

ISLE OF ANGLESEY COUNTY COUNCIL	
COMMITTEE:	Standards Committee
DATE:	8 March 2017
TITLE OF REPORT:	To update the Standards Committee on the presentation given on behalf of the Committee in the Town and Community Councils Liaison Forum
PURPOSE OF THE REPORT:	To report back to the Standards Committee on the presentation given on 24/11/2016
REPORT BY:	Solicitor – Corporate Governance
CONTACT OFFICER:	Mared Wyn Yaxley, mwyys@ynysmon.gov.uk 01248 752566

A. INTRODUCTION AND BACKGROUND

On 24 November 2016 Mike Wilson, Chair of the Standards Committee and Islwyn Jones, Vice-Chair of the Standards Committee, gave a presentation to Anglesey Town and Community Council members and clerks in a meeting of the Town and Community Councils Liaison Forum. The presentation was about 'Matters arising from the Standards Committee'. Mared Yaxley was also present.

B. THE PRESENTATION

See **Appendix 1**, a copy of the slides used for the presentation. It is understood that the Forum Clerk has sent a copy of the presentation to all Forum members following the meeting.

Summary of each matter:

1. Adoption of the revised Code of Conduct

It was explained that each town and community council is required to adopt the revised Code of Conduct and then to place a notice in a local newspaper to advertise the fact that this has been done, and to send a copy to the Ombudsman.

It was explained that any Town or Community Council requiring a copy of the revised Code should contact Mared Yaxley. No requests have been received following the Forum meeting.

2. The Ombudsman's Guidance

It was stated that a copy of the revised special guidance for Town and Community Councils would be distributed by the Standards Committee in due course. The guidance and a briefing note regarding the changes were sent to Community Council

Clerks on 06/01/2017. Clerks were asked to bring these documents to the attention of Members by including it as an Agenda item.

3. Requirements with regard to the Registers of Interests

It was explained that the requirements for The Isle of Anglesey County Council are different and stricter than the requirements for Town and Community Councils.

It was stated that a briefing note would be distributed by the Standards Committee to Clerks explaining the requirements. This was sent to the Clerks on 14/12/2016.

4. Review of Registers of Interests

It was reported that the Standards Committee has started a review of a sample of Registers kept by Town and Community Councils. The aim is to identify good practice and to share it with other councils. Whatever the findings, it was explained that individual Councils would not be named in the final report that will be distributed to all Anglesey Town and Community Councils.

5. The Ombudsman's Presentation

Information was shared regarding the Ombudsman's attendance at the North Wales Standards Committee Forum and his presentation to the Forum. It was explained that the Ombudsman's presentation was very general and there were three main issues that needed to be shared with Town and Community Councils. These are included in the slides.

6. Adjudication Panel for Wales

The function of the Adjudication Panel for Wales was explained and it was noted that the Panel's judgements are published on the website. It was noted that members of the Standards Committee receive a summary of the judgements made in the previous 6 months in their formal meetings. From now on Town and Community Council Clerks will also receive this summary. Clerks were asked to bring these notes to the attention of their members by including it as an Agenda item. The Report will be sent following the Standards Committee's meetings in March and September.

C. RECOMMENDATION

1. Members of the Standards Committee are asked to note the contents of the Presentation and the update included in this report.

Fforwm Cyswllt Cyngorau Tref a Chymuned
Town and Community Councils Forum

**Materion
yn codi o'r
Pwyllgor
Safonau**

**Matters arising
from the
Standards
Committee**

24.11.2016

Cynrychiolwyr Representatives

Michael Wilson
Cadeirydd y Pwyllgor Safonau
(Aelod Annibynnol)

Islwyn Jones
Is-Gadeirydd y Pwyllgor Safonau
(Aelod Annibynnol)

Mared Yaxley
Cyfreithiwr – Llywodraethu Corfforaethol

Standards Committee Chair
(Independent Member)

Standards Committee Vice Chair
(Independent Member)

Solicitor – Corporate Governance

**Materion yn codi o'r
Pwyllgor Safonau**

- Mabwysiadu'r Côd Ymddygiad diwygiedig
- Canllaw diwygiedig yr Ombwdsmon ar y Côt Ymddygiad
- Gofynion ar gyfer cadw cofrestrau diddordeb y Cyngorau Tref a Chymuned (C/T&Ch)
- Adolygiad o gofrestrau diddordeb y Cyngorau Tref a Chymuned (C/T&Ch)
- Cyflwyniad yr Ombwdsmon i Fforwm Pwyllgor Safonau Gogledd Cymru
- Penderfyniadau Panel Dyfarnu Cymru

**Matters arising from the
Standards Committee**

- Adoption of amended Code of Conduct
- Ombudsman's amended Guidance to the Code of Conduct
- Requirements for maintaining Town and Community Councils' (T&C/C) registers of interests
- Review of the Town and Community Councils' (T&C/C) registers of interests
- Ombudsman's presentation at the North Wales Standards Committee Forum
- Decisions of the Adjudication Panel for Wales

1. Mabwysiadu'r Côt Ymddygiad diwygiedig

- Gorchymyn Awdurdodau Lleol (Côt Ymddygiad Enghreifftiol) (Cymru) (Diwygiad) 2016 – daeth i rym 1.4.2016
- Camau angenrheidiol i G/T&Ch :
 - Mabwysiadu'r Côt Ymddygiad diwygiedig erbyn 26 Gorffennaf
 - Cyhoeddi hysbyseb mewn papur newydd yn yr ardal leol
 - Anfon copi o'r Côt diwygiedig i Ombwdsmon Gwasanaethau Cyhoeddus Cymru

1. Adoption of amended Code of Conduct

- The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 - came into force 1.4.2016.
- Steps T&C/C must take:
 - Adopt the amended Code of Conduct by 26 July 2016
 - Publication of a notice in a local newspaper
 - Send a copy of the revised Code to the Public Services Ombudsman for Wales

2. Canllaw yr Ombwdsmon

- Canllaw diwygiedig ar gyfer cyngorwyr cymuned wedi ei gyhoeddi gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru (OGCC) ar y Côt Ymddygiad diwygiedig
- Bydd linc i'r Canllaw ynghyd â Nodyn Briffio yn cael ei ddosbarthu i Glercod y C.T&Ch.
→ Eitem ar gyfer eich Rhaglen?

2. Ombudsman's Guidance

- New Guidance issued for community councillors by Public Services Ombudsman for Wales (PSOW) on the revised Code of Conduct
- A link to the New Guidance together with a Briefing Note will be sent to Clerks of the T&C/C.
→ Item for your Agenda?

3. Gofynion ar gyfer y cofrestrau diddordeb

- Deddf Llywodraeth Leol (Democratiaeth) (Cymru) 2015
- Bydd nodyn briffio yn cael ei anfon i Glercod y C.T&Ch
→ Eitem ar gyfer eich Rhaglen?
- Cyngorwyr sy'n gyfrifol am ddatgan diddordeb.
- Clerc sy'n gyfrifol am gadw cofrestr o ddatganiadau ysgrifenedig a wneir gan gyngorwyr mewn cyfarfodydd ffurfiol. Y ffurflenni datganiad yma gyda'i gilydd ydi'r 'Gofrestr'.
- Rhaid i'r Gofrestr fod ar gael ar wefan y C.T/Ch.

3. Requirements for the registers of interests

- The Local Government (Democracy) (Wales) Act 2015
- Briefing Note will be sent to all T&C/C Clerks
→ Item for your Agenda?
- Councillor responsible for declaring an interest.
- Clerk responsible for maintaining a register of the written declarations made by councillors at each formal meeting. These forms collectively are the 'Register'.
- Register must be available to view on T&C/C website.

4. Adolygiad o Gofrestrau Diddordeb

Adolygiad o sampl o Gofrestrau dros y misoedd nesaf

- Edrych am arferion da er mwyn eu rhannu gydag eraill
- Hefyd, cynnig gwelliannau, er mwyn codi safonau'r holl Gynghorau

Ni fydd Cynghorau yn cael eu henwi yn unigol mewn unrhyw adroddiad.

Pwrpas: er mwyn cynnig cymorth i'r C/T&Ch i gynnal a gwella'r trefniadau presennol

4. Review of Registers of interests

Review of sample of Registers over the next few months

- Looking for good practice so they can be shared with others
- Also, in order to offer improvements, so that standards can be raised in all Councils

Councils will not be individually named in any report.

Purpose: to offer assistance to the T&C/C in order to maintain and improve on the current arrangements

5. Cyflwyniad yr Ombwdsmon

1. Prawf dau gam:

- Oes prawf uniongyrchol fod y Còd wedi ei dorri?
- Ac os oes, ydi hi er budd y cyhoedd i ymchwiliad gael ei gynnal?

Dim ond cwynion difrifol gaiff eu hymchwilio gan yr OGCC

2. Niferoedd Cwynion

3. Datrysiaid Lleol – disgwyliad efo cwynion lefel isel

5. Ombudsman's Presentation

1. Two stage test:

- Is there direct evidence that a breach actually took place?
- If so, is an investigation required in the public interest?

PSOW will only investigate serious complaints

2. Complaints Numbers

3. Local Resolution – expectation for low level complaints

6. Panel Dyfarnu Cymru

PDC / APW

- Cyhoeddi pob penderfyniad ar y wefan

<http://apw.gov.wales/?lang=cy>

- Bydd diweddariad yn cael ei anfon i Glercod y C/T&Ch yn dilyn Pwyllgor Safonau Medi a Mawrth
→ Eitem ar gyfer eich Rhaglen?

6. Adjudication Panel for Wales

PANEL DYFARNU CYMRU
ADJUDICATION PANEL FOR WALES

- All decisions published on website

<http://apw.gov.wales/?lang=en>

- Update will be sent to the T&C/C following each Standards Committee meeting in September and March
→ Item for your Agenda?

Unrhyw gwestiynnau?

Any questions?

Diolch yn Fawr Thank you