

# STANDARDS COMMITTEE

## Minutes of the meeting held on 18 June 2024

**PRESENT:** **Independent Members**

Mr Trefor Owen (Vice-Chair) (in the Chair)

Mr John R Jones  
Mrs Gill Murgatroyd

**Representing the County Council**

Councillor Dafydd Rhys Thomas

**Representing Town and Community Councils**

Councillor Iorwerth Roberts

**IN ATTENDANCE:** Director of Function (Council Business)/Monitoring Officer  
Solicitor (Corporate Governance) (MY)  
Human Resources Training Manager (EP) (for Item 3)  
Committee Officer (SC)

**APOLOGIES:** Mr T Rhys Davies (Chair)  
Mr Brace Griffiths  
Councillor Margaret M Roberts  
Councillor Margaret Thomas (Town & Community Council  
Councillor)

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In the absence of the Chair, the Vice-Chair welcomed all those present to the meeting. He reported that the Head of Democracy is unable to attend today's meeting and will provide an update on Democratic Services/Member Matters at the next meeting of the Standards Committee.

### 1. DECLARATION OF INTEREST

Mrs Gill Murgatroyd declared a personal interest in Item 6 on the agenda (Case number 2 in the Adjudication Panel for Wales Decisions). She is an independent member of Flintshire County Council's Standards Committee, and this case concerns an elected member of Flintshire County Council. The decision in the matter was decided by the Adjudication Panel for Wales.

### 2. MINUTES OF THE MEETING

The draft minutes of the Standards Committee meeting held on 13 December 2023 were confirmed as correct, subject to the following: -

## **Matters arising: -**

The Solicitor (Corporate Governance) gave an update by the Head of Democracy on Item 3 of the minutes: -

- In terms of the Protocol for Hybrid Meetings, a report was presented to the Democratic Services Committee on 20 March 2024. It was reported that a review of the Protocol was being conducted. No problems have been identified and no further comments were received; therefore, the Protocol remains unchanged.

The Monitoring Officer highlighted that the Welsh Local Government Association (WLGA) has requested information from each authority of how well the current Protocol works. She reported that the WLGA proposes to carry out work to update the current Protocol, and there will be a consultation exercise on a new draft Protocol in due course.

- It was noted that the template for Members' Annual Reports has been simplified so that information on members' training and Committee Membership has been uploaded into the new template when members receive it. To date, 26 out of 35 elected members have presented annual reports for 2023/24.
- A new template has been developed between Democratic Services and the HR Training Team to record Members' Annual Reviews, which has been shared with Group Leaders. It was noted that feedback on training needs has been submitted by three of the four Group Leaders.
- It was highlighted that the name of the Chair of the National Standards Committee Forum had been noted incorrectly on page 7 of the minutes, it should refer to Clive Wolfendale

The draft minutes of the extraordinary meeting of the Standards Committee held on 15 February 2024 were confirmed as correct.

### **3. MEMBER DEVELOPMENT**

Submitted - a report by the Human Resources Training and Development Manager (HRTDM) on training and development provision that has been offered to elected members over the last financial year.

The HRTDM reported that 37 training and development opportunities have been offered to members since April 2023, and all 35 members have attended training on the Code of Conduct. Attendances recorded for other mandatory training ranged between 34 for Cyber Security and 26 for Health and Safety. It was highlighted that attendance figures for mandatory training had been disappointing, considering greater emphasis is placed on attending these sessions. Concerns were expressed that non-attendance at training sessions has a knock-on effect on member development and moving the programme forward, as further training will need to be arranged, placing additional pressure on Council staff and financial resources.

The HRTDM reported that she had received a request for Well-being training to be tailored specifically to members' needs to address areas e.g. Menopause. Following a

request to the WLGA, two further modules are being offered to members i.e. Personal Safety for Councillors and Managing Abuse and Threats Online.

It was noted that Democratic Services have been consulted on a Development Plan for Group Leaders, a draft of the Plan is included in the report. Discussions have also been conducted with external providers and other Councils on sharing good practice.

(Councillor Iorwerth Roberts joined the meeting at 10.20 am)

Members expressed concern regarding the low uptake on training. The HRTDM reported that the timing of meetings is a matter of concern for some members, although the option to convene training sessions during the day and evening is currently available. She stated that a possible option would be to convene virtual training sessions for general training. Recording training sessions was also discussed; this option would not be suitable for mandatory training, as confirmation of attendance is necessary.

The HRTDM reported that the aim is to publish the Elected Members' Development Plan in September. It will be an evolving document, which will be reviewed on a regular basis to consider the needs of elected members.

The Vice-Chair suggested that he meets with Group Leaders to discuss non-attendances at mandatory training and raise awareness of the importance of attending these sessions. The HRTDM reported that she would be happy to share the names of those members who have not attended mandatory training with the Vice-Chair.

The Vice-Chair reported that it was generally felt that Group Leaders should undertake coaching training. The HRTDM referred to Item 3 of the report in which she states that this option would be included in the 1:1 Development Plan for Group Leaders.

The Monitoring Officer referred to mandatory training and suggested that it would be useful to know which training courses can be accessed virtually or via Learning Pool so that these sessions can be targeted for members in the first instance, with further sessions to follow.

It was confirmed by the HRTDM that the Code of Conduct training for Town and Community Councillors was being arranged via an external provider.

**RESOLVED: -**

- **To note the content of the report.**
- **That the HR Training and Development Manager shares the names of members who have not attended mandatory training with the Vice-Chair of the Standards Committee.**
- **That the Vice-Chair meets with Group Leaders to discuss non-attendance at mandatory training by members of their groups.**
- **That the Standards Committee requests that Group Leaders should undertake coaching training.**

**Action: See Resolution above**

**4. CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW)**

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer on quarterly complaints received by the PSOW since the last Standards Committee in relation to (a) County Councillors, and (b) Town and Community Councillors.

The Monitoring Officer reported that one complaint was recorded against a County Councillor during Quarter 3, 2023/24, having been submitted to the PSOW in Summer 2023, and the Ombudsman is investigating. No complaints had been received against Town and Community Councillors for the period.

The Monitoring Officer reported that one complaint had been submitted to the PSOW against County Councillors during Quarter 4, 2023/24, which the Ombudsman is investigating.

The first case was reported to the PSOW in May last year and the second in February this year. If the Ombudsman decides that further steps are necessary regarding the complaints, then each complaint could be referred back to the Standards Committee to convene a hearing.

It was noted that five complaints have been submitted to the Ombudsman against Town and Community Councillors during Quarter 4. The Ombudsman has decided not to investigate four of the five complaints but is investigating the fifth. All five matters relate to one Town and Community Council, and these complaints will be discussed in Items 10 and 11 of today's agenda, with the press and public excluded.

Concerns were expressed by Committee members regarding the timescale for complaints to be resolved. The Monitoring Officer detailed that the Ombudsman has recently reported that there is a backlog of cases.

**RESOLVED to note the content of Enclosures 1-4 of the report.**

**Action: None**

**5. DECISIONS BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW)**

Submitted - a report by the Director of Function (Council Business)/Monitoring Officer summarising the PSOW's published findings of Code of Conduct complaints in Wales from December 2023 to May 2024.

The Solicitor (Corporate Governance) reported that 16 complaints have been referred to the PSOW, as noted in Appendix 1 of the report.

She referred to an error in case 6, relating to Bridgend Town Council under the comments column. The information shown here should be listed against case 15.

Case 6 refers to a Councillor who had breached several paragraphs of the Code, including bringing disrepute to his role, using his Councillor status for his own benefit and failing to declare a personal and prejudicial interest by taking part in a discussion relating to his wife's conduct. The member was suspended for six months.

Case 7 concerns a Councillor who had behaved in an aggressive and disrespectful manner. The Ombudsman investigated the case and decided not to take any further action, as this was an isolated incident. There was a suggestion of breaching paragraph 4(b) of the Code in not showing respect and consideration to others.

Case 9 involved social media, where the Code had been breached as the Councillor had brought disrespect to his role. The Councillor was given a censure, with a recommendation that the member should undertake further training on the Code of Conduct, particularly social media.

Case 11 included an allegation that a Councillor had failed to show respect towards female members of the Council, which, was not found to be true. There were other allegations too, but the Ombudsman considered that, as the Councillor had now retired from his role, sanction options would be limited, and there was therefore no public interest in taking further action.

The Solicitor (Corporate Governance) reported that further updates in relation to those cases that have been reported, but that have not been concluded, will be provided at the next Standards Committee meeting. She suggested that in light of the cases reported, this Council's social media protocol should be highlighted in the next Standards Committee Newsletters to elected members and members of Town and Community Councils by way of a reminder.

**RESOLVED to note the content of the report.**

**Action: None**

## **6. ADJUDICATION PANEL FOR WALES DECISIONS**

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer summarising matters published by the Adjudication Panel for Wales (APW) since the Standards Committee's last meeting in December 2023.

The Solicitor (Corporate Governance) gave a summary of the cases: -

Case 1 - An allegation that a former Councillor had made disrespectful and threatening comments on social media. The APW concluded that the Councillor's comments had been made as a private individual rather than as an elected member. It was noted that only one paragraph of the Code was relevant in this case; whether the Councillor's behaviour had brought the individual's role as Councillor or the authority into disrepute. The Panel's decided that the Code had not been breached and that the Councillor had brought herself into disrepute in a personal capacity. The Solicitor, in her summary, again referred to the Social Media Protocol for Members that is available in IOACC, and the importance of reminding members about it.

Case 2 - The second case referred to an allegation of a breach of the Code against a Councillor who had sent sexually explicit messages to a person who had wanted his help

with a family member's housing problem. When he did not get the help and co-operation that he had hoped for from the Housing Officer, the Councillor behaved in a rude and threatening manner and subsequently adopted a similar approach to the Monitoring Officer. The Tribunal considered those allegations and found the Councillor guilty of breaching several paragraphs within the Code. The Tribunal noted that it felt the case was overcharged, and when considering the penalty, it focused on the Councillor's conduct and wrongdoing, and not the number of allegations. The Tribunal felt that one or two breaches would be more apt for the situation, and it followed the sanctions guidance. The Councillor was suspended for a period of four months.

Case 3 - refers to an appeal by a former Councillor against the local Standards Committee's decision. The Councillor was given permission to appeal as the APW's President considered that the Standards Committee had not explained in its decision why, on the basis of the facts, the Code had been breached. The Panel supported the Standards Committee's decision, and the member would have been suspended for 6 months, had she still been a member.

Case 4 - permission to appeal was refused.

The Solicitor (Corporate Governance) highlighted that when a Standards Committee comes to a decision following a hearing, it must ensure that it includes details in the record of decision; the decision must, explain the reasoning, what the submission was, the weight placed on the evidence of submissions and if the sanctions guidance was considered.

**RESOLVED to note the content of the case summaries presented in the report.**

**Action: None**

## **7. APPLICATIONS FOR DISPENSATIONS**

No report was presented, as it was noted that no applications for dispensations have been received during the period since the last meeting of the Standards Committee and the date of publishing this agenda.

## **8. UPDATE FROM THE NATIONAL STANDARDS COMMITTEE FORUM FOR WALES**

Submitted – an update report by the Director of Function (Council Business)/ Monitoring Officer on the National Standards Committee Forum's last meeting, which the Standards Committee's Chair attended on 29 January 2024.

The Vice-Chair reported that the Standards Committee members have received a copy of the Chair's notes and the minutes from that meeting. He summarised the following points: -

- Presentation by the Ombudsman's Office detailing the increase in cases that are presented to the Ombudsman, which adds to the Ombudsman's current caseload.
- Presentation on Standards Committees and Joint Committees.
- Presentation on the Local Resolution Protocol.
- Discussion on a specific issue where a Group Leader was also an elected member representative on a Standards Committee. That member considered that he could

not continue to be a member of the Standards Committee and a Group Leader; whilst at another authority, there was a Group Leader in the same circumstances, who continued in the role on the Standards Committee.

- Two training sessions approved during the Forum meeting have been held i.e. training on chairing meetings for Chairs and Vice-Chairs on 12 February 2024, and a training session on conducting hearings for Chairs on 23 April 2024.

The Vice-Chair reported that he will attend the next Forum meeting on 24 June 2024 on behalf of the Chair, and report back to the next meeting of the Standards Committee.

**RESOLVED to note the content of the report and update by the Vice-Chair.**

**Action: None**

## **9. REVIEW BY THE STANDARDS COMMITTEE OF THE REGISTERS OF INTERESTS OF ELECTED MEMBERS OF THE COUNTY COUNCIL**

Submitted - a report by the Director of Function (Council Business)/Monitoring Officer on the Review of the Registers of Interests for elected members.

The Solicitor (Corporate Governance) reported that the reviews were held in January 2024 by the 5 independent members of the Standards Committee. The independent members followed the guidance document developed for the reviews. It was decided to take a sample of 20 elected members which included each Group Leader, with the remaining sample being made up of members based on political balance and the names selected at random. The Standards Committee's independent members subsequently met to discuss their findings.

Four actions resulted from the findings, which are addressed in Section 2.6 of the report.

The first relates to personal correspondence, which has been sent to a few elected members. In general, the independent members were satisfied with the findings, but felt the need to write to some members to draw their attention to certain matters, such as the need to update their registers. Correspondence has been sent, responses have been received, and most matters have been addressed. However, a few issues remain, which still need to be resolved. Further correspondence is being sent by the Vice-Chair and the work is ongoing.

The second action concerned member wellbeing, which presented itself as absences or a change of attendance patterns for meetings or training sessions. Correspondence has been sent to Group Leaders regarding specific members from their groups, and work is ongoing to satisfy the Committee that Group Leaders are taking action in relation to wellbeing concerns.

The third action relates to corporate or technical issues that need to be addressed e.g. the process of updating registers, particularly registers for declaring interests at meetings, which is currently paper based, whereas other registers are updated electronically. A letter has been sent to the Chief Executive, who has acknowledged

the correspondence and stated that he intends to carry out further enquiries and provide feedback in due course.

The final action arising from the exercise is that a general report will be prepared for all members to provide feedback on the general themes that arose during the reviews and to share good practice and lessons learned. Arrangements are in place for the Vice-Chair to present the draft report to a Group Leaders meeting before it will be shared by e-mail with all the members. A further report will be presented to the next formal meeting of the Standards Committee, so as to update members.

**RESOLVED:-**

- **To note the content of the report.**
- **That a further report be presented at the next formal meeting of the Standards Committee in December 2024, to**
  - (a) share a copy of the general report, including the main themes arising from the review process, as sent to all members following an initial discussion with Group Leaders; and**
  - (b) report on the developments that have been made, particularly regarding paragraph 2.6.3 of the report.**

**Action: See Resolution above**

**10. EXCLUSION OF 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 during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.”**

**11. CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) IN RELATION TO COMMUNITY COUNCILLORS DURING QUARTER 4 OF 2023/24**

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer on conduct complaints to the PSOW for Quarters 3 and 4 for 2023/24, in relation to Town and Community Councillors. This item was discussed generally in Item 4 on the agenda.

The Solicitor (Corporate Governance) reported that five complaints have been submitted to the PSOW against Town and Community Councillors from one Town and Community Council. The Ombudsman decided not to investigate four of the complaints, and an investigation into the fifth complaint is ongoing.

It was noted that two members of the Standards Committee recently attended a meeting of this Town and Community Council as observers. A discussion was held in relation to the Standards Committee’s involvement with Local Resolution and assistance in the Town and Community Councils.



The Standards Committee was supportive of offering training on the Code of Conduct to Town and Community Councillors and Clerks in Autumn 2024.

**RESOLVED: -**

- **To agree the contents of Enclosures 1 and 2 of the report as template letters to be sent on behalf of the Standards Committee via the Chair when enquiries are made in relation to Town and Community Councils/Councillors; and**
- **To agree not to disclose the name of the Town and Community Council for which five complaints were submitted to the PSOW in Quarter 4 of 2023/2024.**
- **To agree to arrange Code of Conduct training for Town and Community Councillors and Clerks during Autumn 2024.**

The meeting concluded at 11:45 am

**MR TREFOR OWEN  
VICE-CHAIR**