

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, 5 June 2015

Time: 9.30 am

AGENDA

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- 1 **Apologies for Absence**
- 2 **Disclosures of Personal and Prejudicial Interests** 1 - 2
- 3 **Minutes** 3 - 5
To approve the Minutes of the Standards Committee held on 17 April 2015 as a correct record.
- 4 **Community / Town Council Standards Sub Committee Merger with Standards Committee (Verbal)**
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- 7 **Workplan 2015 - 2016**



Patrick Arran
Head of Legal, Democratic Services & Procurement
22 May 2015

Contact: Allison Lowe (01792) 636424

STANDARDS COMMITTEE (4)

Councillors

Labour Councillors: 3

Joe A Hale	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 M H Jones	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 THE GUILDHALL, SWANSEA ON FRIDAY, 17 APRIL 2015
AT 9.30 AM

PRESENT:

Councillor(s)	Councillor(s)
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P Downing	C E Lloyd
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Independent Members:

G Evans	M Howells	M Williams
J Gomes		

52 **APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR 2015 - 2016.**

RESOLVED that Meirion Howells be appointed as Chair of the Standards Committee for the Municipal Year 2015 - 2016.

Meirion Howells (Chair) Presiding

53 **APPOINTMENT OF VICE - CHAIRMAN FOR THE MUNICIPAL YEAR 2015 - 2016.**

RESOLVED that Jill Burgess be appointed as Vice Chair of the Standards Committee for the Municipal Year 2015 - 2016.

54 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from J Burgess and Councillor L G Thomas.

55 **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.

56 **MINUTES.**

RESOLVED that the Minutes of the Standards Committee held on 13 February 2015, be accepted as a correct record subject to Minute 47, "Discussion Regarding the Meeting with Community Councils" being amended as follows:

Delete the penultimate word of the final paragraph which is "and". Replace it with the word "had".

57 **MATTERS ARISING**

Minute 48 "Community / Town Councils Standards Sub Committee Merger with Standards Committee".

The Deputy Head of Legal, Democratic Services and Procurement confirmed that the maximum period for the length of service for Community / Town Councillors was no more than 4 years. She indicated that she would consider the legislation in order to establish whether the sitting Community / Town Councillors would be eligible to stand on the merged Committee should it be created.

Minute 49 "Councillors Local Dispute Resolution"

The Public Services Ombudsman for Wales views had been informally sought regarding whether it would be appropriate to extend the Local Dispute Resolution to consider complaints against Councillors by members of the public. The Ombudsman's view was this was not appropriate.

58 **STANDARDS COMMITTEE AND CODE OF CONDUCT TRAINING.**

The Head of Legal, Democratic Services & Procurement and Monitoring Officer provided training to the Members of The Standards Committee.

59 **COMMUNITY / TOWN COUNCILS STANDARDS SUB COMMITTEE MERGER WITH STANDARDS COMMITTEE - VERBAL**

The Head of Democratic Services provided an update in relation to the Merger of the Standards Committee and Community Council Standards Sub Committee.

Out of the 22 Local Authorities in Wales, only Swansea and Powys still have separate Standards and Community Council Standards Sub Committees. In order to progress the merger, the Head of Democratic Services has commenced the consultation process with the 24 Community/Town Councils. The consultation deadline is 15 May 2015. Reminders have been sent and further reminders are scheduled prior to the deadline.

A further verbal update will be provided at the next Standards Committee meeting on 5 June 2015. A report will be presented to Council on 25 June 2015 setting out the results of the consultation and a proposal for the future.

RESOLVED that the update be noted.

60 **WORKPLAN 2015 - 2016.**

RESOLVED that the Workplan 2016-2016 be noted.

Date	Issue
5 June 2015	Protocol for Members of the Standards Committee to attend other Committees as Observers (Huw Evans)
5 June 2015	Dispensation Regime (Patrick Arran)
5 June 2015	Overview of Councillor Training inc. Issues of Attendance
4 September 2015	Overview of Councillor Training inc. Issues of Attendance
4 September 2015	Treating People with respect
4 September 2015	Inconsistency in Ombudsman Decisions
Various	Merger of the Standards Committee and the Community / Town Councils Standards Sub Committee (Huw Evans)
TBC	Local Dispute Resolutions
TBC	Declarations of Interest
TBC	Good governance and best practice
Aim for 4 September and 4 December 2015	Annual meetings with Political Group Leaders and Chairs of Committee (Audit, Cabinet Advisory x 5, Democratic Services, General Licensing, Planning and Scrutiny Programme)

The meeting ended at 10.55 am

CHAIR

Agenda Item 5

Report of the Head of Democratic Services

Standards Committee – 5 June 2015

STANDARDS COMMITTEE MEMBERS OBSERVING OTHER COUNCIL BODY MEETINGS PROTOCOL

Purpose:	To set out a clear protocol for the members of the Standards Committee to follow when they attend other Council Body Meetings as Observers.
Policy Framework:	None.
Reason for Decision:	To establish a Standards Committee Members Observing Other Council Body Meetings Protocol.
Consultation:	Finance, Legal.
Recommendation(s):	It is recommended that:
1)	The Standards Committee Members Observing Other Council Body Meetings Protocol be adopted.
Report Author:	Huw Evans
Finance Officer:	Carl Billingsley
Legal Officer:	Tracey Meredith
Access to Services Officer:	Euros Owen

1. Introduction

- 1.1 Members of the Standards Committee have indicated that they wish to attend a number of other Council Bodies meetings as observers. They wish to do this in order to gain a greater knowledge and understanding of what occurs at these meetings.
- 1.2 Such observation will seek to identify recurring issues relating to conduct and attitude of Councillors at these meetings.

2. Standards Committee Members Observing Other Council Body Meetings Protocol

- 2.1 A Protocol is needed in order to set out the basic rules relating to members of the Standards Committee attending Council Body Meetings as Observers. This will prevent any confusion at such observed meetings.

3. The Protocol

3.1 Standards Committee Members:

- i) Do not have any speaking or voting rights at meetings where they are acting as observers;
- ii) Must not take any part in a meeting that they are observing;
- iii) Must sit in the public gallery;
- iv) Must not engage in any political discussions;
- v) Must not feedback their observations to members of the Council Body that they are observing;
- vi) All observations should be presented in writing (preferably via e-mail) to the Head of Democratic Services (HDS). The HDS will consider the observations and if appropriate will present them to the Standards Committee or to another appropriate body / person such as Political Group Leader;
- vii) Should seek to observe Councillors attitudes, behaviours etc. based on the Code of Conduct and the Councillors Pledge on Standards (if appropriate).
- viii) Must leave the Committee room when members of the public are excluded from attending for any item on the Agenda.

4. Equality and Engagement Implications

4.1 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.

5. Financial Implications

5.1 Any costs that arise will be met from within existing budget.

6. Legal Implications

6.1 None.

Background Papers: None.

Appendices:

None	
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Agenda Item 6

Report of the Head of Democratic Services

Standards Committee – 5 June 2015

COUNCILLOR TRAINING AND ATTENDANCE

Purpose:	To review Councillor Training and to consider ways of improving Councillor Attendance.
Policy Framework:	None.
Reason for Decision:	To review the Councillor Training and Attendance.
Consultation:	Finance, Legal.
Recommendation(s):	Committees note the report and consider ways of improving Councillor Attendance following the meeting with the Democratic Services Committee on 16 June 2015.
Report Author:	Huw Evans
Finance Officer:	Carl Billingsley
Legal Officer:	Tracey Meredith
Access to Services Officer:	Euros Owen

- 1.1 Training and Personal Development is vital for Councillors. It helps them to progress, improve and to carry out their role as Councillor as effectively as possible. Training is the process of acquiring the essential skills required for a certain role. Personal Development puts emphasis on broader skills, which are applicable in a wide range of situations such as decision making and creative thinking.
- 1.2 Section 7 “Training and Development of Members of a Local Authority” of the Local Government (Wales) Measure 2011 places a duty on Local Authorities to secure the provision of reasonable training and development opportunities for its Councillors. The Public Service Ombudsman of Wales has indicated in his Guidance that in relation to the Code of Conduct that he expects all Councillors to take advantage of such training including refresher course training.
- 1.3 In Spring 2013, Councillors were asked and encouraged to complete a Training Needs Analysis. The information obtained from this was used to produce the 2013-2014 and 2014-2015 Councillor Training Programme.
- 1.4 **Appendix 1** shows the Councillor Training Programme 2014-2015 together with the additional training which was added through the term. The additional training is shaded on the appendix. This appendix shows the actual attendance figures for the training.

2. Councillors Attendance

- 2.1 The Standards Committee are asked to consider the Training Programme and Councillors Attendance.
- 2.2 The Standards Committee is also asked to consider identifying whether Training Sessions should be mandatory and what actions, if any, should be taken should Councillors not comply.

3. Equality and Engagement Implications

- 3.1 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.

4. Financial Implications

- 4.1 Any costs that arise will be minimal and will be met from within existing budget.

5. Legal Implications

- 5.1 Section 7 of the Local Government (Wales) Measure 2011 provides that a Local Authority must secure the provision of reasonable training and development opportunities for its Councillors. There is no legal duty on Councillors to attend training sessions although the constitution provides that in respect of Licensing Committee members must be trained prior to taking part in the Committee meeting.

Background Papers: None.

Appendices:

Appendix 1	Councillor Training Programme 2014-2015
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Councillor Training Programme 2014-2015

Day	Date	Time	Location	Event	Officer	Max No.	Attended	
							Cllrs	Co-opt
Tuesday	13.05.2014	-	-	Licensing - Due to Cttee Membership Change	-	1	1	0
Thursday	03.07.2014	2.00 pm	Cttee Room 2	Freedom of Information	Janet Hooper	34	20	2
Thursday	03.07.2014	3.30 pm	Cttee Room 2	Data Protection (including ICO role as data controller)	Janet Hooper	34	15	1
Wednesday	23.07.2014	3.30 pm	Cttee Room 2	Data Protection (including ICO role as data controller) Dat[Type a quote from the document or the summary of an interesting point. You can position the text box anywhere in the document. Use the Drawing Tools tab to change the formatting of the pull quote text box.] a Protection (including ICO role as data controller)	Janet Hooper	34	10	1
Wednesday	23.07.2014	5.00 pm	Cttee Room 2	Freedom of Information	Janet Hooper	34	5	0
Monday	04.08.2014	1 – 4 pm	Cttee Room 2	Public Engagement	Participation Cymru / Rhian Millar	34	7	0
Tuesday	05.08.2014	9.30 – 12.30	Cttee Room 2	Public Engagement	Participation Cymru / Rhian Millar	34	10	2
Wednesday	06.08.2014	4.30 – 7.30 pm	Cttee Room 2	Public Engagement	Participation Cymru / Rhian Millar	34	4	0
Thursday	14.08.2014	3.00 pm	Meeting Room 3	How to get the most out of your tablet / smart phone	Paul Lamprey	12	10	0
Wednesday	08.10.2014	3.00 pm	Room 2.2.1	How to get the most out of your tablet / smart phone	Paul Lamprey	12	6	1
Wednesday	08.10.2014	5.00 pm	Room 2.2.1	How to get the most out of your tablet / smart phone	Paul Lamprey	12	5	0
Monday	13.10.2014	10 am	Cttee Room 2	Safeguarding	Diane Cooper	22	9	1
Wednesday	15.10.2014	2.00 pm	Cttee Room 2	Financial Governance	Jeff Dong & external consultants	34	6	2
Thursday	23.10.2014	2.30 pm	Cttee Room 3	Safeguarding	Diane Cooper	22	11	3
Friday	31.10.2014	10 am	Cttee Room 2	Safeguarding (Mop-up session)	Diane Cooper	22	6	0
Tuesday	04.11.2014	-	-	Appeals & Awards - Due to Cttee Membership Change	-	1	1	0
Wednesday And Tuesday	12.11.14 18.11.14		Cabinet Conf Room	Recruitment & Selection (for Cabinet Members only)	Steve Rees / Deb Yates	10	5	0
Wednesday	19.11.2014	1.30 pm	Cttee Room 1	Workshop - Elected Members Role in Supporting and Promoting Gypsies, Roma and Travellers	Jake Bowers in conjunction with Anna Morgan, WLGA	50 inc. NPT	8	0
Tuesday	25.11.2014	3.00 pm	Circle Bar, Grand Theatre	Scrutiny Councillor Development Session – Making the best use of performance information	LGIU		9	2
Wednesday	26.11.2014	3.00 pm	Cttee Room 1	Defamation	Patrick Arran	34	7	1
Tuesday	09.12.2014	5.00 pm	Cttee Room 2	Defamation	Patrick Arran	34	11	3

Councillor Training Programme 2014-2015

Day	Date	Time	Location	Event	Officer	Max No.	Attended	
							Cllrs	Co-opt
Monday	23.02.2015	2.00 pm – 3.00 pm	Cttee Room 3	Human Trafficking & Anti-Slavery	Fiona Hughes & Diane Cooper	22	5	0
Thursday	05.03.2015	9.30 am – 12.30 pm	Cttee Room 3	Human Trafficking & Anti-Slavery	Fiona Hughes & Diane Cooper	22		
Thursday	12.03.2015	9.00 am – 5.00 pm	Cttee Room 6, Guildhall	Planning Committee Training The Role of Councillors in Planning in Wales: Propriety and Good Practice	Ryan Thomas	12		
Thursday	26.03.2015	5.00 pm – 8.00 pm	Cttee Room 3	Human Trafficking & Anti-Slavery	Fiona Hughes & Diane Cooper	22		

Additional Training arranged

Other training undertaken: