

ISLE OF ANGLESEY COUNTY COUNCIL

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

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

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

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

RECOMMENDATION:-

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

ATODIAD / ENCLOSURE
A

STANDARDS COMMITTEE WORK PROGRAMME – APRIL 2012 TO MAY 2013

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

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

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

	<ul style="list-style-type: none"> • Consideration and preparation for induction and training of intake of Councillors in 2013 • Training to target specific needs of those sanctioned by the Adjudication Panel for Wales (APW) or the Standards Committee 	<ul style="list-style-type: none"> • Before May 2013 • As required 	<ul style="list-style-type: none"> • HR Manager • WLGA • Monitoring Officer • Deputy Monitoring Officer • Corporate Information Officer • HR Manager • WLGA • Monitoring Officer • Deputy Monitoring Officer • Corporate Information Officer 	<ul style="list-style-type: none"> • North Wales Standards Committee Forum: 17/7/2012 4/10/2012 7/1/2013 20/5/2013 • 19/4/13 All Wales Standards Conference <ul style="list-style-type: none"> • promoting standards proactively • conducting hearings and sanctions • register of interests and dispensations • local resolution procedures • standards issues for town and community councils • Responsibility passed to the Democratic Services Committee • Standards Committee acts as consultee on the 2013/14 Plan to be considered by Council on 23/5/2013 • None required during the period
--	---	--	--	--

5.	To participate in and receive reports from the Member Development Working Group.	<ul style="list-style-type: none"> Quarterly 	<ul style="list-style-type: none"> HR Manager WLGA Monitoring Officer 	<p>Reports received:</p> <ul style="list-style-type: none"> 25/7/2012 31/10/2012 11/12/2012 13/3/2013 <ul style="list-style-type: none"> Member Development Working Group dissolved. Responsibility passes to Democratic Services Committee
6.	To supervise the two Registers of Members' Interests by annual reviews followed by advice and guidance, if appropriate.	<ul style="list-style-type: none"> By the end of 2012 	<ul style="list-style-type: none"> Monitoring Officer Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> 31/10/2012 Consultation with all Members on amended form for declarations in meetings begins 24/1/2013 and ends 15/2/2013 Revised form introduced on the recommendation of the Standards Committee on 18/2/2013 Process and outcomes reported to the All Wales Standards Conference on 19/4/2013
7.	To supervise the Register of Gifts and Hospitality by annual reviews followed by advice and guidance, if appropriate.	<ul style="list-style-type: none"> By the end of 2012 	<ul style="list-style-type: none"> Monitoring Officer Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> 31/10/2012 Process and outcomes reported to the All Wales Standards Conference on 19/4/2013
8.	To undertake the role of consultee on any proposed changes to the Constitution which would disproportionately prejudice the rights	<ul style="list-style-type: none"> As and when required 	<ul style="list-style-type: none"> Monitoring Officer Chief Executive 	<ul style="list-style-type: none"> Complaints Management Project (including signposting for

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

				<p>Review of the Code of Conduct and recommendation for compulsory training (agreed by Executive 18/2/2013 and approved by Council 5/3/2013)</p> <ul style="list-style-type: none"> • 1/10/2012 Informal Panel convened under Self Regulation Protocol. Complaint rejected. Some recommendations to the parties. • 29/10/2012 Informal dispute resolution (outside the Protocol) conducted by Chair of Standards Committee. Concluded 25/1/2013. • 31/10/2012 Review Code of Conduct Guidance from the PSOW issued September 2012 - Circulated to Members and all Town and Community Councils • 31/1/2013 Following two reviews of Self Regulation Protocol, Panel of the Standards Committee meets to draft new Local Resolution Protocol. • 14/2/2013 Chair and Vice Chair of the Standards Committee meet with Group Leaders to agree new
--	--	--	--	---

				<p>Local Resolution Protocol.</p> <ul style="list-style-type: none"> • 30/3/2013 Consultation with all Members on new Local Resolution Protocol closes. • 23/5/2013 New Local Resolution Protocol receives full Council for approval.
10.	Following consultation with Members, to oversee the publication of all Members' Declaration Forms on the Council's website and to ensure that the facility is publicised.	<ul style="list-style-type: none"> • Dates to be agreed with ICT 	<ul style="list-style-type: none"> • Head of Service (ICT) • Monitoring Officer 	<p>Progress Reports received</p> <ul style="list-style-type: none"> • All three registers to be available to the public on the Council's website from June 2013 • Section 81 Register (pre-registration) to be available interactively for Members from June 2013 <ul style="list-style-type: none"> • 25/7/2012 • 31/10/2012 • 13/3/2013
11.	Subject to consultation with Members, to make recommendations for more information to be published on the Council's website (including information about allowances, expenses, attendance records and training hours).	<ul style="list-style-type: none"> • Before May 2013 	<ul style="list-style-type: none"> • Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • Responsibility passed, subject to outstanding statutory regulations, to Head of Democratic Services under Members' Annual Reports
12.	The Chair of the Standards Committee to present an annual report to the full Council outlining the work of the Standards Committee during the previous year.	<ul style="list-style-type: none"> • May 2013 	<ul style="list-style-type: none"> • Monitoring Officer • Solicitor to the Monitoring Officer 	<ul style="list-style-type: none"> • 23rd May 2013

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

				<ul style="list-style-type: none"> • 30/10/12 • 10/1/13 • 25/4/13 <ul style="list-style-type: none"> • Relationships between Members and political groups <ul style="list-style-type: none"> a) Compliance with new Constitutional arrangements to be considered by the full Council on the 10th May 2012: and subject to Ministerial approval • The effectiveness of the Council's Standards Committee <ul style="list-style-type: none"> a) Conduct a preliminary hearing within 6 weeks following referral from the PSOW or following decision of Indemnities Sub Committee b) Conduct hearings into applications for dispensations within one month of receipt c) Review the two Registers of Members' Interests followed by advice and guidance, if appropriate d) Supervise the Register of Gifts and Hospitality followed by advice and guidance, if appropriate
--	--	--	--	---

				<p>e) Establish meetings of the Standards</p> <p>f) Review Members' Training Plan and, attendance at training etc Committee to review policies relevant to its remit</p> <ul style="list-style-type: none"> • Standards of conduct and behaviour by Members and Officers <ul style="list-style-type: none"> a) Compliance with Protocol for Self Regulation adopted by the County Council 4.3.10 or its successor, the local resolution procedure, once published by the PSOW b) Quarterly reports to Standards Committee c) Signed job descriptions and person specifications received by Monitoring Officer d) Completed enhanced CRB forms received by HR e) PDR interviews taken place and pro-forma's received by HR f) To adopt and comply with any guidance issued by WG/PSOW, including the recommended cap
--	--	--	--	--

				g) To fully co-operate in local investigations by the Monitoring Officer in accordance with the PSOW's new referrals guidance
--	--	--	--	---

ATODIAD / ENCLOSURE
B

STANDARDS COMMITTEE WORK PROGRAMME – MAY 2013 TO APRIL 2014

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

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

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