Finish Groups) or any other formal meeting to which Co-opted Members are requested to attend. (Pre-meetings with Officers, Training and attendance at Conferences are already eligible for payment).*

RESOLVED to agree to (2), (3) and (4) as noted above.

The Head of Function (Legal & Administration)/Monitoring Officer further referred to the IRP recommendation that Local Authorities should consider a maximum number of occasions when payments may be made to co-opted Members every year. The Officer recommended that a review takes place in February/March.

Members of the Committee agreed that a review should be undertaken by the Monitoring Officer (based on actuals) and to request her to make recommendations in due course to suit the circumstances of this Authority.

RESOLVED to accept the report.

ACTION :

- **That the recommendations of the Standards Committee at (1) to (4) be forwarded to the Chief Executive to respond to the Independent Remuneration Panel.**
- **To request the Monitoring Officer to prepare recommendations for maximum number of days for the attendance at meetings by Co-opted Members in every year.**

10 LOCAL GOVERNMENT (DEMOCRACY) (WALES) ACT 2013

Submitted, for information – a report by the Head of Function (Legal & Administration)/Monitoring Officer in relation to the above.

It was reported that the Standards Committee at its meeting held on 25th July, 2012 agreed on a consultation response to the Welsh Government's White Paper on Promoting Local Democracy. It was noted that the Local Government (Democracy) (Wales) Act 2013 has now received Royal Assent.

The Head of Service (Legal & Administration)/Monitoring Officer highlighted Part 5 of the documentation to the Committee which refers to matters specifically within the remit of the Standards Committee :-

55 *Community Council websites*
58 *Registers of Members' interests*
59 *Remote attendance at meetings of principal councils*
68 *Joint Standards Committees*
69 *Referral of cases relating to conduct*

RESOLVED to note the report.

ACTION : None

11 GENERIC DISPENSATION - INDEMNITIES

Submitted – a report by the Monitoring Officer in respect of whether or not to grant a generic dispensation to all County Councillors.

The Monitoring Officer gave an indepth report on the process of dispensation to the Committee and highlighted that the Standards Committee has discretion on whether or not to grant the dispensation sought and to impose any restrictions or limitations as appropriate to the circumstances of the application.

RESOLVED that dispensation be granted by the Standards Committee as follows :-

- **Should the need arise, all current Members of the County Council are hereby granted dispensation to attend before the Indemnities Sub-Committee (or its successor, if any) to present any application they wish the Sub-Committee to consider in accordance with the Policy and Procedure for Indemnities.**
- **This dispensation is granted under Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 2.(d) and 2.(f).**
- **Any Member exercising this right shall be entitled to present their application and answer questions, but any deliberations by the Sub-Committee shall take place in private.**
- **This dispensation shall not prejudice the right of any Member to request that their application be considered on the papers alone, or their right to be represented by a legal advisor.**
- **This dispensation shall, if required, also extend to any consideration by the Standards Committee in accordance with their powers under the Local Authority's (Indemnities for Members and Officers) (Wales) Order 2006 when any Member shall be entitled to put their case in person to the Standards Committee, before the Committee retires to private session to consider the exercise of its statutory powers.**
- **This dispensation shall endure for all those who are Members during the term of this Council for the remaining term of this Council.**

12 EXCLUDE THE PRESS AND PUBLIC

RESOLVED to adopt 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 1 of Schedule 12A of the said Act and the attached Public Interest Tests"

13 OUTCOME OF AN INVESTIGATION BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES IN RELATION TO A COMPLAINT AGAINST A COUNTY COUNCILLOR

Submitted and noted – for information the outcome of investigation by the Public Services Ombudsman for Wales in relation to a complaint against a County Councillor.

ACTION : None

14 OUTCOME OF AN INVESTIGATION BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES IN RELATION TO A COMPLAINT AGAINST A COMMUNITY COUNCILLOR

Submitted and noted – for information the outcome of investigation by the Public Services Ombudsman for Wales in relation to a complaint against a Community Councillor.

ACTION : None

15 MEETING/S BETWEEN CHAIR OF THE STANDARDS COMMITTEE AND GROUP LEADERS

The Chair gave a brief report on meetings had has attended with the Group Leaders.

He stated that arrangements are now in place that as Chair he would be meeting the Group Leaders 4 time a year.

RESOLVED to note the report.

ACTION : None

**MR. MICHAEL WILSON
CHAIR**



INTERNAL AUDIT ASSIGNMENT PLANNING SHEET

Organisation name:	Anglesey County Council
Periodic plan date:	Ref. 1917.2013/14
Auditable area:	Corporate Complaints Procedure

OBJECTIVES, RISKS AND CONTROLS

Objective of the area under review:	The Council complies with its Corporate Concerns and Complaints Policy and therefore deals effectively with the concerns and complaints of its customers.
Risk description:	The Council does not deal effectively with concerns and complaints missing the opportunity to learn from mistakes and increasing the risk of reputational damage.
Audit objective:	To evaluate the adequacy of risk management and control within the system and the extent to which controls have been applied, with a view to providing an opinion.

ADDITIONAL MANAGEMENT CONCERNS

Management has informed that there is little evidence of 'concerns' as detailed in the CCP being recorded and actioned by departments.

SCOPE OF THE REVIEW

Areas for consideration:	Compliance with the requirements of the Council's Corporate Concerns and Complaints Policy.
Limitations to the scope:	<p>The review will be limited to the operation of the Council's Corporate Concerns and Complaints Policy and will be based on complaints received in 2013-14 to date.</p> <p>Limited testing will be carried out to ensure that concerns and complaints have been dealt with in line with the Policy requirements.</p> <p>Our work does not provide any guarantee against material errors, loss or fraud or provide an absolute assurance that material error, loss or fraud does not exist.</p>
Audit tool:	Compliance Audit
Audit approach:	These audits test only for compliance with controls, and do not seek to form an opinion on the design of controls in place.

REQUIRED DOCUMENTS

To enable us to commence our fieldwork on the agreed start date, we will require access to the following information or records at the start of the first day of the audit:

- Copy of Concerns and Complaints Policy;
- Access to records of concerns and complaints held centrally and within departments;
- Copies of reports concerning concerns and complaints;
- Minutes of meetings at which records of concerns and complaints have been presented.

RESOURCES

Organisation sponsor:	Lynn Ball - Head of Function - Legal and Administration; Beryl Jones - Customer Care Officer
Auditors:	John Fidoe - Audit Manager; Eurwen Williams - Senior Internal Auditor
Audit start date:	16 December 2013
Fieldwork completion date:	17 January 2014

AGREEMENT OF AUDIT SCOPE

Prepared by:	John Fidoe - Audit Manager
Date:	11 November 2013
Reviewed by:	Eurwen Williams - Senior Internal Auditor
Date:	11 November 2013
Agreed by (client sponsor):	
Date:	

CYNGOR SIR YNYS MON/ISLE OF ANGLESEY COUNTY COUNCIL

MEETING:	Standards Committee
DATE:	02 December 2013
TITLE OF REPORT:	Reporting on the online publishing of Statutory Registers.
REPORT BY:	Online Services Team Leader
PURPOSE OF REPORT:	To report back to the Committee

1. Standard Register of Interests

The Standard Register of Interests has been available online via the Modern.Gov e-democracy system since the beginning of January, 2013. From May - June 2013, all elected members were given one to one training on how to update the online version. All members publish their Standard Register of Interests online. Support is provided by the Online Services Team.

2. Register of Gifts and Hospitality

All members were provided with one to one training by the Online Services Team in May 2013 and were informed that the Standards Committee had asked for them to fill in the form online so that a complete Register of Gifts and Hospitality would be available to the public.

Members are currently listing all their gifts and hospitality with the Committee Services Manager who maintains a written register. No member has contacted the Online Services Team for further training.

3. Register of Interests Declared in Meetings

The Standards Committee requirement that individual members should fill in their own interests declared in meetings is currently not technically possible via the Modern.Gov system.

The Register of Interests declared in Meetings is currently published via the Modern.Gov system after the minutes have been confirmed, thereby allowing the public to search for any individual member's declaration of interests in any committee, on any date. The information is inputted by the Committee Officers, Committee Services.

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ISLE OF ANGLESEY COUNTY COUNCIL	
NAME OF COMMITTEE:	STANDARDS COMMITTEE
DATE OF MEETING:	12 DECEMBER 2013
TITLE:	WEBCASTING OF MEETINGS AND REMOTE ATTENDANCE
AUTHOR:	INTERIM HEAD OF DEMOCRATIC SERVICES/ICT MANAGER
PORTFOLIO HOLDER:	COUNCILLOR VAUGHAN HUGHES

1. Background

1.1 The webcasting 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. However, webcasting is not a legislative requirement but is strongly supported by Welsh Government.

2. Welsh Authorities current position

2.1 At present some Councils in Wales webcast Council meetings including:

- **Cardiff** webcast their Council meetings only (hosted by Public-i)
- **Carmarthenshire** webcast their Council meetings only (hosted by Public-i)
- **Powys** has used Public-i for meetings of high public interest.
- **Brecon Beacons NPA** webcast all their major meetings using a system provided by Public-i, on an 18 month pilot, funded by the Information Commissioners Office.

3. The Council's position

3.1 As reported to the Democratic Services Committee on 1 July 2013. The Welsh Government has now offered a grant of £40,000 to each Council to assist the promotion of local democracy and public engagement. The purpose of the funding is to enable Councils "to make particular arrangements to broadcast council meetings, introduce remote attendance at council meetings, and assisting community councils to publish information on and be contactable through the Internet." An additional £20,000 of funding is allocated to assist community councils to set up websites. This allocation is currently being distributed to Community Councils.

- 3.2 The funding has a condition that the Authority must webcast at least a meeting(s) during 2013/14 and provide a remote attendance service. There is no guarantee of grant funding in future years

4. Remote Attendance

- 4.1 The Local Government (Wales) Measure 2011 places a requirement on local authorities to put arrangements in place for Members to participate in meetings remotely. This requirement has not yet been enacted but is likely to be scheduled for the Spring of 2014. Draft guidance on remote attendance has been received for consultation and it is envisaged that the final guidance will be published shortly.
- 4.2 The Council's Standing Orders will need to be amended once Section 4 of the Measure is enacted to include an enabling provision in relation to remote access.
- 4.3 The draft guidance does give some flexibility in allowing each local authority to determine which types of meetings can be attended remotely and how this is effected. Advice received from the Welsh Government leaves it to local Authorities to determine how to take this forward and the extent. This approach will satisfy the terms of the grant. Welsh Government are encouraging local authorities to trial remote access. Implementing remote access from a remote location such as a library or even another room in the Council Office is a realistic option for an area such as Ynys Môn and would enable us to comply with the requirement of the grant. The use of desk top video conferencing is being considered for this purpose.

5. Webcasting

- 5.1 Webcasting would allow meetings of the Council to be available to view over the internet by way of streaming media. The website would allow the public to view the meetings live or later through the website via an archive, all the audience needs is a device with an internet connection. Interface with Modern.gov management systems is being considered to facilitate engagement.
- 5.2 Typically, Councils using webcasts report that the number of people watching live is higher than the number of people who actually attend meetings, and that significantly higher numbers of people watch archived material as opposed to those that watch live.
- 5.3 The equipment would consist of a computer system with a series of cameras set up in the Chamber which automatically focus on the Member speaking when the button is pressed on his/her microphone.

6.0 Benefits

- 6.1 There are a number of benefits to promote local democracy through web-casting:
- View meetings live, which may be helpful for people who have difficulty travelling to attend the meeting or who may otherwise prefer to watch from another location

- Replay meetings after they have taken place, which may be helpful when the meeting time or location is inconvenient
- Search for, and view, particular speakers or agenda items
- Transparent governance and accountability
- Improved citizen engagement, particularly with the younger generation
- Improved understanding of the democratic process for example understanding of planning decisions
- Enables LG (Wales) Measure requirement for engaging public in Scrutiny
- Incentive for high standards of member attendance, engagement and conduct at meetings
- Effective means of communicating to officers and other members information and decisions
- As many council officers rarely have the opportunity to attend or observe formal council meetings, webcasting provides a valuable opportunity for more officers to view and understand council meetings and the democratic process, and webcasting (and archived meetings) could also be a useful part of officer induction and training.
- Opportunities for members to learn from peer observation and inform potential candidates about their role to encourage democratic renewal.

7. Resource Implications

- 7.1 Informal discussions have taken place with leading suppliers in order to gain a better understanding of the proposals, the costs involved and whether webcasting is a feasible option. Indicative costs for a managed service suggest that the grant would fund a 2 year pilot for a hosted solution, based on annual costs of around £18k per annum, but this is dependent on a number of factors (e.g number of hours for webcasting, number of cameras and the sophistication of the hardware provided).
- 7.2 The costs are indicative only and include support and up to 90 hours of broadcasting content per year. This is based on the broadcasting of 4 Council meetings per year, 12 Executive Committee meetings and 12 Planning Committee meetings.
- 7.3 Members may wish to take a view on the extent of broadcasting meetings or to limit webcasting e.g. to meetings of a particular committee as part of a pilot. This would have a bearing on costs. Group Leaders are being consulted on this aspect.

- 7.4 A webcasting hosted solution is recommended as this includes equipment upgrades.
- 7.5 Beyond year 2 there would be a demand for revenue funding of approximately £15k per year for a hosted solution should the Council decide to continue with webcasting.

8. Staffing and Members

- 8.1 Staff resources will be required to prepare for each meeting in setting up equipment to record and checking the links to the provider prior to the meeting, inputting relevant documents on the web page prior to the meeting, ensuring the equipment is operating correctly during the meeting. Following the meeting, placing the recording in the archive on the Council's site with all relevant matters being time linked etc for the meeting. Staff within Democratic Services will need to undergo training to undertake these additional roles in liaison with ITC Staff
- 8.2 In addition, there may be additional demands on the Translation Unit to service meetings and arrange translation of proceedings for the purposes of webcasting
- 8.3 The introduction of webcasting is likely to have a significant impact on Members and it would be necessary to invest considerable effort into ensuring buy-in and overcoming any potential concerns or difficulties that they may have. Webcasting could have impact on the governance of council meetings. Webcasting providers include training as part of the implementation and this would have to be tailored to take account of member concerns and needs. It would also be necessary to put in place member an on-going training programme and this would entail costs particularly if it was extended to cover media training and presentation skills.

9. Risks

- 9.1 The risk associated with not installing any system will be that the Council may find itself in a position where the potential for enhancing public access is lost, possibly at the same time when other Councils in Wales are moving forward.
- 9.2 There is no doubt that the Welsh Government is strongly encouraging authorities to embrace this concept.
- 9.3 The risk with providing the system is mainly around funding, particularly at this time when the Council budget is under severe pressure. Grant funding is available to initiate a 2 year pilot, and towards the ends of the pilot period, it is recommended that a review be undertaken to establish whether the webcasting of meetings had been successful in promoting local democracy and public engagement. Following consideration of the review the Council would decide whether to continue with this service for the ongoing provision of webcasting for the following year(s).

10. Recommendations

- 10.1 That the Democratic Services Committee recommends to Council:

- To proceed with the Webcasting of meetings for a 2 year pilot period in order to utilise Welsh Government funding, taking account of comments in para. 7.3 on the extent of broadcasting.
- To authorise the Interim Head of Democratic Services and ICT Manager to procure the necessary equipment based on a hosted solution.
- To note the position in relation to remote access as detailed in section 4 above.

Huw Jones
Interim Head of Democratic Services
16/09/13

Reported to the Democratic Services Committee on 1.10.13 and the County Council on 10.10.13

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**CWYNIION I AC YMHOLIADAU GAN YR OMBWDSMON – “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– 14 Tachwedd 2013 /14 November 2013
(diweddariad diwethaf / last update 12.8.13)**

PWYLLGOR SAFONAU – 12.12.13 – STANDARDS COMMITTEE

Enw'r Cynghorydd Name of Councillor	Enw'r Achwynydd 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 Côd 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. Cynghorydd Sir / County Councillor	Prif Weithredwr / Chief Executive	(i) 017339 (ii) 201304118	29.10.13	Delio gyda mater pan roedd yna fuddiant personol ac o bosib bod hwnnw wedi mynd yn fuddiant sydd yn rhagfarnu / Dealing with a matter when there was a personal interest which may then have become a prejudicial interest.	Rhan / section 10(2)(c) (i), 14(1)(a), (c), (d) and (e)	01.11.13 – llythyr gan yr Ombwdsmon yn nodi ei fod wedi derbyn cwyn ac yn rhoddi ystyriaeth i'r mater. / letter from the Ombudsman noting that a complaint has been received and that the matter is being considered.	27.11.13 – yr "O" am ymchwilio / The "O" to investigate
2. Cynghorydd Sir / County Councillor	Cynghorydd Cymuned / Community Councillor	(i) 017368 (ii) 201304372	13.11.13	Dwyn anfri ar y swydd neu'r awdurdod, methiant I ddangos parch at eraill a bwlio ac harasio eraill. / Brining the office or authority into disrepute, failure to show respect for others and bullying and harassment of others.	Rhan/ Secion 6(1)(a) , 4 (b) & 4 (c)	13.11.13 - llythyr gan yr Ombwdsmon yn nodi ei fod wedi derbyn cwyn ac yn rhoddi ystyriaeth i'r mater. / letter from the Ombudsman noting that a complaint has been received and that the matter is being considered	

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CWYNION I AC YMHOLIADAU GAN YR OMBWDSMON – “O” -YNGLŶN Â CHYNGHORWYR CYMUNEDOL A THREF

**COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” -REGARDING TOWN AND COMMUNITY COUNCILLORS
Diweddariad – 11.11.13 - Update**

Pwyllgor Safonau- 12 RHAGFYR 2013 / Standards Committee 12 DECEMBER 2013

Enw'r Cynghorydd Name of Councillor	Enw'r Achwynydd 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	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 LLanbadrig	Aelod o'r Cyhoedd / Member of the Public	(i) 017352 (ii) 201304286	08.11.13	Ymddwyn heb awdurdod a methiant i ddatgan diddordeb / Acting without authority and failure to declare an interest.	Disgwyl clywed os yw'r "O" am ymchwilio / Waiting to hear if the "O" is going to investigate.	15.11.13 - ddim yn ymchwilio / Not investigating

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Cyngor Sir Ynys Môn / Isle of Anglesey

Committee	Standards Committee
Date of Meeting	12 December 2013
Title of Report	Findings of the Adjudication Panel for Wales 1st April 2011 to 1st November 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 1st November 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
15.05.13 – Cllr John Cooper, Mumbles Community Council
18.07.13 - Cllr P. Heesom, Flintshire County Council - **Update**
12.07.13 – Former Cllr David Evans, Ceredigion County 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)</p> <p>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 -</p> <p>Suspended for 1 month</p>
<p>Cllr. M. Calver of Manorbier Community Council (25.5.11) Appeal</p> <p>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.</p> <p>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</p> <p>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
	brought his office and/or council into disrepute.		
Cllr. A. Brown of Merthyr Tydfil County Borough Council APW/006/2010-011/CT And APW/010/2010-011/CT	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	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.	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
Cllr. J. Adams- Lewis of Ceredigion County Council	Failing to act objectively and in the public interest in the consideration of a planning application at a site meeting of	The Case Tribunal found that the Councillor did act in a way, such that a member of the public might	Breach: Suspended from being a member of the Development Control Committee and Vice Chairman of

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 Sending an email criticising the way the police were dealing with an investigation 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 - Failing to show respect and consideration for others and bullying and harassing behaviour Disclosing confidential information about the health of a fellow councillor 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 Bullying and Harassment – No breach</p> <p>No breach</p> <p>Breach</p>	Breach and the Tribunal concluded that the appropriate sanction was one of censure.

Name	Allegations	Findings	Result
<p>Former Cllr. F. Wildgust of Torfaen County Borough Council</p> <p>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</p> <p>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</p> <p>APW/012/2010-011/A</p>	<p>Failed to maintain accurate records of his appointments and interests in the statutory register.</p> <p>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.</p> <p>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</p> <p>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
			that a censure was an appropriate sanction
<p>Cllr. D. Thomas of City & County of Swansea Council Appeal</p> <p>APW/002/2007-08/A</p>	<p>Appeal against the decision of the Standards Committee</p> <p>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.</p> <p>“Having regard” to advice taken to mean accepting such advice in the absence of good reasons not to – no such reasons given</p>	<p>Decision of Standards Committee upheld.</p> <p>Censure and suspension for 1 month.</p>
<p>Former Cllr. L. Bailey of City & County of Swansea Council</p> <p>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.</p> <p>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.</p> <p>Disqualification for 2 years and 6 months – reduced length of disqualification due to mitigating factors</p>

Name	Allegations	Findings	Result
	<p>council employees who later saw the images on the computer equipment.</p> <p>Pattern of persistent misconduct demonstrated a failure to promote the principles of the code by leadership and example</p>		
<p>Cllr. I. Tuck of Merthyr Tydfil County Borough Council</p> <p>APW/004/2007-08/CT</p>	<p>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.</p> <p>Councillor had resigned and had no desire to stand for public office again.</p>	<p>Breach.</p> <p>Disqualified for 12 months</p>
<p>Cllr. K. Armstrong-Braun</p> <p>Saltney Town Council</p> <p>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 :-</p> <p>That he acted inappropriately</p>	<p>The Case Tribunal found</p>	<p>Breach.</p> <p>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
	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.	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.	
Former Cllr. M. Eckersley Denbighshire County Council APW/004/2011-012/CT	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");	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".	The Case Tribunal considers that former Cllr Eckersley's conduct merits a censure.

Name	Allegations	Findings	Result
	<p>and</p> <p>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>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>Cllr. B. Durkin Anglesey County Council APW/002/2011-012/CT</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</p> <p>by making numerous requests for information thereby placing excessive demands and significant burden upon the</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
	Council's Corporate Information Officer (Mr Pritchard)	<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>motives were not genuine, further brought the office into disrepute.</p>	
<p>Former Cllr. A. Brown Merthyr Tydfil County Borough Council</p> <p>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>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	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. The Appeal Tribunal accordingly decided by unanimous decision to endorse the decision of the Isle

Name	Allegations	Findings	Result
	paragraph 6(1)(a) of the code of conduct	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.	of Anglesey County Council's Standards Committee that Cllr Thomas should be suspended for 6 months.
Former Cllr. Whitby Coedpoeth Community Council APW/003/2011-012/CT APW/005/2012-013/CT APW/007/2012-013/CT	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	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	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.

Name	Allegations	Findings	Result
	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.	over the next five years.	
<p>Cllr John Cooper</p> <p>Appeal</p> <p>Mumbles Community Council</p> <p>APW/009/2012-013/A</p>	<p>The allegations were that Cllr Cooper had breached Mumbles Community Council Code of Conduct by making misleading statements about his personal assets to an Employment Tribunal when that Tribunal was considering his liability for costs.</p> <p>It was alleged that in failing to declare the extent of his assets Cllr Cooper had misled the Employment Tribunal about his ability to pay any costs awarded against him.</p>	<p>On the basis of the findings of fact, the Appeal Tribunal found by a unanimous decision that there was a failure to comply with Mumbles Community Council code of conduct.</p> <p>Paragraph 6(1)(a) of the code of conduct states "You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute".</p> <p>The Appeal Tribunal was satisfied that the finding of fact that Cllr Cooper had made misleading</p>	<p>The Appeal Tribunal accordingly decided by unanimous decision to endorse the decision of the Standards Committee and that Cllr Cooper should be suspended from being a member or co-opted member of Mumbles Community for a period of 18 weeks.</p> <p>The Tribunal considered that this was an appropriate and proportionate sanction to mark the seriousness of the breach and maintain public confidence in standards in public life.</p>

Name	Allegations	Findings	Result
		<p>statements to the Employment Tribunal did amount to a breach of paragraph 6(1)(a) of the Code.</p> <p>The Tribunal considered that the findings made by the Employment Tribunal that Cllr Cooper had failed to disclose assets and the subsequent article in the South Wales Evening Post was liable to bring the office of Community Councillor and Mumbles Community Council into disrepute.</p>	
<p>Cllr P Heesom Flintshire County Council APW/005/2010-011/CT</p>	<p>Breach of paras 4(a), 4(b), 6(1)(b) and 7(a) of the 2001 code of conduct and paras 4(b), 4(c) and 4(d) of the 2008 code of conduct</p>	<p>http://wales.gov.uk/docs/dsjlg/publications/apw/130830clrhfindfact.pdf</p> <p>See link to the Findings of Fact Document.</p>	<p>The Order made by the High Court of 20 August 2013 to stay the disqualification imposed by the Case Tribunal on 19 July 2013 has been rescinded by the High Court by Order dated 5 September 2013.</p> <p>Disqualified for 2 ½ years.</p>

Name	Allegations	Findings	Result
<p>Former Cllr David Evans</p> <p>Ceredigion County Council</p>	<p>Breach of paragraph 6(1)(a), 7(a) and 9(a) of the code of conduct – in that he claimed expenses that he was not entitled to</p>	<p>The Case Tribunal considered all the facts of the case and in particular the fact that Mr Evans had on demand, promptly repaid over-claimed expenses. The Case Tribunal also took into account the fact that the Council's procedures during the relevant period relating to councillors' expenses had on its own admission fallen short of the standard the public is entitled to expect.</p>	<p>Disqualified for 3 months</p>

Adjudication Panel for Wales - Summary of recent decisions

1. Former Cllr David Evans - APW/008/2012-013/CT – 12/07/2013

<u>Summary of Facts</u>	<u>Decision Summary</u>	<u>Relevant provisions of code</u>	<u>Sanction Provided</u>
<p>The allegations were that Mr Evans had breached Ceredigion County Council's Code of Conduct by claiming expenses he was not entitled to by over-stating his mileage and subsistence claims over a period of 11 years.</p> <p>The Council adopted a members' scheme for 2004/05 providing for the chairman's allowance to be increased to an amount which was inclusive of travel allowances.</p> <p>Mr Evans then claimed travel expenses for a trip to Dublin and a trip to Belfast, the claim which included an additional flight for his wife contrary to the new scheme which did not allow travel expenses to be claimed additionally to the chairman's allowance.</p>	<p>The Case Tribunal found by a unanimous decision that there was a failure to comply with Ceredigion County Council's Code of Conduct.</p> <p>They considered all the facts of the case and in particular, the fact that Mr Evans had on demand, promptly repaid over-claimed expenses.</p> <p>The Case Tribunal also took into account the fact that the Council's procedures during the relevant period relating to councillors' expenses had on its own admission fallen short of the standard the public was entitled to expect.</p>	<p>Breach of paragraph 6(1) (a), 7(a) and 9(a) of the code of conduct.</p> <p>Paragraph 6(1) (a) <i>"You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute."</i></p> <p>The Tribunal found that Mr Evans breached the code of conduct by over-stating mileage and subsistence claims and by doing so had brought his office and or authority into disrepute.</p> <p>Paragraph 7(a) <i>"You must not 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</i></p>	<p>Disqualified for 3 months.</p>

		<p><i>for yourself, or any other person, a disadvantage.”</i></p> <p>The Tribunal found that Mr Evans breached the code of conduct by over-stating mileage and subsistence claims and as a result had improperly conferred or secured for himself an advantage.</p> <p>Paragraph 9(a) of the code <i>“You must observe the law and your authority’s rules governing the claiming of expenses and allowances in connection with your duties as a member.”</i></p> <p>The Case Tribunal found that Mr Evans had failed to observe the authority’s rules concerning expenses and as a result had breached the code of conduct by over-stating mileage and subsistence claims.</p>	
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2. Cllr P Heesom – APW/005/2010-011/CT

<u>Summary of Facts</u>	<u>Decision Summary</u>	<u>Relevant provisions of code</u>	<u>Sanction Provided</u>
<p>The allegations were that Mr Heesom had breached Flintshire County Council's Code of Conduct by being rude towards officers.</p> <p>During a Scrutiny Meeting the Respondent described the management of the Adult Social Care Directorate as a "shambles" and "shambolic".</p> <p>At the conclusion of the meeting, the Respondent stated that a number of Managers in the Authority had been dispensed with and there were more to go.</p> <p>He was also rude and aggressive towards a junior Officer who found his conduct confrontational and intimidating, was upset by his conducted. Mr Heesom further stated to another Member in the Members' Executive Room</p> <p><i>" (an officer) is shit at her job."</i></p> <p>..and had indicated to a senior officer that a particular officer "knew nothing about Housing" and "her days are numbered."</p>	<p>The Tribunal decided unanimously that Cllr Heesom should be disqualified for his actions as a result of breaching the code of conduct on fourteen separate occasions.</p> <p>It is interesting to note that the Tribunal found Mr Heesom's comment on the Adult Social Care Directorate being a "shambles" and "shambolic" was found to be within the Article 10 protection of freedom of speech as it amounted to a "political expression".</p>	<p>Alleged Breach of paras 4(a), 4(b), 6(1) (b) and 7(a) of the 2001 code of conduct and paras 4(b), 4 (c) and 4(d) of the 2008 code of conduct.</p> <p>Conduct breached:</p> <p>4(a) – failure to show respect and consideration for others, and</p> <p><i>Writing an inappropriate letter to a Council housing tenant on 9 August 2007 (breach of paragraphs 4(a))</i></p> <p>4(b) – conduct which compromises, or which is likely to compromise, the impartiality of the authority's employees).</p> <p><i>His attempt to influence council housing allocation was conduct which compromises, or which is likely to compromise the impartiality of employees.</i></p>	<p>Disqualified for 2 1/2 years.</p> <p>The case was then appealed to the High Court who decided that the original sanction stands.</p>

		<p>4(c) – bullying/harassment.</p> <p><i>Behaviour towards officers.</i></p> <p>6(1)(b) – bringing the office of member or the authority into disrepute).</p> <p><i>Letters sent to council tenants.</i></p>	
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Cyngor Sir Ynys Môn / Isle of Anglesey

Committee	Standards Committee
Date of Meeting	12 December 2013
Title of Report	Pre – Registration of Interests – Updated by County Councillors.
Report By	Customer Care Officer
Purpose of Report	To update the Committee on the County Councillor’s Register of Interests.

1.0 Introduction

The Standards Committee undertake an annual review of every Register of Interest and for the last three years they have identified a failure by Elected Members to declare their appointment to outside bodies. This is a breach of the Code of Conduct and whilst it is merely a technical breach, it does leave those Members open to criticism.

The report presented to the Committee on 12 September 2013 reported that 7 Councillors had not updated their registers but by the date of the meeting this number was down to 3 and the Committee recommended that they be written to and requested to update their registers within 7 days of receiving the letter.

2.0 Current Situation

The Customer Care Officer was informed by the Web Team on 13 September 2013 that the 3 remaining Members had updated their Registers and therefore all 30 Elected Members have updated the Registers with membership of outside bodies.

The Web Team now automatically inform the Customer Care Officer by e-mail when a Register has been updated so that the office file can be kept up to date with each Member’s current Register of Interests.

3.0 Conclusion

Due to full compliance at this time, I see no need for further reports on this matter.

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Cyngor Sir Ynys Môn / Isle of Anglesey

Committee	Standards Committee
Date of Meeting	12 December 2013
Title of Report	Town & Community Councils – An update on Code of Conduct Undertakings
Report By	Customer Care Officer
Purpose of Report	To update the Committee on the number of Town & Community Councils that have provided information on Councillor undertakings following the new term of office that began in May 2013.

1.0 Introduction

A letter was sent to all Town and Community Councils on 25.4.13 requesting that they provide the following:-

“copies of ALL the completed undertakings given by your new and returning Councillors, promising to observe the Code of Conduct for their new term of office, from May 2013”.

Following a very slow response, as reported to this Committee in June, a further letter was sent out dated 13.6.13 and as at the September meeting all but one council had responded..

2.0 Results

2.1 I can now confirm that ALL Councils have responded and have provided copies of their undertakings. Some Councils have recruited new members and copies of all new Undertakings are being received.

2.3 The copies of the undertakings will be retained in the appropriate file in the Legal Department.

3.0 Conclusion

No further action or reports required as all Town & Community Councils have complied with the requirements and continue to do so.

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CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	STANDARDS COMMITTEE
DATE:	12 DECEMBER 2013
TITLE OF REPORT:	TRAINING SESSIONS FOR TOWN & COMMUNITY COUNCILS ON THE CODE OF CONDUCT
PURPOSE OF THE REPORT:	TO RECEIVE FURTHER INSTRUCTIONS FROM THE STANDARDS COMMITTEE
REPORT BY:	HEAD OF FUNCTION (COUNCIL BUSINESS) / MONITORING OFFICER
CONTACT OFFICER:	LYNN BALL HEAD OF FUNCTION (COUNCIL BUSINESS) / MONITORING OFFICER (ext 2586)

1. INTRODUCTION & BACKGROUND

The role of the Standards Committee is to promote and maintain high standards of conduct amongst Members and assist them to keep to the Code of Conduct. A great deal of emphasis is placed on training and to this end four training sessions were arranged in September 2013 specifically for Town and Community Councillors.

This report provides a review of attendance, proposals as to the action now required and proposals for future training events.

2. ATTENDANCE AT THE TRAINING SESSIONS

Two afternoon and two evening sessions were arranged with two sessions being in Welsh and the other two in English. Due to lack of nominations, the first afternoon session (Welsh) was cancelled and the other three sessions went ahead. Detailed figures are attached at **Enclosure 1**.

Please note that Holyhead Town Council is not included in this report as they intend to arrange their own training One Voice Wales. However, this had not taken place as at the date of writing this report.

3. ACTION REQUIRED

From **Enclosure 1**, it is clear that there was a lack of support for this training.

- The 39 Town and Community Councils have a total of 447 Councillors.
- Three places were offered to the 39 Councils and they were given the choice, if they so wished, to send the Clerk as 1 of the attendees.

- If all Councils had taken up the 3 places offered, 117 councillors/ clerks would have received training on the Code of Conduct.
- The actual attendance figure was 51 – only 43.5% of the number who could have attended.

Given the lack of support, it is suggested that the Standards Committee consider the following approach:-

1. A letter to be sent from the Committee thanking those Councils who sent 3 or more representatives. In addition, to ask that they disseminate the information to other members, give special consideration to consider declarations of interest and their registration in meetings, and also to take the opportunity re-enforce the message re: web presence.
2. A letter to be sent to those Councils who sent some representatives to thank them for doing so but to express disappointment that they did not take up the full complement of places. In addition, to ask that they disseminate the information to other members, give special consideration to consider declarations of interest and their registration in meetings, and also to take the opportunity re-enforce the message re: web presence.
3. A letter to the 13 Councils who did not send anyone to the training and to explain the potential consequences in the event of a complaint. In addition, Officers to write to the relevant Local Members expressing concern about the non- attendance.

All three letters to contain a request that they are put on an agenda, discussed and minuted and to provide written confirmation to the Standards Committee.

4. FUTURE TRAINING

Feedback from the Chair and Vice –Chair of the Committee following the training sessions noted that the training of Town and Community Council Clerks may be a key priority and that of the 51 people who attended the training sessions in September, 8 were Clerks.

Training sessions for Clerks will need to be more focused as they have the responsibility for running their Councils.

From the experience of the last sessions, there is a need for a better room to facilitate break-out sessions and group work. It is also important to ensure that there is a break to enable networking etc.

Enquiries have been made with WLGA and Unllais Cymru as to the availability of their training materials. WLGA are happy for us to use anything that they have produced for training purposes whilst Unllais Cymru has withheld consent.

Comments on areas to focus attention, format and any ideas as to how to improve on the September session together with when we run sessions again are welcomed.

5. RECOMMENDATION

1. That the Committee agrees to the proposal outlined in the report to send letters to the Town & Community Councils and give authority for the Solicitor – Corporate Governance to agree the wording with the Chair and Vice Chair.
2. That the Committee agrees future training delivery.

Town/Community Council	Those who sent 3 or more representatives = 5
Llanerchymedd	3
Pentraeth	3
Trewalchmai	3
Llangefni Town Council	5
Llangoed & Penmon	5

Town/Community Council	Those who did send some Representatives = 21
Aberffraw	2
Amlwch Town Council	2
Bodffordd	2
Bodorgan	1
Bryngwran	1
Llanbadrig	1
Llanddaniel Fab	1
Llanddyfnaan	2
Llaneilian	2
Llanfaelog	2
Llanfaethlu	1
Llanfair Mathafarn Eithaf	2
Llanfairpwll (also a member of the Standards Committee)	1
Llanfihangelesceifiog	1
Llanidan	1
Mechell	2
Menai Bridge Town Council	2
Rhoscolyn	2
Trearddur	2
Tref Alaw	1
Valley	1

Town/Community Council	Those who Failed to Attend = 13
Beaumaris Town Council	None of the dates suitable – asked if further training was to be arranged
Bodedern	Clerk was to attend but unable to do so at the last minute
Cwm Cadnant	Clerk advised that no Councillor had put name forward
Cylch y Garn	Advertising for 5 new councillors – no one available to attend – asked if further training was to be arranged
Llanddona	Clerk advised that no Councillor had put name forward
Llaneurgad	No response received
Llanfachraeth	Clerk advised that no Councillor had put name forward
Llanfair yn Newubwll	No response received
Llangristiolus	Clerk was to attend but unable to do so at the last minute
Moelfre	No response received
Penmynydd & Star	Clerk advised that no Councillor had put name forward
Rhosybol	No response received
Rhosyr	None of the dates suitable

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	STANDARDS COMMITTEE
DATE:	12 DECEMBER 2013
TITLE OF REPORT:	ANNUAL REVIEW OF REGISTERS
PURPOSE OF THE REPORT:	TO ASSIST THE STANDARDS COMMITTEE IN ITS ANNUAL REVIEW OF REGISTERS
REPORT BY:	SOLICITOR- CORPORATE GOVERNANCE
CONTACT OFFICER:	AWENA PARRY, SOLICITOR – CORPORATE GOVERNANCE (ext 2563)

1. INTRODUCTION & BACKGROUND

The annual review of registers is a regular feature of the Standards Committee’s Work Programme.

The following documents are attached to this report:-

Enclosure 1 – Review of the Registers - General Advice Note (October 2013)

Enclosure 2 – Draft letter to all Councillors and Co-opted Members.

2. PROCESS AND TIMESCALE

2.1 It is proposed that the process begins at the end of January 2014 with a report being presented to the March meeting of the Standards Committee.

2.2 As there are 30 Councillors, it is proposed that the independent Members of the Standards Committee will review the registers of 6 Councillors , selected at random

2.3 The Registers are

- “Standing” Register i.e pre-registration of interests,
- Declarations at Meetings
- Gifts and Hospitality.

All three registers are available on line and the General Advice Note (**Enclosure 1**) provides guidance on the process of reviewing the registers.

3. RECOMMENDATIONS

3.1 The Committee is requested to approve the letter at **Enclosure 2**, to be sent out following the meeting on 12.12.13.

3.2 To allocate Councillors to independent members of the Committee.

3.3 To agree to conduct the review between the end of January 2014 and the end of February 2014 and to report findings back to the Solicitor (Corporate Governance) in time to formulate a formal report to the Standards Committee on 12 March 2014.

REVIEW OF THE REGISTERS - GENERAL ADVICE NOTE (OCTOBER 2013)

The review documents will include the following:-

1. **The Standing Register** – This appears online and the link is “Councillors and voting Co-opted Members – declaration of interests”

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/councillors/councillors-and-voting-co-opted-members-declarations-of-interest/>

This is completed within 28 days of election and then updated as and when changes occur. An annual letter is sent to all Members to remind them of the requirements in the Code of Conduct which expects Members to update this Register within 28 days of any material change to the relevant interests. The entries in this Register are available for public inspection online but are not interactive i.e. Members may only update in hard copy. Do you think it would be useful if they were interactive?

The form used is the standard statutory form required under the Code of Conduct and therefore modifications are not possible.

These forms are checked when received at the Council, for clear signature, date, voids in the forms (which are not permitted) and clarity of content. The versions online are typed. You should also check them for the above details.

Any forms that have not been updated since the last election (May 2008) should be highlighted.

You should have regard to the previous advices issued by the Standards Committee. These are contained in Enclosure 1 with the Report.

One concern has been the anomalies between membership of outside bodies, as recorded by the Council, when compared with declarations of membership of outside bodies as made by some Members. The Council's current list of outside bodies and including a list of School Governors is at Enclosure 3.

There have been previous cases where forms appeared to have been completed prior to Members being appointed to outside bodies but the forms were not updated after such appointments were made. Members have been reminded that whenever they are appointed to an outside body or cease to be a member of an outside body, they are required to update their entry in the standing register within 28 days of the change.

2. **The Register of Declarations of Interests at Meetings**

Aside from the earlier advices offered by the Standards Committee, as referred to in paragraph 1 above (Enclosure 1), you may wish to express a view as to whether or not the data provided in these forms has improved as a result of the said forms having been revised by the Standards Committee.

Does your review indicate whether or not some Members are having difficulty with the new forms? If so, is there any further advice that you might wish to issue?

It has also become apparent in the past that some Members are not always providing a clear enough description of their land holdings. Members have been reminded of the need to provide an accurate and full description of parcels of land and property holdings, and the same principle can be extended to buildings.

Is there any indication that Members are still declaring interests that are not relevant? In undertaking the analysis of previous declarations of interests at meetings previously it was discovered that the forms generally seemed to be a bit rushed and sometimes quite illegible and they felt members should be making more of an effort to complete them in a way that will make sense to the reader (i.e. a member of the public without specific knowledge or expertise of the code). Generally, as a matter of principle these forms should “stand alone” for the public to understand what the interest is and how it relates to and is linked with the agenda item under consideration, and whether it is a personal interest or personal and prejudicial, thereby resulting in the Member needing to leave the meeting.

It was also found that certain Members were being unnecessarily cautious in their declarations at meetings, specifically in relation to family members employed by the Council, where there appeared to be no item on the agenda to which the interest related. This created the impression that some Members may not be properly addressing their minds to their obligation to declare interests and may have, mistakenly, formed the view that such general/blanket declarations provide some kind of immunity.

Are they providing enough information about what the interest is and how it relates to Agenda items? If you wish to look at this issue in more depth, then Agenda, Reports and Minutes are available on the Council’s website. We will be happy to provide hard copies if required.

Is there any indication that Members are struggling with the distinction between declaring a personal interest (which permits them to remain in a meeting) and declaring personal and prejudicial interests (which requires them to leave meetings)?

Some of the forms reviewed previously showed a lack of understanding by the members of the difference between both interests. The form used for declaration of interests at meetings was changed to try and make the process easier for members.

Are there any changes that you wish to suggest to the form in order to assist Members or to improve clarity or transparency for the public?

Would it be useful for these forms to appear online? Obviously they do not need to be interactive as they are completed during the course of meetings.

(The Committee’s attention is drawn to the Report of the Corporate Web and Information Manager which is item 4 of the Agenda).

During the previous audit it was discovered that some Members were declaring interests at meetings but then neglecting to complete the declaration of interest at

meetings form. Members have been reminded of the requirement to complete these forms and submit them to the relevant Committee Clerk before the end of the meeting at which the interest is declared.

3. **Register of Gifts and Hospitality – This appears online and the link is “Councillors”**

<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/councillors/>

This Register is also open to public inspection but, the forms may only be completed in hard copy. You may wish to make a recommendation here about providing an interactive facility?

(The Committee’s attention is drawn to the Report of the Corporate Web and Information Manager which is item 4 of the Agenda).

Declarations must be made within 28 days of any gift or hospitality having been received above the £20 limit.

Again, the Standards Committee has improved the registration form (which was submitted with its Protocol on Gifts and Hospitality, 5.9 in the Constitution, currently at page 253).

You are asked to review the registrations to see whether there is compliance with the Protocol. Is sufficient information being provided? Are the registrations timely? Do you think the new form provides greater clarity and transparency? Can you suggest any further improvements or advice that needs to be issued to Members?

Of concern may be the fact that so few (12 altogether in 12 months) registrations have been made, particularly with regards to hospitality. You may wish to ask the Monitoring Officer to undertake further enquiries or to issue a reminder to Members about their obligations.

**ADRAN Y DIRPRWY PRIF WEITHREDWRAIG
DEPARTMENT OF THE DEPUTY CHIEF
EXECUTIVE**

**LYNN BALL LL.B., (Hons.)Cyfreithiwr/Solicitor
PENNAETH ADNODDAU CYFREITHIOL A
GWEINYDDOL/SWYDDOG MONITRO
HEAD OF FUNCTION LEGAL AND
ADMINISTRATION / MONITORING OFFICER**

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Ein Cyf – Our Ref.
Eich Cyf – Your Ref.

Holl Gynghorwyr ac Aelodau Cyfetholeidg

All Councillors and Co-opted Members

Annwyl Gynghorydd/Aelod Cyfetholedig

**PAR: ADOLYGIAD O'R COFRESTRAU
DATGAN DIDDORDEB GAN Y
PWYLLGOR SAFONAU**

Ysgrifennaf i'ch atgoffa bydd y Pwyllgor Safonau yn cynnal ei adolygiad blynyddol o'r Cofrestrau sy'n cael eu dal gan y Cyngor ynglŷn â datganiadau o ddiddordeb gan Gynghorwyr / Aelodau Cyfetholedig.

Cyn i hynny ddigwydd yn ystod Mis Chwefroir rhoddir cyfle i Gynghorwyr ac Aelodau Cyfetholedig edrych ar eu manylion yn y Cofrestrau a'u gwirio. Byddwch yn gwerthfawrogi bod yn rhaid rhoi gwybod am unrhyw newid o fewn 28 diwrnod i'r newid hwnnw gael ei wneud.

Mae 3 Cofrestr yn awr ar-lein a gellir eu gweld trwy ddilyn y cyswllt canlynol :-
<http://www.ynysmon.gov.uk/cyngor-a-democratiaeth/cynghorwyr-democratiaeth-ac-etholiadau/cynghorwyr/cynghorwyr-ac-aelodau-cyfetholedig-syn-pleidleisio-datganiadau-diddordeb?redirect=false>

Dear Councillor/Co-opted Member

**RE: REVIEW OF REGISTERS OF
DECLARATION OF INTEREST BY THE
STANDARDS COMMITTEE**

I write to remind you that the Standards Committee will be carrying out its annual review of the Registers in respect of declarations of interest by Councillors / Co-opted Members which are held by the Council.

Before that takes place during February 2014 the opportunity is given to Councillors and Co-opted Members to look at their details in the Registers and to check them. You will appreciate that any changes must be notified within 28 days of the change having occurred.

The 3 Registers are now available on line and can be accessed by the following link :-
<http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/councillors/councillors-and-voting-co-opted-members-declarations-of-interest/>

Er mwyn bod o gymorth, amgaeaf gyda hwn gopi o ddogfen o'r enw "Canfyddiadau Adolygiad o ddiddordebau Aelodau ac Aelodau Cyfetholedig"

In order to assist, I enclose herewith a copy of a document entitled "Findings of Review of Interests of Members and Co-opted Members"

Felly, byddwn yn ddiolchgar pe baech yn edrych ar y dogfennau a'u gwirio.

Therefore, I should be obliged if you could consider the documents and check them.

Yn gywir / Yours sincerely

Awena Parry
Cyfreithiwr – Llywodraethu Corfforaethol / Solicitor – Corporate Governance

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CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	STANDARDS COMMITTEE
DATE:	12 DECEMBER 2013
TITLE OF REPORT:	INDEPENDENT REMUNERATION PANEL FOR WALES
PURPOSE OF THE REPORT:	TO PROVIDE AN UPDATE REPORT FOLLOWING CONSULTATION IN SEPTEMBER 2013
REPORT BY:	HEAD OF FUNCTION (COUNCIL BUSINESS) / MONITORING OFFICER
CONTACT OFFICER:	LYNN BALL HEAD OF FUNCTION (COUNCIL BUSINESS) / MONITORING OFFICER (ext 2586)

1. INTRODUCTION & BACKGROUND

Local Authorities now have only limited discretion in relation to the payment of allowances for elected Members; with most decisions now being taken by the Independent Remuneration Panel for Wales.

2. PROCESS

By letter dated 1st August 2013, the IRP issued a Draft Supplementary Report, on payments to Co-Opted Members of Local Authorities, by way of consultation. A copy of the letter is attached at **Enclosure 1**. The proposals affected the Co-Opted Members of the Standards Committee (as well as Co-Opted Members of the Audit and Scrutiny Committees).

3. CONSULTATION RESPONSE

On 26 September 2013, the Chief Executive responded to the Consultation. Copy letter attached at **Enclosure 2**.

4. RESULT

On 1 November 2013, an e-mail was received from the Welsh Government containing a letter from the Independent Remuneration Panel for Wales detailing the decision reached which come into effect from 1st January 2014, copy attached at **Enclosure 3**.

5. RECOMMENDATION

To note the contents of the attached letter from the Independent Remuneration Panel for Wales.

ENCLOSURE 1



Our Ref: qA900196

To:

Leaders and Chief Executives of County and County Borough Councils

Chairs and Chief Executives of National Park Authorities

Chairs and Clerks of Fire and Rescue Authorities

Leader and Chief Executive of Welsh Local Government Association

Head of Democratic/Members Services of County and County

Borough Councils, National Park Authorities and Fire and Rescue Authorities

1 August 2013

Dear Colleagues


Supplementary Report of the Independent Remuneration Panel in respect of payments to Co-opted Members

I enclose a draft of the Supplementary Report that the Independent Remuneration Panel is issuing in respect of payments to co-opted members of local authorities. This arises from the issues that were raised with the Panel during our visits to the 22 Principal Authorities, the 3 National Park Authorities and the 3 Fire and Rescue Authorities. While these are matters that would normally be dealt with in our Annual Report, in the interests of fairness we consider that they should be resolved as soon as possible, rather than wait for the implementation of the next Annual Report in 2014.

The Panel welcomes all views on the proposals contained in the draft Report but would ask you to ensure that it is brought to the attention of all co-opted members of your authority so that they have an opportunity to feed in their views directly.

Responses to the draft are required by 26th September 2013.

Yours sincerely



Richard Penn

Chair

Independent Remuneration Panel for Wales



Our Ref: qA900196

To:

Leaders and Chief Executives of County and County Borough Councils
Chairs and Chief Executives of National Park Authorities
Chairs and Clerks of Fire and Rescue Authorities
Leader and Chief Executive of Welsh Local Government Association
Head of Democratic/Members Services of County and County
Borough Councils, National Park Authorities and Fire and Rescue Authorities

1 August 2013

Dear Colleagues

**DRAFT SUPPLEMENTARY REPORT –
PAYMENTS TO CO-OPTED MEMBERS OF LOCAL AUTHORITIES**

1. This constitutes a Supplementary Report of the Independent Remuneration Panel for Wales (the Panel) in accordance with Section 147 of the Local Government Measure (Wales) 2011 (the Measure). It relates to payments made to co-opted members of Principal Authorities, National Park Authorities and Fire and Rescue Authorities, who have the right to vote.
2. During a 10 week period, from March to June 2013 the Panel visited each of the 28 authorities and a significant number of points were raised at these meetings. The Panel will be considering these over the coming months in relation to the next or future Annual Reports. However, issues came to light in respect of payments to co-opted members that the Panel believes should be actioned in advance of the next Annual Report which will not take effect until Spring 2014.

3. These issues are:
- i) Recognising that the preparation for meetings can be very time consuming but the current Remuneration Framework does not allow this time to be included for payment.
 - ii) While co-opted members are entitled to claim travelling expenses, the Framework does not indicate whether travelling time to and from meetings can be counted in the assessment of whether a meeting is a full day or half day for payment purposes.
 - iii) Several co-opted members expressed concerns that they were not made aware, in advance whether meetings were scheduled for a half day or a full day. This created difficulties for planning their diaries, particularly if the individual member had other work related activities to be planned. It was suggested that the Monitoring Officer (or other relevant officer) could be authorised to set the appropriate fee in advance having determined the likely time required to deal with the agenda.
 - iv) There was a lack of clarity over what constituted a "meeting". The Panel was asked to consider whether it includes other committees or working groups (including task & finish groups) that co-opted members are requested to attend.

4. The Panel has considered these matters and has decided:

Determinations

- i) Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
- ii) Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
- iii) The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
- iv) Meetings eligible for the payment of fee include other committees and working groups (including task and finish groups) or any other formal meeting to which co-opted members are requested to attend. (pre meetings with officers, training and attendance at conferences are already eligible for payment).

Regards

Yours sincerely



Chair

Independent Remuneration Panel for Wales

ENCLOSURE 2

Lynn Ball

From: Richard P. Jones
Sent: 04 November 2013 09:27
To: Ieuan Williams; Bob Parry; John Arwel Roberts; Clare J. Williams; Lynn Ball; J Huw. Jones; Hywel Eifion Jones
Subject: FW: IRPW SUPPLEMENTARY REPORT IN RESPECT OF PAYMENTS TO CO-OPTED MEMBERS OF LOCAL AUTHORITIES IN WALES 2013

Er gwybodaeth / for information.

From: Matthews, Lauren (LGC - DEP) [mailto:Lauren.Matthews2@Wales.GSI.Gov.UK]
Sent: 01 November 2013 09:12
To: Hedley.McCarthy@blaenau-gwent.gov.uk; David.waggett@blaenau-gwent.gov.uk; Cllr.MEJ.Nott@bridgend.gov.uk; darren.mepham@bridgend.gov.uk; harryandrews@caerphilly.gov.uk; HJoyce@cardiff.gov.uk; c.salter@cardiff.gov.uk; KMadge@sirgar.gov.uk; mjames@carmarthenshire.gov.uk; eathomas@carmarthenshire.gov.uk; ellen.apgwynn@ceredigion.gov.uk; bronwenm@ceredigion.gov.uk; cllr.dilwyn.roberts@conwy.gov.uk; iwan.davies@conwy.gov.uk; hugh.evans@denbighshire.gov.uk; mohammed.mehmet@denbighshire.gov.uk; Aaron.shotton@flintshire.gov.uk; chief_executive@flintshire.gov.uk; Cynghorydd.Dyfededwards@gwynedd.gov.uk; harrythomas@gwynedd.gov.uk; Ieuan Williams; Richard P. Jones; democratic@merthyr.gov.uk; chief.executive@merthyr.gov.uk; peterfox@monmouthshire.gov.uk; paulmatthews@monmouthshire.gov.uk; leader@npt.gov.uk; s.phillips@npt.gov.uk; Bob.bright@newport.gov.uk; will.godfrey@newport.gov.uk; leader@pembrokeshire.gov.uk; chief.executive@pembrokeshire.gov.uk; Anthony.christopher@rhondda-cynon-taff.gov.uk; keith.griffiths@rhondda-cynon-taff.gov.uk; david.phillips@swansea.gov.uk; jack.straw@swansea.gov.uk; leader@torfaen.gov.uk; alison.ward@torfaen.gov.uk; NMoore@valeofglamorgan.gov.uk; sdavies@valeofglamorgan.gov.uk; cllr.david.jones@powys.gov.uk; jeremyp@powys.gov.uk; Neil.rogers@wrexham.gov.uk; chiefexecutive@wrexham.gov.uk
Cc: Lakeman, Sarah (LGC - DEP); Cuthbert, Frank (LGC - DEP)
Subject: IRPW SUPPLEMENTARY REPORT IN RESPECT OF PAYMENTS TO CO-OPTED MEMBERS OF LOCAL AUTHORITIES IN WALES 2013

Annwyl gydweithiwr,

Gweler isod linc i'r Adroddiad Atodol mewn perthynas â thaliadau i aelodau cyfetholedig awdurdodau lleol yng Nghymru a gyhoeddwyd gan Banel Annibynnol Cymru ar Gydnabyddiaeth Ariannol heddiw.

<http://wales.gov.uk/irpwsub/home/publication/201314/supplementary-report-2013/?lang=cy>

Gyda phob hwyl,

Lauren

Dear Colleague,

Please find below a link to the Supplementary Report in respect of payments to co-opted members of local authorities in Wales by the Independent Remuneration Panel for Wales.

<http://wales.gov.uk/irpwsub/home/publication/201314/supplementary-report-2013/?lang=en>

Kind regards,

Lauren

Lauren Matthews

Cymorth Tîm / Team support

Partneriaeth Llywodraethu ac Effeithiolrwydd / Partnership Governance and Effectiveness

Yr Is-adran Democratiaeth, Moeseg a Phartneriaeth / Democracy, Ethics & Partnership Division

Llywodraeth Cymru / Welsh Government

Parc Cathays / Cathays Park

Caerdydd / Cardiff

Ffôn / Phone: **02920 825 401**

lauren.matthews2@cymru.gsi.gov.uk

Hapus i gyfathrebu yn Gymraeg.

On leaving the Government Secure Intranet this email was certified virus free. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Wrth adael Mewnrwyd Ddiogel y Llywodraeth nid oedd unrhyw feirws yn gysylltiedig â'r neges hon.

Mae'n ddigon posibl y bydd unrhyw ohebiaeth drwy'r GSi yn cael ei logio, ei monitro a/neu ei chofnodi yn awtomatig am resymau cyfreithiol.



To :

Leaders and Chief Executives of County and County Borough Councils

Chairs and Chief Executives of National Park Authorities

Chairs and Clerks of Fire and Rescue Authorities

Leader and Chief Executive of the Welsh Local Government Association

Heads of Democratic/Member Services of County and County Borough Councils, National Park and Fire and Rescue Authorities

SUPPLEMENTARY REPORT IN RESPECT OF PAYMENTS TO CO-OPTED MEMBERS OF LOCAL AUTHORITIES IN WALES

1. This constitutes a Supplementary Report of the Independent Remuneration Panel for Wales (the Panel) in accordance with Section 147 of the Local Government Measure (Wales) 2011 (the Measure). It relates to payments made to co-opted members of Principal Authorities, National Park Authorities and Fire and Rescue Authorities, who have the right to vote.
2. During a 10 week period, from March to June 2013 the Panel visited each of the 28 authorities and issues were raised in respect of payments to co-opted members. The Panel considers that there are matters that need to be rectified and that this should be actioned in advance of the next Annual Report which will not take effect until Spring 2014.
3. These issues are:
 - i) Recognising that the preparation for meetings can be very time consuming but the current Remuneration Framework does not allow this time to be included for payment.
 - ii) While co-opted members are entitled to claim travelling expenses, the Framework does not indicate whether travelling time to and from meetings can be counted in the assessment of whether a meeting is a full day or half day for payment purposes.
 - iii) Several co-opted members expressed concerns that they were not made aware, in advance whether meetings were scheduled for a half day or a full day. This created difficulties for planning their diaries, particularly if the individual member had other work related activities to be planned. It was suggested that the Monitoring Officer (or other relevant officer) could be authorised to set the appropriate fee in advance having determined the likely time required to deal with the agenda.
 - iv) There was a lack of clarity over what constituted a "meeting". The Panel was asked to consider whether it includes other committees or working groups (including task & finish groups) that co-opted members are requested to attend.


A draft Supplementary Report was issued on the 1st August 2013 and the Panel has examined the responses received. The majority were in favour of the proposed determinations contained in the draft Report.

4. The Panel has decided:

Determinations

- i) Reasonable time for pre meeting preparation is eligible to be included in claims made by co-opted members the extent of which can be determined by the appropriate officer in advance of the meeting.
 - ii) Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).
 - iii) The appropriate officer within the authority can determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.
 - iv) Meetings eligible for the payment of fee include other committees and working groups (including task and finish groups) or any other formal meeting to which co-opted members are requested to attend. (pre meetings with officers, training and attendance at conferences are already eligible for payment).
5. These determinations will take effect on the 1st January 2014.

Yours sincerely



Richard Penn

Chair

ENCLOSURE 3



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

RICHARD PARRY JONES, M.A.
Prif Weithredwr
Chief Executive

CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfa'r Sir
LLANGFNI
Ynys Môn - Anglesey
LL77 7TW

Gofynnwch am - Please ask for: Carol Roberts

☎ (01248) 752102 ☎(01248)750839

E-Bost-E-mail: richardparryjones@anglesey.gov.uk

Ein Cyf - Our Ref. RPJ/CR
Eich Cyf - Your Ref. qA900196

Richard Penn
Chair
Independent Remuneration Panel
for Wales

26 September 2013

Dear Mr Penn,

**SUPPLEMENTARY REPORT OF THE INDEPENDENT REMUNERATION PANEL
IN RESPECT OF PAYMENTS TO
CO-OPTED MEMBERS**

I refer to your letter of 1 August 2013 regarding the above matter.

I wish to inform you that the content of your letter has been discussed with the Group Leaders for all the Political Groups within the Council, together with the co-opted members of the Standards Committee.

I have been authorised to inform you that this Council supports the four recommendations in your Draft Supplementary Report, and I should be grateful if you could convey this information to members of your Panel.

We now look forward, in time, to receiving your final determinations.

Yours sincerely,

Richard Parry Jones
Chief Executive

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