

ATODIAD / ENCLOSURE
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FFORWM PWYLLGORAU SAFONAU GOGLEDD CYMRU NORTH WALES STANDARDS COMMITTEES FORUM

Dydd Mawrth, 29 Ebrill 2014 am 2.00 pm
Tuesday, 29 April 2014 at 2.00 pm

Neuadd y Sir, Yr Wyddgrug
County Hall, Mold

Ynys Môn/Isle of Anglesey	Michael Wilson – Cadeirydd/Chair Islwyn Jones – Is-Gadeirydd/Vice-Chair Lynn Ball – Swyddog Monitro/Monitoring Officer Robyn Jones – Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Conwy	Howie Roberts - Cadeirydd/Chair (<i>Cadeirydd/Chair</i>) Samuel Adams - Is-Gadeirydd/Vice-Chair Delyth Jones - Swyddog Monitro/Monitoring Officer Ceri Williams – Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Sir Ddinbych/Denbighshire	Ian Trigger - Cadeirydd/Chair Rev. Wayne Roberts - Is-Gadeirydd/Vice-Chair Gary Williams - Swyddog Monitro/Monitoring Officer Lisa Jones - Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Sir y Fflint/Flintshire	Patricia Jones – Cadeirydd/Chair Edward Hughes – Is-Gadeirydd/Vice-Chair Gareth Owens – Swyddog Monitro/Monitoring Officer
Gwynedd	Gwilym Ellis Evans – Cadeirydd / Chair Sam Soysa – Is-Gadeirydd/Vice-Chair Dilys Ann Phillips – Swyddog Monitro/Monitoring Officer Siôn Huws – Swyddog Priodoldeb/Propriety Officer
Wrecsam/Wrexham	Rob Dawson – Cadeirydd/Chair Ceri Nash – Is-Gadeirydd/Vice-Chair Trevor Coxon – Swyddog Monitro/Monitoring Officer Sioned Wyn Davies – Dirprwy Swyddog Monitro/Deputy Monitoring Officer
Awdurdod Tân ac Achub/ Fire and Rescue Authority	Jane Eyton-Jones– Cadeirydd/Chair
Parc Cenedlaethol Eryri/ Snowdonia National Park	David Vaughan – Cadeirydd/Chair

A G E N D A

1. **Apologies**
2. **Minutes**
To approve as a correct record minutes of the previous meeting.
(Pages 3 - 6)
3. **Training Session**
4. **Open Session for Items of Current Interest**
5. **Approval of Letters from Isle of Anglesey County Council in relation to Standards Matters:-**
 - i) One Voice Wales (Pages 7 - 10)
 - ii) Ombudsman (Pages 11 - 12)
6. **Any Other Item**
7. **Feedback**
8. **Date and Venue of the Next Meeting**

AGENDA ITEM 2

MINUTES OF A MEETING OF THE
NORTH WALES STANDARDS COMMITTEES FORUM
HELD AT THE GUILDHALL, WREXHAM
ON MONDAY, 21 OCTOBER 2013

PRESENT:

Isle of Anglesey	Michael Wilson - Chair Islwyn Jones – Vice Chair Lynn Ball – Monitoring Officer
Flintshire	Patricia Jones - Chair
Gwynedd	Gwilym Ellis Evans - Chair Sam Soysa – Vice Chair
Wrexham	Rob Dawson - Chair Councillor Paul Pemberton Community Councillor Geoff Edwards Trevor Coxon – Monitoring Officer Sioned Wyn Davies – Deputy Monitoring Officer Jane Johnson – Senior Committee Officer

1 APOLOGIES

Apologies for absence were submitted on behalf of Howie Roberts and Samuel Adams (Conwy), Ian Trigger and Rev. Wayne Roberts (Denbighshire), Gareth Owens (Flintshire), Ceri Nash (Wrexham) and Jane Eyton-Jones (Fire and Rescue Authority)

2 WELCOME

Mr Rob Dawson, Chair of Wrexham County Borough Council Standards Committee, welcomed those present to the first of the new style North Wales Standards Committees Forum.

3 MINUTES

The Minutes of the meeting of the North Wales Standards Committees Forum held on 20 May 2013 were submitted for approval.

Corrections

Page 1 – Appointment of Vice-Chair

That the references to 'Councillor Gwilym Ellis Evans' be amended to read 'Mr Gwilym Ellis Evans'

Page 6 – Indemnities for Members and Local Resolution

It was proposed that the words 'Members were advised' be deleted from the beginning of the second sentence of the first paragraph at the top of page six and that they be replaced with 'There was a view expressed'

RESOLVED – That, subject to the above corrections, the Minutes of the meeting of the North Wales Standards Committees Forum held on 20 May 2013 be received and confirmed as a correct record.

4 TRAINING SESSION

Mr Trevor Coxon, Monitoring Officer Wrexham gave a presentation on the Code of Conduct Training which he provided for Wrexham County Borough Councillors and Clerks and Town and Community Councillors in Wrexham, explaining why the training was provided, how the training was delivered with examples of materials used, the outcomes of the training which had resulted in the following benefits and drawbacks:

- Fewer complaints about Town and Community Councils
- Any complaints made fewer were upheld
- Clerks better informed and more confident
- Fewer issues for the Monitoring Officer
- Town and Community Councils more pro-active in seeking advice
- Less “fear” of the Code
- Town and Community Council Members and Clerks can view the Monitoring Officer as a cheap source of general legal advice
- Individual Town and Community Councils can make demands for personal training
- Potential conflict with advisory role to Standards Committee

During the discussion session reference was made to the following:

- Role of Standards Committee members. Committee members were invited to attend the training sessions, however, training still went ahead if none of the Committee members were able to attend as the principle of the training was to educate rather than police – prevention was better than cure.
- Problems being experienced regarding poor attendance at training events and whether the Minister should be encouraged to include a condition in the Code to make training enforceable. Mr Coxon said in Wrexham feedback received from the training events had been very positive indicating that attendees had found the events enjoyable and useful. Attendees had then informed others about how useful they had found the training. The County Borough Council had also identified Core Training which all County Borough Councillors were required to attend, one element was Code of Conduct Training, any Core Training attended by individual Members was recorded on their web page. Mr Coxon said that e-learning modules had been considered but interaction at training events was more beneficial. Training was also undertaken as soon as possible after elections as part of the induction process with refresher training being undertaken on an annual basis. The invitation letter to training could perhaps contain a reminder that the first questions asked by the Ombudsman was when the Councillor had signed up to the Code and when they had last attended training.
- Social media issues. Mr Coxon explained that Wrexham County Borough Council had adopted a protocol. This matter had not been discussed by the Standards Committee nor any work undertaken with Community Councils.

5 OPEN SESSION FOR ITEMS OF CURRENT INTEREST

(i) Promotion of Local Democracy and Public Engagement

Anglesey County Council's Standards Committee had requested that the Forum discuss the following paragraph, contained in a letter from Carl Sargeant AM, Minister for Housing and Regeneration, dated 28 January 2013.

'In a similar vein, principal councils are best placed to work with their community and town councils to enable the public to have access to information concerning the business of their local council and how to contact them. You will be aware that provisions to bring this in to place are included in the Local Government (Democracy) (Wales) Bill currently under consideration by the Assembly. I would like principal councils to work with their community councils to help take this forward.'

Although the issue of providing support to Town and Community Councils, with regard to their web presence was outside the remit of Standards Committees, Anglesey County Council's Standards Committee saw this development as an opportunity to enhance the awareness of Town and Community Council Members, as well as informing the public, by encouraging Town and Community Councils to include information about the Code of Conduct (which applied to their Members), how and with whom to lodge complaints and the role of local Standards Committees.

Gwynedd County Council agreed that Town and Community Councils websites should provide this additional information particularly in relation to the work of the Standards Committee and it was suggested that the public could be directed to approach Standards Committee Members if they had a complaint against a Community Councillor. Concern was raised that this may 'muddy the waters' if the complaint did go further and eventually ended up being referred to the Standards Committee by the Ombudsman.

It was also suggested that such complaints could in the first instance be referred to the Monitoring Officer to be settled under the Local Resolution Protocol/Procedure without any need for reference to the Ombudsman. The Monitoring Officer for Wrexham expressed concerns suggesting that it would be unwise for Monitoring Officers to become involved in all processes for Town and Community Councils as this could heavily dominate their time.

As many Town and Community Councils were being asked to take on additional services it was suggested that a toolkit similar to the one which had been developed for English authorities would be useful and whether One Voice Wales could develop a link to a similar toolkit on their website.

RESOLVED – That One Voice Wales and the WLGA be encouraged to develop a similar resource along the lines of the toolkit provided for English authorities.

(ii) Ombudsman Investigation Time

Gwynedd County Council had requested that this item be placed on the agenda to enable the Forum to discuss concerns they had in relation to the time it was taking the Ombudsman to complete an investigation and that, if felt appropriate, for the Forum to make representations to the Ombudsman.

Given that there would shortly be a new Ombudsman, Anglesey County Council felt it would be more appropriate to have early discussions with the new Ombudsman, when appointed, and possibly invite the new Ombudsman to a future meeting of the Forum.

Wrexham County Borough Council had not experienced any such delays.

RESOLVED - That these issues be raised with the new Ombudsman once appointed, rather than make representations at the current time.

(iii) Webcasting of Standards Committees

The Forum discussed whether it would be appropriate to webcast Standards Committee meetings and there was a general consensus against this.

(iv) Delegation of Dispensations

Wrexham County Borough Council queried the process for the granting of dispensations in other authorities and whether there was any scope for this to be delegated to an Officer or representatives of the Standards Committee.

It was noted that the Guidance specifically stated dispensations could only be given by the Standards Committee.

It was reported that in Anglesey the Standards Committee had a Sub-Committee which dealt with dispensations and in Gwynedd the Standards Committee had adopted a protocol/guidelines for the granting of dispensations, which they would be happy to share with other authorities.

6 FEEDBACK

There was general consensus that the new format for the Forum worked well but those present expressed their disappointment at the poor attendance.

7 DATE AND VENUE OF NEXT MEETING

RESOLVED – That the next meeting be held in January 2014, venue to be confirmed.

(The meeting ended at 3.56pm)

AGENDA ITEM 5a

Un Llais Cymru / One Voice Wales
 24 College Street
 Amanford
 SA18 3AF

Annwyl Foneddigion	Dear Sirs
YNG: Fforwm Pwyllgor Safonau Gogledd Cymru ("SCFNW")	RE: The North Wales Standards Committee Forum ("NWSCF")
Fel y byddwch yn gwybod, mae Adran 55 Deddf Llywodraeth Leol (Democratiaeth) Cymru 2013 (sydd ar hyn o bryd yn disgwyl gorchymyn cychwyn) yn nodi bod yn rhaid i Gyngorau Cymuned beri bod gwybodaeth benodol ar gael yn electronig ar eu gwefannau (i gynnwys gwybodaeth am eu haelodau, cofnodion cyfarfodydd, archwiliadau a datganiadau o gyfrifon y Cyngor).	As you know, section 55 of the Local Government (Democracy) Wales Act 2013 (currently awaiting a commencement order) requires that community councils make certain information available electronically on their website (to include information on their members, minutes of meetings, audits and statements of the Council's accounts).
Pan gyflwynir y gorchymyn cychwyn, bydd yn rhaid i nifer o Gyngorau Cymuned weithredu gwefan am y tro cyntaf ac ni fydd ganddynt fawr o brofiad o wneud hyn, os o gwbl. Mae'n ddiau, pan ddaw yn fater o gyflawni'r gofynion cyhoeddi statudol, y byddwch yn rhoi cyngor a chymorth i Gyngorau Cymuned.	Upon a commencement order being introduced, many community councils will have to implement a website for the first time, and will have very little or no experience of this. No doubt when it comes to the statutory publication requirements you will provide advice and assistance to community councils.
Yn ychwanegol at hyn, rydym yn credu y byddai'n fuddiol pe gallech eu cynorthwyo drwy ddarparu gwybodaeth benodol i'w arddangos ar eu gwefannau am y trefniadau moesegol canlynol sy'n berthnasol i Gyngorau Cymuned :-	Additionally we believe it would be beneficial if you could also provide assistance to them in producing specific copy, to be displayed on their websites, on the following ethical arrangements:-
<ul style="list-style-type: none"> (i) Manylion ar ofynion y côd ymddygiad fel y maent yn berthnasol i Gyngorwyr Cymuned; (ii) Manylion ynglŷn â sut y gall aelodau o'r cyhoedd codi pryderon ynglŷn a Gyngorau Cymuned; a (iii) Gwybodaeth am swyddogaethau perthnasol (a) Ombwdsmon Gwasanaethau Cyhoeddus Cymru (b) Pwyllgorau Safonau Awdurdodau Lleol, a (c) Panel Dyfarnu Cymru fel y maent yn berthnasol i gyngorwyr cymuned. 	<ul style="list-style-type: none"> (i) details on the code of conduct requirements as applicable to community councillors; (ii) details on how members of the public may raise concerns about community councillors; and (iii) information on the respective roles of (a) the PSOW (b) Local Authorities' Standards Committees and (c) the Adjudication Panel for Wales, as they apply to community councillors.

Tybir mai'r amser gorau i gynhyrchu'r wybodaeth hon fyddai pan gyflwynir y gorchymyn cychwyn.	Presumably the best time to assist community councils in producing this information would be when the commencement order is introduced.
Rydym hefyd wedi anfon copi o'r llythyr hwn at Gymdeithas Llywodraeth Leol Cymru er gwybodaeth ac edrychwn ymlaen at glywed gennych mor fuan ag sy'n bosibl ynglŷn â'ch bwriadau.	We have also sent a copy of this letter to the Welsh Local Government Association for their information and look forward to hearing from you as soon as possible with your intentions.
Diolch yn fawr.	Many thanks.
Yr eiddoch yn gywir,	Yours faithfully
<u>Rob Dawson</u> <u>Cadeirydd Fforwm Pwyllgor Safonau Gogledd Cymru</u> <u>The Chair of the North Wales Standards' Committee Forum</u>	

cc WLGA, Local Government House, Drake Walk, Cardiff CF10 4LG

Un Llais i Gymru - One Voice Wales
Uned 5
Parc Busnes Betws
Heol Y Parc
Rhydaman
Gaerfyrddin
SA18 2ET

, 2014

Annwyl Syr

YNG: Fforwm Pwyllgor Safonau Gogledd Cymru

Mae Aelodau'r Fforwm Pwyllgor Safonau Gogledd Cymru yn credu y gwelwyd cynnydd yn niferoedd yr ymholiadau / honiadau sy'n honni bod aelodau cynghorau cymuned wedi torri'r Côd Ymddygiad.

Mae'r honiadau i raddau helaeth yn faterion sy'n ymwneud â pharch / ystyriaeth ac / neu fwlio / aflonyddu; gyda llawer ohonynt wedi eu sylfaenu ar ffaeleddau gweinyddol honedig o fewn eu Cyngor ac sydd yn sbarduno gwrthdaro mewnol ac allanol.

Mewn ymdrech i fynd i'r afael â'r mater hwn rydym o'r farn y byddai o fantais i gynghorau cymuned pe bai Un Llais Cymru yn gallu cyhoeddi model ar ei wefan, fyddai rhywbeth yn debyg (ond o bersbectif Cymru) i'r un a ddarparwyd yn flaenorol gan y Bwrdd Safonau dros Loegr; y gellir ei weld drwy ddilyn y cyswllt yma:-

<http://standardsforengland.gov.uk/guidance/>

Dear Sirs

RE: North Wales Standards Committee Forum ("NWSCF")

The Members of the NWSCF believe there has been an increase in the number of enquiries / allegations alleging a breach of the Code of Conduct by community council members.

The allegations are largely issues relating to respect / consideration and / or bullying / harassment; many of them underpinned by alleged administrative failings within their Council which are triggering internal and external conflict.

In an effort to address this issue we are of the view that it would be of great benefit to community councils if One Voice Wales was able to publish a toolkit on its website, similar (but from the Wales perspective) to the one previously provided by the Standards Board for England; which may be found by following this link:-

<http://standardsforengland.gov.uk/guidance/>

Rydym hefyd wedi anfon copi o'r llythyr hwn at Gymdeithas Llywodraeth Leol Cymru er gwybodaeth, ac rydym yn edrych ymlaen at glywed gennych cyn gynted ag y bo modd.

Cofion

Yr eiddoch yn gywir

We have also sent a copy of this letter to the Welsh Local Government Association and look forward to your views as soon as possible.

Many thanks

Yours faithfully

Rob Dawson
Cadeirydd Fforwm Pwyllgor Safonau Gogledd Cymru /
Chair of the North Wales Standards Committee Forum

cc WLGA, Local Government House, Drake Walk, Cardiff CF10 4LG

AGENDA ITEM 5b

Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ

Annwyl Syrïaid

FFORWM PWYLLGORAU SAFONAU GOGLEDD CYMRU ("FFPSGC")

Mewn cyfarfod o'r Fforwm uchod cytunwyd y byddai o fudd i bob pwyllgor safonau yng Nghymru pe bai'r Ombwdsmon yn fodlon darparu canllawiau ar sancsiynau sydd wedi eu teilwrio'n benodol i anghenion a phwerau pwyllgorau safonau; yn hytrach na cheisio gweithredu ar rhannu perthnasol o Ganllawiau Panel Dyfarnu Cymru.

Yn ychwanegol, mae rhifyn cyntaf "Llyfr Achosion Côt Ymddyïad Yr Ombwdsmon" wedi bod o fudd mawr. Fodd bynnag, mae Fforwm Pwyllgor Safonau Gogledd Cymru yn ystyried y byddai'n hyd yn oed yn fwy defnyddiol pe bai crynodebau o'r achosion yn cael eu cyhoeddi wrth i'r achosion hynny ddod i ben, efallai ar wefan yr Ombwdsmon. Byddwn yn falch o glywed a oes modd gwneud hynny. Fel arall, a fyddai modd cyoeddi'r crynodebau achos bob chwarter?

Edrychwn ymlaen at glywed gennych.

Dear Sirs

STANDARDS COMMITTEE FORUM NORTH WALES ("SCFNW")

During a meeting of the SCFNW it was agreed that it would be beneficial to all standards committees in Wales if the Ombudsman would be willing to provide sanctions guidance specifically tailored to the needs and powers of standards committees; rather than seeking to apply relevant passages from the APW's Guidance.

Additionally, the first issue of "The Ombudsman Code of Conduct Casebook" has been very helpful. However, the SCFNW considers it would be even more useful if the case summaries could be published as and when the cases are concluded, perhaps on the Ombudsman's website. We would be glad to know if this could be accommodated. Alternatively, might the case summaries be published quarterly?

We look forward to hearing from you.

Llawer o ddiolch.

Many thanks.

Yr eiddoch yn gywir

Yours faithfully

Cadeirydd Pwyllgor Safonau Gogledd Cymru /
The Chair of the North Wales Standards' Committee Forum