

CITY AND COUNTY OF SWANSEA

NOTICE OF MEETING

You are invited to attend a Meeting of the

STANDARDS COMMITTEE

At: Committee Room 5, Guildhall, Swansea

On: Friday, 17 April 2015

Time: 9.30 am

AGENDA

Page No.

- 1 Appointment of Chairman for the Ensuing Municipal Year.
- 2 Appointment of Vice - Chairman for the ensuing municipal year.
- 3 Apologies for Absence.
- 4 Disclosures of Personal and Prejudicial Interests. 1 - 2
- 5 Minutes. 3 - 5
To approve the Minutes of the Standards Committee held on 13 February 2015 as a correct record.
- 6 Standards Committee and Code of Conduct Training.
- 7 Merger - Verbal.
- 8 Workplan 2015 - 2016. 6 - 7



Patrick Arran
Head of Legal, Democratic Services & Procurement
Thursday 9 April 2015

Contact: Democratic Services (01792) 636820

STANDARDS COMMITTEE (4)

Councillors

Labour Councillors: 3

J C Bayliss	Clive E Lloyd
Phil Downing	

Liberal Democrat Councillor: 1

L Graham Thomas	
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Name	Term of Office	Name	Term of Office
Jill Burgess	19.10.2012 to 18 10.2018	Jennifer Gomes*	05.12.2008 to 04.12.2016
Gareth Evans	01.04.2015 to 31.03.2021	Margaret Williams	01.04.2015 to 31.03.2021
Meirion Howells*	01.08.2008 to 31.07.2016		

Others:

Executive	One copy
Patrick Arran	Head of Legal, Democratic Services & Procurement – Electronic
Tracey Meredith	Deputy Head of Legal, Democratic Services & Procurement
Huw Evans	Head of Democratic Services
Mike Hawes	Head of Financial Services
Democratic Services	1 Copy
Archives	
Councillor	Chair of Scrutiny Programme Committee – public agenda pack

Total Copies Needed – 27

NOTE:

1. * Denotes that the **period of office cannot be extended further**.
2. The **term of office for Independent Members** can be for not less than 4 nor more than 6 years. They can be reappointed for one further consecutive term but that term cannot be for more than 4 years.
3. **Members of the Local Authority** who are members of the Standards Committee will have a term of office of no more than 4 years or ending at the next ordinary local government election following their election, whichever is the shorter.
4. The Standards Committee **shall not sit if the Independent Members are outnumbered by Councillors**. A Councillor shall remove him/herself from the meeting in order for the business to be transacted.

Disclosures of Interest

To receive Disclosures of Interest from Councillors and Officers

Councillors

Councillors Interests are made in accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea. You must disclose orally to the meeting the existence and nature of that interest.

NOTE: You are requested to identify the Agenda Item / Minute No. / Planning Application No. and Subject Matter to which that interest relates and to enter all declared interests on the sheet provided for that purpose at the meeting.

1. If you have a **Personal Interest** as set out in **Paragraph 10** of the Code, you **MAY STAY, SPEAK AND VOTE** unless it is also a Prejudicial Interest.
2. If you have a Personal Interest which is also a **Prejudicial Interest** as set out in **Paragraph 12** of the Code, then subject to point 3 below, you **MUST WITHDRAW** from the meeting (unless you have obtained a dispensation from the Authority's Standards Committee)
3. Where you have a Prejudicial Interest you may attend the meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, **provided** that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. In such a case, you **must withdraw from the meeting immediately after the period for making representations, answering questions, or giving evidence relating to the business has ended**, and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration (**Paragraph 14** of the Code).
4. Where you have agreement from the Monitoring Officer that the information relating to your Personal Interest is **sensitive information**, as set out in **Paragraph 16** of the Code of Conduct, your obligation to disclose such information is replaced with an obligation to disclose the existence of a personal interest and to confirm that the Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
5. If you are relying on a **grant of a dispensation** by the Standards Committee, you must, before the matter is under consideration:
 - i) Disclose orally both the interest concerned and the existence of the dispensation; and
 - ii) Before or immediately after the close of the meeting give written notification to the Authority containing:

- a) Details of the prejudicial interest;
- b) Details of the business to which the prejudicial interest relates;
- c) Details of, and the date on which, the dispensation was granted; and
- d) Your signature

Officers

Financial Interests

1. If an Officer has a financial interest in any matter which arises for decision at any meeting to which the Officer is reporting or at which the Officer is in attendance involving any member of the Council and /or any third party the Officer shall declare an interest in that matter and take no part in the consideration or determination of the matter and shall withdraw from the meeting while that matter is considered. Any such declaration made in a meeting of a constitutional body shall be recorded in the minutes of that meeting. No Officer shall make a report to a meeting for a decision to be made on any matter in which s/he has a financial interest.
2. A "financial interest" is defined as any interest affecting the financial position of the Officer, either to his/her benefit or to his/her detriment. It also includes an interest on the same basis for any member of the Officers family or a close friend and any company firm or business from which an Officer or a member of his/her family receives any remuneration. There is no financial interest for an Officer where a decision on a report affects all of the Officers of the Council or all of the officers in a Department or Service.

CITY AND COUNTY OF SWANSEA

MINUTES OF THE STANDARDS COMMITTEE

HELD AT CIVIC CENTRE ON FRIDAY, 13 FEBRUARY 2015
AT 9.30 AM

PRESENT: A C Novis (Chair) Presided

Councillor(s)

J C Bayliss
P Downing
C E Lloyd
L G Thomas

Independent Members:-

J Burgess
M Howells
C Walton
J Gomes

Officers:-

T Meredith - Deputy Head of Legal, democratic Services and Procurement
H Evans - Head of Democratic Services
J Tinker - Democratic Services Coordinator

43 **APOLOGIES FOR ABSENCE.**

No apologies for absence were given.

44 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

45 **MINUTES.**

RESOLVED that the Minutes of the Standards Committee held on 9 January 2015, be accepted as a correct record.

46 **BEST WISHES**

Councillor C E Lloyd expressed his best wishes to A Novis (Chairman of Standards) and C Walton (Vice – Chairman) who's terms of office as members of the Standards Committee had come to an end. The Committee praised them both on their commitment , contribution and valuable advice given during this 10 year period.

47 **DISCUSSION REGARDING THE MEETING WITH COMMUNITY COUNCILS.**

At the last meeting of the Standards Committee it was agreed that a meeting be arranged with representatives of the Community Councils to discuss various matters identified in the workplan. A discussion took place regarding the format of this meeting. The following suggestions were put forward :

- What is your perception of the Standards Committee?
- What is the role of the Clerks?
- What do you consider to be the role of the Monitoring Officer?
- What are your views regarding signing the pledge?
- What are the main issues you face on the Community Council?
- What is your views regarding the Local Dispute Regulations?
- What is your commitment to training both for Community Councillors and Clerks?
- What is your interpretation of "Treating People with Respect"?

It was also suggested that the views of Community Councillors and Clerks be sought of those that had been asked to Group Leaders. It was considered beneficial if this meeting take place in May/ June after the new Standards Committee Independent Members and started.

RESOLVED that the format of this meeting take place as identified above.

48 **COMMUNITY/TOWN COUNCILS STANDARDS SUB COMMITTEE MERGER WITH STANDARDS COMMITTEE.**

The Head of Democratic Services presented a joint report regarding Community/Town Councils Standards Sub Committee merger with Standards Committee. The legislation relating to the Standards Committee together with the issues and process relating to the merger were detailed in the report. It was queried if there was a maximum period for the length of service for Community Councillors. It was stated that the Regulations would be checked to clarify this matter.

RESOLVED that the Standards Committee recommend to Council that the Community/ Town Councils Standards Sub Committee be merged with the Standards Committee.

49 **COUNCILLORS LOCAL DISPUTE RESOLUTION.**

The Head of Democratic Services presented a joint report which considered how to raise the profile of the Councillors Local Dispute Resolution mechanism and whether it could be used for Community/ Town Councils. The report and procedure in relation to the Councillors Local Dispute Resolution mechanism was appended as Appendix A. The views of the Committee were sought how to raise its profile and encourage

the use of the Councillors Local Dispute Resolution and if this could be adopted by the various Community/ Town Councils. It was queried if this Local Dispute Resolution could be used by members of the Public and if this was the case it may be more appropriate for the Chair of Standards to Chair the Councillor Mediation Panel. It was suggested that the Local Dispute Resolution be raised with the Community Council representatives in the forthcoming meeting.

RESOLVED that the Ombudsman's views be informally sought regarding whether it would be appropriate if the Local Dispute Resolution could be extended to members of the public.

50 **TREATING PEOPLE WITH RESPECT.**

The Head of Democratic Services submitted a joint report which considered how to tackle and co – ordinate the issue raised by a number of Political Group Leaders in relation to "Treating People with respect". The views of the Committee were sought. The definition of respect was discussed. The impact of the receiver was considered important and that it should be viewed from this point of view. The Officer/ Councillor Relations Protocol was highlighted. It was suggested that training for Chairs include specific reference to respect.

RESOLVED that a report be prepared setting out specific training for Chairs and ways that the profile of the Officer/ Councillor Relations Protocol could be raised, and if it was possible to extend this to Community Councils.

WORKPLAN.

The Committee considered the workplan plan and the key issues that were as raised to be incorporated into the workplan at the last meeting. It was suggested that as the 2 new independent members would be attending their first meeting on 17 April, that this be used as a training session. The frequency of meetings for the forthcoming municipal year was discussed. It was suggested that these meetings be held quarterly rather than every six weeks which was the current arrangement.

RESOLVED that

- (1) A refresher training session be scheduled for the next meeting on 17 April 2015.
- (2) Meetings for the forthcoming municipal year be held on a quarterly basis.

The meeting ended at 10.50 a.m.

CHAIR

Agenda Item 8

Report of the Head of Democratic Services

Standards Committee – 17 April 2015

WORKPLAN 2015-2016

Purpose:	To outline the agreed Standards Committee Workplan 2015-2016.
Policy Framework:	None.
Reason for Decision:	For Information Only.
Consultation:	Access to Services, Finance, Legal.
Report Author:	Huw Evans
Finance Officer:	Carl Billingsley
Legal Officer:	Tracey Meredith
Access to Services Officer:	Euros Owen

1. Introduction

- 1.1 The Standards Committee at its meeting on 9 January 2015 agreed the Workplan 2015-2016.

Date	Issue
TBC	Treating People with respect
TBC	Local Dispute Resolutions
TBC	Declarations of Interest
TBC	Inconsistency in Ombudsman Decisions
TBC	Councillor Training
TBC	Standards Committee attend Committees
TBC	Annual link with Scrutiny
TBC	Good governance and best practice
Various	Merger of the Standards Committee and the Community/ Town Councils Standards Sub Committee
TBC	Annual meetings with Political Group Leaders and Chairs of Committee

2. Equality and Engagement Implications

- 2.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

3. Financial Implications

- 3.1 This will be met from within existing budget.

4. Legal Implications

4.1 These will be set out in each relevant report.

Background Papers: None.

Appendices: None.