

CITY AND COUNTY OF SWANSEA

MINUTES OF THE STANDARDS COMMITTEE

HELD AT CIVIC CENTRE, SWANSEA ON FRIDAY, 4 APRIL 2014
AT 9.30 AM

PRESENT: C Walton (Vice – Chairman) presided

Councillors:-

C E Lloyd
L G Thomas

Independent Members:-

J Burgess M Howells
J Gomes

Officers: -

J Hooper – Directorate Lawyer
H Evans – Head of Democratic Services
J Tinker – Democratic Services Coordinator

71 APOLOGIES FOR ABSENCE.

Apologies for absence were received from the Chairman, Adrian Novis and Councillors R A Clay and P Downing.

72 DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.

Councillor L G Thomas declared a personal and prejudicial interest in – Minute No. “Application for Dispensation” as the applicant is a ward member and Leader of his Political Group.

73 MINUTES.

RESOLVED that the Minutes of the Standards Committee held on 21 February 2014 and the Special Standards Committee held on 18 March 2014, be accepted as correct records.

74 **MATTERS ARISING FROM THE MINUTES (FOR INFORMATION).**

None.

75 **UPDATE ON CASES.**

An update on the current breach of the Code of Conduct investigations was given.

76 **ANNUAL MEETING WITH POLITICAL GROUP LEADERS AND CHIEF EXECUTIVE.**

The Vice – Chair stated that the Chief Executive (Jack Straw) and the Leader of the Labour Political Group(also Leader of the Council, Councillor D Phillips) has been invited to the meeting in order to give their views regarding the role of the Standards Committee and how the work undertaken by this Committee could ensure high standards of behaviour. The Vice - Chairman explained that the role of the Standards Committee was both proactive and reactive and stated that it had been agreed that Annual Meetings be held with Group Leaders and the Chief Executive. The Vice - Chairman indicated that views were sought from the Chief Executive, regarding the following:

- How you see the role of the Standards Committee.
- Your understanding of this role.
- How could you help to promote standards and good governance?
- How do you see the future role of the Standards Committee?
- Your views regarding training in respect of the Code.
- How do you consider the dispute resolution process is working?
- Your views in respect of the Swansea Pledge.
- Your views regarding the possible merger of the Standards Committee with the Community / Town Council Standards Sub-Committee.
- Do you think that incorporating the Community Council would / could bring benefits?

The Vice – Chair indicated that the views of other Political Group Leaders had already been received.

The Chief Executive outlined the following in response:-

- Was aware of the Code of Conduct for Members and Code of Conduct for Officers since becoming Chief Executive 3 years ago, but did not directly get involved with individual issues.
- Considered that the Ombudsman has been inconsistent in his decision making.
- It was recognised that there were considerably less cases now being referred to the Ombudsman.
- It was suggested that the Standards Committee could be more proactive and one way to achieve this could be to consider the officers code of conduct, which as yet had not been the subject of an area of complaint.
- Another area the Standards Committee could become involved with would be to do more to promote the Council's values and be an advocate for good governance.
- Local Dispute Resolution needed constant attention.
- It was considered beneficial that all members including independent members undertake training and refresher courses as necessary.
- It was now seen that the signing of the Pledge had become political.
- It was considered advantageous if members of the Standards Committee attend Scrutiny Committees and that if Standards Committee Members looked at areas such as whether the correct procedure and methodology were in place in respect of membership, terms of reference, placing of items on Scrutiny agendas, etc
- No firm views were held in respect of having one encompassing committee.

The Chief Executive was thanked for his views.

The Vice – Chairman then welcomed Councillor D Phillips, Leader of the Council. He explained that he had also been invited to give his opinion regarding various aspects in relation to the potential role of the Standards Committee.

The Leader of the Labour Group and Leader of the Council outlined the following in respect of the views sought as indicated above:-

- It was recognised that there was a declining number of complaints and the local dispute resolution was one of the the main reasons for this.
- Disappointment was expressed that other parties had not signed up to the pledge.
- The wider role of the Standards Committee in being proactive and improving relationships was supported.
- It was noted that this local dispute resolution practice in this authority had been adopted by the Ombudsman as good practice across the rest of Wales.

- It was recognised that decisions of the Ombudsman were not consistent.
- It was considered that professional behaviour and the Nolan Principles were important.
- The possibility of promoting best practice e.g. declaration of interest, could be developed across other public services.
- It was considered to be more effective if the Standards Committee remain separate to that of the Community/ Town Council Standards Sub Committee.
- Strong views were expressed regarding training and it was stated that this was compulsory for Cabinet Members and this should be reviewed regularly.
- It was suggested that the local dispute resolution be adopted by Community Councils and that Standards Committee may wish to investigate how the various Community Councils operate and if correct procedures are adhered to.
- It was suggested that it may be beneficial if the Standards Committee be renamed Standards Board.
- Attending Scrutiny Committee would be encouraged to consider if good practice is being undertaken.
- It was suggested that this Standards Committee meet with other authorities to assist and improve their role.

The Leader of the Council was thanked for his views.

The Vice – Chairman indicated that a report on all of these discussions would be submitted to the next meeting. It was suggested that the Chair of a Regulatory Committee and Chair of Scrutiny be invited to a future meeting for their views.

77 **EXCLUSION OF THE PUBLIC.**

The Committee were requested to exclude the public during consideration of the item of business identified in the recommendation of the report on the grounds that it involves the likely disclosure of exempt information as set out in the Exclusion paragraph of Schedule 12A of the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the items of business as set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the items of business where the Public Interest Test is relevant as set out in the report.

RESOLVED that the public be excluded for the following item of business.

(CLOSED SESSION)

78 **APPLICATION FOR DISPENSATION.**

The Monitoring Officer's submitted a report which sought consideration of an application from Councillor C A Holley under the Standards (Grant of Dispensation) (Wales) Regulations 2001.

RESOLVED that the Standards Committee grant Councillor C A Holley dispensation under paragraphs 2 (d) and 2 (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 as follows:

- 1) To stay, speak and vote on any item relating to Social Services matters general staff employment, on budget matters and other Social Services matters other than those that directly affect his daughter by specific reference to her post;
- 2) As a Local Authority appointed Governor at Burlais School, Councillor Holley can stay, speak and vote on Education matters without requiring a dispensation but In relation to business directly affecting Burlais School, where the exemption from having a Prejudicial Interest does not apply i.e. where the business relates to the determination of any approval, consent, licence, permission or registration, Councillor Holley has dispensation to remain and speak(but not vote).

The meeting ended at 11.00 am

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CHAIR