

CITY AND COUNTY OF SWANSEA

MINUTES OF THE STANDARDS COMMITTEE

**HELD AT COMMITTEE ROOM 5, GUILDHALL, SWANSEA ON FRIDAY, 7
OCTOBER 2016 AT 9.35 AM**

PRESENT:

Councillor(s)
C E Lloyd

Councillor(s)
L G Thomas

Councillor(s)

Co-opted Member(s)
J Burgess

Co-opted Member(s)
G Evans

Co-opted Member(s)
M Williams

Community / Town Council Representative:
P Crayford

Officer(s)

Huw Evans
Allison Lowe
Tracey Meredith

Head of Democratic Services
Democratic Services Officer
Interim Head of Legal & Democratic Services and
Monitoring Officer

Apologies for Absence

Councillor(s): J A Hale
Independent Member(s): J Gomes

10 **ELECTION OF CHAIR.**

RESOLVED that Jill Burgess be elected Chair.

(JILL BURGESS PRESIDED)

11 **ELECTION OF VICE CHAIR.**

RESOLVED that Margaret Williams be elected Vice Chair.

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

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

13 **MINUTES.**

RESOLVED that the minutes of the Standards Committee held on 3 June 2016 and the Special Standards Committee held on 12 July 2016 be signed and approved as a correct record.

14 **PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL REPORT AND ANNUAL LETTER 2015-2016.**

The Interim Head of Legal and Democratic Services / Monitoring Officer updated the Committee on Code of Conduct complaints contained within the Ombudsman Annual Report and Letter 2015-2106.

She outlined that in his introduction of his 10th Annual Report, the Ombudsman had re-emphasised his intent that his Office is devoted to issues of real concern and not trivial complaints about the Councillors Code of Conduct. He is therefore particularly concerned that the number of Code of Conduct complaints rose by 19%. This is solely attributable to Community and Town Councils, where complaints rose by 49%.

In addition, the new two stage test introduced has assisted the Ombudsman in dealing with these complaints in an effective manner.

She went on to detail the top 5 subjects of complaints received by the Ombudsman and that the vast majority were closed after initial consideration, ie no prime facie evidence of breach of the Code or breach was insufficiently serious to warrant an investigation.

The statistical breakdown of outcomes by Local Authority in Annex C was also highlighted.

The Ombudsman had also stated in his letter the following: *"I am only too aware that we are in the run-up to the local elections where historically there is a spike in code of conduct complaints against local authority members. I have spoken previously about vexatious complaints and I would be most disappointed to see an increase in complaints of a trivial matter over the next 12 months when my office is dealing with issues of real concern across public services in my jurisdiction."*

RESOLVED that report be noted.

15 **THE CODE OF CONDUCT CASEBOOK.**

The Interim Head of Legal and Democratic Services / Monitoring Officer presented a "for information" report in relation to the Public Services Ombudsman for Wales Code of Conduct Casebook for July 2016 and The Ombudsman's Casebook July 2016.

The Code of Conduct Casebook outlined 4 cases, which all related to Community / Town Councils, the majority of which were in relation to promotion of equality and respect.

It also outlined 3 cases where the Ombudsman had utilised the 2 stage test and decided that no action was necessary.

The Committee discussed Code of Conduct training sessions that are provided to all Councillors following Local Government Elections and also offered to Community / Town Councillors via the Community / Town Council Forum.

The Head of Democratic Services outlined a scheme currently being undertaken by Wales Academy which would be utilising the NHS e-learning platform in relation to e-learning for all Public Sector staff, Councillors and Co-Opted Members. The scheme would likely be rolled out in time for the Local Government Elections in May 2017.

16 **ATTENDANCE AT COMMUNITY / TOWN COUNCIL MEETINGS BY MEMBERS OF STANDARDS COMMITTEE - PROTOCOL.**

The Head of Democratic Services provided guidance to Members of the Standards Committee should they attend and observe Community / Town Council meetings.

The Head of Democratic Services had liaised with a number of Welsh Authorities in order to establish how they dealt with such attendance. As a result the "Attendance at Community / Town Council Meetings by Members of the Standards Committee – Protocol" had been drafted, which outlined the remit, scope and the procedure for feedback to the Standards Committee.

RESOLVED that the Attendance at Community / Town Council Meetings by Members of the Standards Committee – Protocol be adopted.

17 **WORKPLAN 2016-2017.**

The Head of Democratic Services provided an updated Work Programme for 2016-2017 as follows:

Date	Issue
20 January 2017	Review of Dispensation Regime
TBC	Annual Meetings with Political Group Leaders and Chairs of Committees
When published	PSOW Code of Conduct Casebook

RESOLVED that the Work Programme be noted.

The Interim Head of Legal & Democratic Services / Monitoring Officer suggested that the date of the next meeting be altered, due to diary commitments. This unfortunately would result in the new meeting date falling outside of the term of office dates for Jennifer Gomes, whose term of office would cease on 4 December 2016.

The Chair expressed her thanks to Jennifer Gomes, whose contribution to the Standards Committee had proved invaluable over the years. The Committee wished her all the very best for the future.

The meeting ended at 10.21 am

CHAIR