

ISLE OF ANGLESEY COUNTY COUNCIL

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| MEETING: | County Council |
| DATE: | 12 th May 2016 |
| TITLE: | Annual Report of the Chair of the Standards Committee |
| REPORT BY: | Michael Wilson, Chair of the Standards Committee & Independent Member of the Council |
| PURPOSE OF REPORT: | To Report on the Activities of the Standards Committee in 2015/16 and to secure Council Approval for the Committee's Programme for 2016/17 |
| CONTACT OFFICER: | Lynn Ball, Head of Function (Council Business) / Monitoring Officer (ext 2568) |

Introduction

1. The Standards Committee is a statutory committee which comprises 9 members (2 county councillors, 5 independent members and 2 community council members).
2. The current independent members and community council members are appointed until 17th December 2019. The county council members are reappointed annually by the Council.
3. The Standards Committee has the following primary roles and functions (in relation to county council and community council members):-
 - (a) promoting and maintaining high standards of conduct;
 - (b) assisting members to observe the Code;
 - (c) advising, training, or arranging to train members;
 - (d) considering whether to grant dispensations
 - (e) dealing with any report referred by the Public Services Ombudsman for Wales (PSOW), together with any reports from interim case tribunals, case tribunals or appeal tribunals of the Adjudication Panel for Wales.
 - (f) dealing with any matters voluntarily referred under the Local Resolution Protocol.

Background

4. At its meeting on the 14th May 2015 the County Council resolved to approve the Standards Committee's Programme for 2015/16. 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 against objectives.

5. **ENCLOSURE B** to this Report contains the Standards Committee's Programme for 2016/17, which is presented for the Council's endorsement.

Chairman's Comments

The Chairman would like to thank the Committee for its hard work and commitment and to acknowledge the support and advice of the officers who assist the Committee.

6. **Complaints**

Last year, the Committee was pleased to advise the Council that: "less of its time had been spent in conducting hearings, or attending meetings/mediation arising from alleged breaches of the Code of Conduct."

As hoped, this overall trend has continued.

The Standards Committee receives reports at its ordinary meetings which provide statistical information about the number of Code of Conduct complaints filed with the PSOW and the current status of any such complaints. At the Committee's most recent meeting, on the 9th March 2016, it was noted, from among all the members of our town councils, community councils and County Council, there was only one matter under investigation by the PSOW during the year.

Additionally, the Committee looked at comparative data for an equivalent period before, and since, the current term of this Council (commencing in May 2013) and the improvement is striking. This has led the Committee to the view that self-regulation is working and that the reporting of a few complaints to the PSOW, when necessary and appropriate, is an indication of an organisation which appreciates the difference between the inevitable 'cut and thrust' of politics and potentially serious matters which may warrant independent investigation. The Committee believes this to be an indicator of good corporate health.

7. **Meetings**

Against this established trend, the Committee is of the view that it is no longer necessary for the Committee to meet on a quarterly basis.

The statutory requirement is that standards committees must meet at least once every year.

Following recommendations from Wales Audit Office, and the Welsh Government, the Committee was asked to undertake a more pro-active role and meet more frequently. The consistent evidence we have seen indicates that the circumstances necessitating this no longer prevail and that a lighter touch is now more appropriate. This too better

uses the Council's resources; so we recommend reducing the number of ordinary meetings of the Standards Committee from 4 to 2 per annum.

Clearly, extraordinary meetings will be called to ensure compliance with any statutory obligations and informal meetings will continue as business demands

The Committee believes that this balances available capacity, while allowing the necessary flexibility to discharge the Committee's responsibilities.

To this end we have asked the Monitoring Officer, and with the agreement of the Council's Group Leaders, to bring forward a report to the Executive, and Council, to amend the Constitution to reduce the number of ordinary meetings to 2. It is hoped that this will be supported by all members.

8. **Members' Registers of Interests**

Having taken over the responsibility from the Audit and Governance Committee, the Standards Committee carries out an annual review of the three Registers of members' interests.

Last year's review has recently been completed.

The Committee was pleased to note that the quality of declarations in meetings is high and that members are conscientious in discharging their obligations. This is an important indicator of sound governance and demonstrates that those who might reasonably be affected by the outcome of discussion/decision are withdrawing from meetings where appropriate. Members also need to remember that they may be entitled to dispensation in some circumstances.

Although less significant, but still important, the Committee was concerned that a number of members still need to review their pre-declarations in the "standing register", as some entries were incomplete or lacked clarity. These concerns have been raised in previous years, in general advices circulated to all members, and with particular issues around membership of outside bodies, including school governing bodies, and lack of clarity around the location of land/property in the ownership of some members.

Following its recent review the Committee now intends to write to those individual members whose entries in the "standing register" should be clarified, setting out, on an individual basis, what those concerns are. Those emails will be shared with any relevant Group Leaders and they have already agreed to take responsibility for ensuring that these adjustments are made.

This will be the last review of the County Council's Registers until after the new Council in May 2017. A piece of work will, however, be undertaken to review a sample of the

registers (in meetings) held by town/community councils and the general findings will be reported back to all town and community councils later this year. This is intended to assist the new councils to ensure compliance after May 2017.

9. **Training**

In the past year the Standards Committee has provided training for Town Councils, focusing on the Principles of Conduct in Public Life, the Code of Conduct and the PSOW's Guidance.

In the coming year the Committee's focus will be on preparing for the training that will follow the local elections in May 2017.

The Committee has also contributed to this agenda via the Welsh Local Government Association and two recommendations from the Committee, namely training on social media and the development of webinar based training for community councils specifically, are now under consideration.

ENCLOSURE A

STANDARDS COMMITTEE WORK PROGRAMME – MAY 2015 TO APRIL 2016

| | | TIMETABLE | RESOURCES | STATUS AS AT YEAR END |
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| 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 | None referred during period |
| 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 | <ul style="list-style-type: none"> 24/9/2015 – dispensation granted to all Members |
| 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 and when requested | <ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer | <ul style="list-style-type: none"> None received during period |
| 4. | To oversee training and development on the Members' Code of Conduct in accordance with paragraph 2.6 of the Code; particularly Town Councils. | <ul style="list-style-type: none"> As and when required | <ul style="list-style-type: none"> Monitoring Officer Deputy Monitoring Officer | <ul style="list-style-type: none"> Training delivered on:- 9/11/15 23/11/15 7/12/15 To be delivered on:- 16/5/2016 |

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| 5. | To review the three Registers of Members' Interests by annual reviews followed by any necessary advice and guidance. | <ul style="list-style-type: none"> • By the end of April 2016 | <ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer | <ul style="list-style-type: none"> • Standards Committee 16/9/2015 • Standards Committee 9/3/2016 • Review meeting 18/4/2016 • Completed 30/4/2016 |
| 6. | 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 | <ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer | <ul style="list-style-type: none"> • No instructions received during period |
| 7. | 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 | <ul style="list-style-type: none"> • Guidance on the Officers' Code of Conduct • Planning (Wales) Act 2015 Protocol |
| 8. | To make any recommendations to the Council for improvements in those areas of work which relate to the Standards Committee. | <ul style="list-style-type: none"> • As and when required | <ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer | <ul style="list-style-type: none"> • 12/5/2016 to recommend reduction in number of ordinary meetings of the Standards Committee |
| 9. | The Chair of the Standards Committee to present an annual report to the Council outlining the work of the committee during the previous year. | <ul style="list-style-type: none"> • May 2016 | <ul style="list-style-type: none"> • Chair | <ul style="list-style-type: none"> • 12 May 2016 |
| 10. | <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"> o other relevant authorities o Adjudication Panel for Wales | <ul style="list-style-type: none"> • As and when required subject to capacity | <ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer | <ul style="list-style-type: none"> • Delivered on:- 16/9/2015 24/9/2015 19/2/2016 |

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| | <ul style="list-style-type: none"> - to participate and contribute on the North Wales Standards Committee Forum - to participate and contribute to the All Wales Standards Committee Conference. - To be reviewed under a performance development review scheme similar to that used by the County Council's elected members. | | | <p>9/3/2016</p> <ul style="list-style-type: none"> • 16/6/2015 • 19 & 20/10/2015 • Review completed by the end of June 2016 |
| 11. | 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. | <ul style="list-style-type: none"> • As and when required | <ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer | <ul style="list-style-type: none"> • Not achieved. Analysis impossible owing to low numbers |
| 12. | To maintain contact with Group Leaders, through regular informal meetings, in order to discuss issues of concern/common interest. | <ul style="list-style-type: none"> • As and when required | <ul style="list-style-type: none"> • The Chair | <ul style="list-style-type: none"> • 4/2/2016 • 28/4/2016 |
| 13. | <p>Report quarterly performance indicators</p> <ul style="list-style-type: none"> • Relationship between Members and Political Groups. • The effectiveness of the Council's Standards Committee • Standards of conduct and behaviour of Members | <ul style="list-style-type: none"> • Quarterly | <ul style="list-style-type: none"> • Monitoring Officer • Deputy Monitoring Officer | <ul style="list-style-type: none"> • 7/8/2015 • 28/10/2015 • 27/1/2016 • 4/5/2016 |

ENCLOSURE B

STANDARDS COMMITTEE WORK PROGRAMME – MAY 2016 TO APRIL 2017

| | | 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 | |
| 2. | To conduct hearings into applications for Dispensations | <ul style="list-style-type: none">As and when applications are made and in accordance with the performance indicator | <ul style="list-style-type: none">Monitoring Officer | |
| 3. | To undertake an advisory role in connection with any matters arising under the Council's Local Resolution Protocol | <ul style="list-style-type: none">As and when requested | <ul style="list-style-type: none">Monitoring Officer | |

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| 4. | To oversee training and development on the Members' Code of Conduct in accordance with paragraph 2.6 of the Code; focusing on preparing for new intake of members in May 2017 | <ul style="list-style-type: none"> • Ready for May 2017 | <ul style="list-style-type: none"> • Monitoring Officer | |
| 5. | To review a sample of the registers of Members' interest as retained by town and community councils followed by any necessary advice and guidance. | <ul style="list-style-type: none"> • By the end of April 2017 | <ul style="list-style-type: none"> • Monitoring Officer | |
| 6. | 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 | <ul style="list-style-type: none"> • Monitoring Officer | |
| 7. | 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 | |
| 8. | To make any recommendations to the Council for improvements in those areas of work which relate to the Standards Committee. | <ul style="list-style-type: none"> • As and when required | <ul style="list-style-type: none"> • Monitoring Officer | |
| 9. | The Chair of the Standards Committee to present an annual report to the Council outlining the work of the committee during the previous year. | <ul style="list-style-type: none"> • May 2017 | <ul style="list-style-type: none"> • Chair | |
| 10. | To ensure that the knowledge and skills of the Standards Committee are developed and updated by:- | <ul style="list-style-type: none"> • As and when required and subject to | <ul style="list-style-type: none"> • Monitoring Officer | |

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| | <ul style="list-style-type: none"> - regular reviews of decided cases from <ul style="list-style-type: none"> o other relevant authorities o 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. - To be reviewed under a performance appraisal review scheme similar to that used by the county council's elected members. | capacity | | |
| 11. | 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. | <ul style="list-style-type: none"> • Annually if data allows | <ul style="list-style-type: none"> • Monitoring Officer | |
| 12. | To maintain contact with Group Leaders, through regular informal meetings, in order to discuss issues of concern/common interest. | <ul style="list-style-type: none"> • As and when required | <ul style="list-style-type: none"> • The Chair | |
| 13. | <p>Report performance indicators</p> <ul style="list-style-type: none"> • Relationship between Members and Political Groups • The effectiveness of the Council's Standards Committee • Standards of conduct and behaviour of Members | <ul style="list-style-type: none"> • Quarterly | <ul style="list-style-type: none"> • Monitoring Officer | |