

STANDARDS COMMITTEE

Minutes of the meeting held on 13 March 2013

PRESENT: **Independent Members**

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

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

Representing Town and Community Councils

Councillor John Roberts

IN ATTENDANCE: Head of Function (Legal and Administration/Monitoring Officer),
Legal Services Manager (In respect of Item 10(b),
Corporate Web and Information Manager (PA) (In respect of Item 3),
Corporate Information Officer (HP) (In respect of Item 11),
Customer Care Officer (BJ) (In respect of Items 5, 6 & 7),
Senior Human Resources Development Officer (MW) (In respect of Item 4),
Committee Officer (MEH).

ALSO PRESENT: None

APOLOGIES: Councillor Ieuan Williams (Representing the County Council),
Councillor Raymond Evans (Representing Town and Community Councils)

Members wished to extended a complete and speedy recovery to Mr. Raymond Evans who was in hospital at present.

1 DECLARATION OF INTEREST

No declaration of interest received.

2 MINUTES OF MEETING

The Head of Function (Legal & Administration)/Monitoring Officer reported that the Standards Committee (Hearing) at its meeting held on 7th March, 2013 adopted the minutes but deferred consideration of the matters arising on Items 7 to 10.

ARISING THEREON

7. Decision of the Adjudication Panel regarding Appeal

The Chair gave a verbal report on his reflections following his and the Vice-Chair meeting with Political Group Leaders recently. He expressed that he was pleased to report that a totally positive view of the work of the Standards Committee was expressed by the Group Leaders.

RESOLVED to note the report.

ACTION : That a meeting be arranged with the Chair and Vice-Chair of the Standards Committee and the Group Leaders following the County Council Elections in May.

8(b) Introduction of Personal Development Reviews for Members

The Head of Function (Legal & Administration)/Monitoring Officer stated that the Committee ascertained if training could be mandatory for the Audit Committee. The Officer reported that there are no specific requirements within the guidance to allow mandatory training. However Standards Committee could recommend that training should be mandatory as noted within the Code of Conduct for the Planning and Orders and Licensing Committees.

RESOLVED to note the report.

ACTION : That an item be place on a future meeting of the Standards Committee in respect of discussions required in respect of mandatory training for the Audit Committee membership.

9. North Wales Standards Committte's Forum

The Head of Function (Legal & Administration)/Monitoring Officer noted that an invitation has now been extended to representatives from the Wales Audit Office and Welsh Government to attend the next North Wales Standards Committee Forum.

RESOLVED to note the report.

ACTION : None

10. Proposed Changes to the Constitution/Protocols

The Head of Function (Legal & Administration)/Monitoring Officer noted that changes have now been agreed with the relevant Officers and the Vice-Chair in respect changes to 5.3.17 of the Constitution.

RESOLVED to note the report.

ACTION : That the changes at 5.3.17 of the Constitution be published on the website of the County Council forthwith.

3 ON-LINE PUBLICATION OF STATUTORY REGISTERS

Submitted – report by the Corporate Web and Information Manager regarding progress, implementation and proposed induction training for new and returning Members.

It was reported that the Register of Gifts and Hospitality will be available online from the 1st March, 2013 and will be added to the Modern.Gov system for the public to view. The Standard Register of Interests has been online since the beginning of January 2013 and all newly elected Members at the County Council Election to be held in May will be given training on how to update the online version of the system.

It was further noted that agenda and committee papers has been operational and published to the internet by the Committee Services Section since beginning of January. All Declaration of Interest at meetings will be added separately to the Modern.Gov system which will allow public search for any individual Member. Training will be provided for all elected Members after the May 2013 County Council election as part of their training schedule.

The Head of Function (Legal & Administration)/Monitoring Officer stated that a statement will have to be published in the press informing the public that the Registers mentioned within this report will be online.

RESOLVED to note the report.

ACTION : That an update report be submitted to the next meeting of the Standards Committee in respect of the progress with online publication of Statutory Registers.

4 MEMBER DEVELOPMENT PLAN AND PERSONAL DEVELOPMENT REVIEWS

The Senior Development Officer gave an update report on the Member Development Plan and Personal Development Reviews. It was noted that it is intended to have training on the Code of Conduct for newly Elected Members following the County Council Election in May 2013.

The Head of Function (Legal & Administration)/Monitoring Officer stated that the 12 month Training Plan for Members will be presented to the full Council in May by the Chair of the Democratic Services. She considered that a standard item should be placed on the agenda of the Democratic Services Committee in respect of the Personal Development Review.

RESOLVED to note the report and to request the Head of Democratic Services to place a standard item on the agenda of the Democratic Services Committee in respect of the Personal Development Review.

ACTION : As noted above.

5 COMPLAINTS MANAGEMENT PROJECT

Submitted – an update report by the Customer Care Officer on the current status of the Complaints Management Project.

It was noted that both the Concerns and Complaints Policy and Unacceptable Actions by Complainant Policy had been submitted to the full Council on 5th March 2013 for adoption. An Internal Audit will be made on the implementation of the Concerns and Complaints Policy in April 2013 and a follow-up in 6 months with a particular emphasis of ensuring that departments are recording complaints in the correct manner. The Internal Audit Manager will present a report to the Standards Committee at its meeting in December in respect of audit review of the Complaints Policy.

Members raised issues relating to compensation payments in respect of complaints against the County Council and the level of payments awarded. The Head of Function (Legal & Administration)/Monitoring Officer responded that the Compensation Policy as recommended by WG contains an expectation that a Compensation Clause be included in the Policy. The Head of Service within that particular complainant's grievance decides the level of compensation payment with the Legal Services Manager been consulted.

RESOLVED to accept the report.

ACTION : That the Internal Audit Manager be invited to the Standards Committee in December in respect of an audit review of the Complaints Policy.

6 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES - 6(A)

6(a) 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 .

6(b) Submitted , for information – a report by the Customer Care Officer in the form of an updated matrix for Town and Community Councils.

RESOLVED to note the report for information.

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

7 SUMMARY OF ADJUDICATION PANEL DECISIONS

Submitted and noted – a report by the Customer Care Officer in relation to the above. It was stated that no new cases have been reported.

RESOLVED to note the report.

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

8 NATIONAL STANDARDS COMMITTEE CONFERENCE

Submitted, for information – the Conference Programme and Nominee List for the Standards Conference Wales to be held at Venue Cymru, Llandudno on 19th April, 2013.

RESOLVD to note the report.

ACTION : That any surplus places on the Conference be allocated to Members of the Standards Committee who have not been nominated to attend.

9 CHANGES TO THE CONSTITUTION AS RESOLVED BY FULL COUNCIL ON 5 MARCH, 2013

(a) Submitted for information – a report on the changes to the Constitution.

The Head of Function (Legal & Administration)/Monitoring Officer referred to the main Constitutional changes to enhance the working of the new Council after 2nd May, 2013, but especially to take into account the corporate workload on reduced number of Members. The changes relate to :-

- Make Member training on the Code of Conduct mandatory;
- Reduce Scrutiny Committees from 5 to 2;
- Reduce numbers on the Planning and Orders Committee (and Licensing) from 14 to 11;
- Reduce County Council Membership on the Audit Committee from 10 to 8;
- Reduce number on the Executive from 10 to 7 (to include the Leader and Deputy Leader);
- To adopt revised Relationship Protocol for Members and Officers;
- To adopt protocol for Multi Member Wards.

RESOLVED to note the changes to the Constitution as noted above.

ACTION : To note that the changes to the Constitution will be discussed at the Executive on 18th February and the full County Council at its meeting to be held on 5 March, 2013.

9(b) Submitted for information – a report on the revision to the Indemnities Policy.

The Head of Function (Legal & Administration)/Monitoring Officer stated that WG favour amending the current Policy to introduce a cap of £20k in those cases which relate to the defence of Public Services Ombudsman for Wales complaints.

The Vice-Chair considered that 4.1 of the Policy needed to be amended to read '*..... that any indemnity granted to a Member in defending allegations of a breach or breaches of the Code of Conduct shall be subject to a **maximum** cap of £20k.*

Councillor John Roberts wished it be minuted his disappointment in the Welsh version of the Ministers letter attached to this report.

RESOLVED to accept the report.

ACTION : That the Policy be amended at 4.1 as noted above.

10 PROPOSED CHANGES TO THE CONSTITUTION

(a) Submitted – a report on the ‘General Principles for a Revised Protocol for Local Resolution’.

It was reported that as part of its Work Programme for 2012/13 the Standards Committee has reviewed the current Protocol, and put forward recommendations for change. The Chair of the Standards Committee will present the Protocol to the Executive and the full Council.

RESOLVED to note the report.

ACTION : To note that the Protocol will be forwarded to the Executive for consideration and thereafter to the full Council.

(b) Submitted – a report on the ‘Planning Procedure Rules’ and to make changes to the Constitution, Section 4.6 to take into account the Multi-Member Wards after the 2013 County Council elections.

The changes are intended to be as permissive as possible to allow any ‘local member’ for a new ward to call-in a planning application the site of which is located in that ward to the Planning and Orders Committee and they will allow any local member for that ward to speak at the Committee on that called-in application as a local member. It was noted that these changes will be forwarded for recommendation by the Executive and thereafter to the full Council.

RESOLVED to note the report.

ACTION : To note that the changes Planning Procedure Rules will be forwarded to the Executive for consideration and thereafter to the full Council.

11 DRAFT PROTOCOL ON THE USE OF SOCIAL MEDIA IN MEETINGS

Submitted – a report by the Corporate Information Officer on the draft Social Media Protocol for Members, which is intended to regulate the use of social media by Elected Members in their official and private capacities. The protocol also relates to the use of social media in meetings by the public.

It was reported that the protocol is intended to set out clearly how Elected Members ought to interact with social media, both as County Councillors and private individuals. The protocol also relates to the use made of social media by members of the public who attend meetings of the Council, Executive and other Committee meetings. The issue of permitting the use of social media during Council meetings by journalists and the public in Wales is part of an ongoing discussion. The Minister for Local Government and Communities has recently written to Welsh Local Authorities to express his support for improving transparency of proceedings by promoting online access. However, it was stressed that inappropriate use of social media by Elected Members could result in breaches of the Code of Conduct. Therefore, it is important that Elected Members recognise the risks associated with social media and ensure that they do not use social media in a way which breaches the Code of Conduct.

Members of the Committee considered that the element of distraction in respect of i.e. ‘Tweeting’ at meeting should be considered and especially incorrect information could be ‘Tweeted’ through the social media. It was considered that the use of mobile devices should be discreet and minimal in meetings.

The Head of Function (Legal & Administration)/Monitoring Officer reported that a bid has been forwarded to WG for funding towards ‘Web-casting’ at meetings. It is anticipated that the funding will be successful and it is intended to have a pilot scheme with web-casting at certain meetings of the County Council. The introduction of ‘remote-casting’ will also need to be considered. The Officer further stated that the funding will require webcasting at Town/Community Councils which will be on a National Basis.

RESOLVED to accept the report in principle.

ACTION : To note that the protocol will be submitted to the Executive for consideration.

12 WORK PROGRAMME 2012/13

Submitted and accepted – a Work Programme for 2012/13.

**MR. MICHAEL WILSON
CHAIR**