

CITY AND COUNTY OF SWANSEA

MINUTES OF THE STANDARDS COMMITTEE

**HELD AT COMMITTEE ROOM 5, GUILDHALL, SWANSEA ON FRIDAY, 4
DECEMBER 2015 AT 9.30 AM**

PRESENT: M Howells (Chair) Presided

Councillor(s)
C E Lloyd

Councillor(s)
L G Thomas

Councillor(s)

Independent Member(s)
J Burgess
P Crayford

Independent Member(s)
J Gomes

Independent Member(s)
M Williams

Officer(s)
P Arran

Officer(s)
H Evans

Officer(s)
A Lowe

Apologies for Absence

Councillor(s): J A Hale
Independent Member(s): G Evans

The Chair welcomed Community Councillor Philip Crayford, Community / Town Council representative to the first meeting of the newly merged Standards Committee and thanked Councillor Downing for his contribution to the Standards Committee.

23 **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.

24 **MINUTES**

RESOLVED that the Minutes of the Standards Committee held on 4 September 2015 and the Special Standards Committee held on 13 November 2015 be accepted as a correct record.

25 **ANNUAL MEETING WITH POLITICAL GROUP LEADERS, CHAIRS OF COMMITTEES AND CHIEF EXECUTIVE**

The Chair reported that annual meetings with Political Group Leaders, Chair of Committees and the Chief Executive would continue in order to seek their opinions on the work of the Standards Committee. Discussions with the remaining Political Group Leader, Chief Executive, Chair of Planning Committee and Chair of Scrutiny Programme Committee were scheduled to take place at the meeting.

The themes for discussion which had been circulated in advance were as follows:

- 1) What is the role of the Standards Committee?
- 2) What is the future role of the Standards Committee?
- 3) How can Political Group Leaders / Committee Chairs promote standards and good governance through Leadership?
- 4) How can the Standards Committee become more active in promoting ethical conduct among Councillors / Co-opted Members?
- 5) What is your understanding of the Nolan Principles and how they impact on public life?
- 6) Are you aware of the Calver decision and do you think that it's had an influence on Councillors / Co-opted Members?
- 7) What are your views on the Authority's Code of Conduct training? How could it be improved so as to raise the ethical standards of Councillors / Co-opted Members?
- 8) Training for Councillors / Co-opted Members is vitally important. How can the Standards Committee tackle those that don't see training as important?
- 9) How could Standards Committee encourage the use of the Authority's Internal Dispute Resolution Process (Cllr v Cllr)?
- 10) During the past year, members of the Standards Committee have attended a number of meetings. Has this had an impact on behaviour and standards? What Committees do you feel the Standards Committee members should attend as observers?

The Chair welcomed Councillor R C Stewart, Leader of the Council to the meeting. Councillor Stewart outlined the following:

- He stated that the Standards Committee were there to maintain the standards and behaviour of Councillors and to make decisions on issues that arose in public life.
- The workload had reduced considerably over recent years and he hoped that decline would continue.
- Suggested that the Standards Committee provide advice on certain things such that would improve what we were doing as an Authority.
- Councillor Stewart outlined that he worked in a collaborative way and had a good working relationship with all of the Group Leaders. They lead by example even if they have disagreements. As Leader he has taken forward the collaborative agenda, made changes to the constitution in relation to dispersing the authority from the Leader and giving the relevant Cabinet Member the responsibility to make decisions in relation to their own Cabinet portfolio.

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- He suggested that the Standards Committee provide more advice to Councillors in advance of complaints being submitted to the Public Services Ombudsman for Wales.
- Had full knowledge of the Nolan Principles and felt that Councillors should be living and breathing them.
- He was aware of the Calver decision of robust political debate, however he felt that the decision had dented respect.
- Stated the Code of Conduct training was good and would support making important subjects such as Safeguarding mandatory. He reiterated that the Head of Democratic Services would be suggesting a list of mandatory training items to Council in the near future.
- He agreed the Authority's Internal Dispute Resolution Process was working well and that this was assisted by the good relationship that had been developed between the Group Leaders.
- He agreed that attendance by the Standards Committee at meetings as observers has had an impact on behaviour and standards. He suggested attending Council, Cabinet, Licensing, Planning and also Community / Town Council meetings.

The Chair thanked Councillor Stewart for his attendance.

The Chair then welcomed Mr Jack Straw, Chief Executive to the meeting. Some of the questions were omitted as they were not deemed relevant.

- Mr Straw introduced himself to the Committee Members. He commenced by stating that the involvement of the Chief Executive in Standards Committee was far different today than it had been 5 years ago.
- He stated that the inter-member resolution had changed the behaviour across political groups however; looking forward to the future and the difficulties that the Authority would face in the years ahead, the role of the Standards Committee would need to continue in its important role.
- He stated that both Officers and Councillors expectations should be the same and apply throughout the Authority. He explained that staff are going through many changes and have to do things differently. As a result an Innovation Community, led by staff for staff had been created and they had recently reviewed the "behaviours" that all staff should adopt.
- He suggested that members of the Standards Committee continue to attend Council and Planning Committee as observers.
- The Chief Executive explained that although there was no sanction that could be imposed for Councillors who did not attend training, he and other officers were working with the Group Leaders to try to encourage more Councillors to take responsibility for their own personal development.

The Chair thanked the Chief Executive for his comments and wished him good luck for his retirement next year.

The Chair then welcomed Councillor P Lloyd, Chair of Planning Committee to the meeting. He responded as follows:

- Standards Committee was responsible for maintaining the standards within the City & County of Swansea and the Community / Town Councils and was responsible for consideration of any case the Public Services Ombudsman for Wales referred to it for investigation.
- He was aware that the Standards Committee had merged with the Community Town Council Standards Sub Committee.
- All Chairs should try to maintain standards at each committee, however he stated that the new Planning Committee was well organised and understood its role well. He suggested that all Members, not just those on the Planning Committee should receive Planning training.
- The Standards Committee could become more active in promoting ethical conduct among Councillors by raising awareness and via training; however he felt that members were far more engaging these days. He suggested inviting Community / Town Councillors to attend the sessions put on for City & County of Swansea Councillors in a bid to get to know each other.
- He was aware of the Nolan Principles that had been created in the 1990's and the standard by which all Councillors should adhere to.
- In relation to the Calver result, he felt it could have a detrimental effect to some people.
- Confirmed that the Code of Conduct training was good and agreed to the concept of mandatory training.
- Thought the Authority's internal dispute resolution process (Councillor -v- Councillor) was a good idea but fortunately, he had not had to utilise it.
- He was aware that members of the Standards Committee had attended Committee meetings as observers as they had attended Planning Committee. He felt this was good practice and agreed it should continue.

The Chair thanked Councillor Lloyd for his views.

The Chair then welcomed Councillor M H Jones, Chair of Scrutiny Programme Committee to the meeting. She responded as follows:

- She understood that the role of the Standards Committee was to uphold the behaviour and standards of Councillors.
- She suggested the future role of the Standards Committee should be in a mediation role and would prefer the Standards Committee be able to consider complaints before they were sent to the Public Services Ombudsman for Wales.
- Felt it was more difficult for Chairs (as opposed to Group Leaders) to promote standards and good governance through leadership.
- Indicated that the Standards Committee, in her view, were already actively promoting ethical conduct amongst members.
- All Councillors had signed up to the Nolan Principles via the Code of Conduct.
- Was aware of the Calver decision but did not agree with it.
- Code of Conduct training is very good and should be reinforced for Community / Town Councillors.

- Agreed that training for Councillors is very important, however she understood the commitments that Councillors had on their time and explained that it was often very difficult to try to fit everything into an already busy Councillor schedule.
- She had not had to use the Councillor –v- Councillor Internal Dispute Resolution process but stated that all Councillors were aware of it.
- Was aware of Standards members having attended Council as observers. Agreed this should continue and suggested they also attended Planning, Scrutiny Programme Committee and the various Scrutiny Panels.

The Chair thanked Councillor Jones for her views.

26 **RESPONSE TO THE PSOW CODE OF CONDUCT CASEBOOK - JULY 2015 (VERBAL)**

The Chair asked the Committee for their views on the response to the Public Services Ombudsman for Wales (PSOW) Code of Conduct Casebook - July 2015.

The Committee discussed the cases outlined in the Casebook and the consensus of the Committee was that the role of the Standards Committee had diminished over recent years.

RESOLVED that the Monitoring Officer draft a response to the Public Services Ombudsman for Wales on behalf of the Standards Committee and circulate it to members for approval. The letter would then go from the Chairman.

27 **CONSIDERATION OF THE PSOW APPROACH TO CODE OF CONDUCT COMPLAINTS AND RECENT DECISIONS (VERBAL)**

The Committee discussed this item as part of their response to the PSOW Code of Conduct Casebook – July 2015.

28 **WORKPLAN 2015-2016**

RESOLVED that the Workplan be amended as follows:

DATE	ISSUE
Special Meeting 22 January 2016	Finalise annual meetings with Chairs of Committees.
Special Meeting 22 January 2016	Discussion on Co-opted Members attendance at Community / Town Council Meetings as observers.
4 March 2016	Feedback on annual meetings with Group Leaders, Chief Executive and Chairs of Committees.
Late 2016	Dispensation Regime

The meeting ended at 11.47 am

CHAIR