

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at Conference Room - Usk, NP15 1AD on Monday, 12th June, 2023 at 10.00 am

PRESENT: County Councillors: Fay Bromfield and Catherine Fookes

Independent Members: Richard Stow (Chair); Peter Easy; Rhian Williams-Flew; Marion Gibson

Community Committee Member: Michael John

OFFICERS IN ATTENDANCE:

Matt Phillips	Chief Officer People and Governance and Monitoring Officer
Nicola Perry	Senior Democracy Officer
Joanne Chase	Head of Commercial Law & Deputy Monitoring Officer
Ben Davies	Solicitor and Deputy Monitoring Officer

APOLOGIES:

None.

1. Election of Chair

Richard Stow was elected as Chair.

2. Appointment of Vice Chair

Peter Easy was appointed Vice Chair.

3. Declarations of interest

None.

4. Minutes of the previous meeting

The minutes of the meeting held on 6th February 2023 were approved as an accurate record.

The Chair provided feedback on actions raised:

- The minutes of the National Forum of Standards Committees which took place on 27th January 2023 were forwarded to the committee on 4th March 2023, along with the Ombudsman's presentation notes.
- A link to the Welsh Government consultation on the Penn Report was sent to committee members on 6th April 2023.
- A response from the Ombudsman was forwarded to the committee on 10th June 2023, relating to breaches of Code of Conduct, which had unfortunately been data free.

5. Gifts & hospitality policy

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Following a discussion at the previous meeting, the policy was presented in order to cover issues raised on 6th February 2023 ahead of being taken to Full Council for approval.

There had been conversations between Monitoring Officer Groups and Welsh Government as to whether there is an overlap on the work being done through the Penn Report, and the work of WG in consolidating and coordinating all statutory guidance that falls under the Standards area. There was an exchange around if gifts and hospitality was something WG should legislate for or if there was an opportunity for a softer approach.

The policy would be an addition to the code of conduct in the constitution. The amendments detailed at Appendix 1.

The Chief Officer explained that he would discuss the policy with the relevant Cabinet Member, who would then present to Council. He would also inform Group Leaders. This would ensure all members are aware of the policy. It would also be incorporated into Code of Conduct training.

We noted that all references to officers and employees should be removed from the policy.

The Chief Officer explained that officers are currently implementing a new learning management system which would contain training records. The Anti-Bribery & Corruption training will explain the scope of the Bribery Act 2010 and would be made available to councillors

Members resolved that the policy be accepted for approval by Council on 20th July 2023.

6. Welsh Government consultation on the Richard Penn report

The Chief Officer for Governance and Law, and Monitoring Officer presented the report in order to consider a Standards Committee response to the Welsh Government (WG) consultation on the 'Penn Report' on the Ethical Standards Framework (ESF) in Wales.

The recommendation that there be a mandated initial local resolution process before a complaint could go through to the Ombudsman was of most concern. The views had been listened to and this was not part of the consultation.

Following discussion, the Committee provided the following views:

- The Committee wishes to receive a written response from the new President of the Wales Tribunals regarding all 10 questions concerning Adjudication Panel powers and procedures
- The Committee needs to see very strong evidence that could outweigh the constitutional principle of open justice, and Article 6 and 10 of the European Convention.
- With regards to questions 14a, 14b and 15 the Committee objects to any weakening of the independence criteria.
- There were no strong views relating to Welsh Language.

It was resolved that the Monitoring Officer would draft the response to Welsh Government for review by the Chair, and submission by the 23rd June deadline.

7. Code of Conduct training delivered, scheduled or requested since 6th February 2023

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The Committee heard that there had been no Code of Conduct training delivered since the last meeting. An invitation has been issued to the newest lay members of Governance and Audit Committee.

8. Draft Standards Committee Annual Report 2022/23

The Chair explained that an action from the previous meeting was to bring forward the Standards Committee Annual Report, with the intention for it to go to Full Council in July 2023. Unfortunately, missing data from the Ombudsman meant there may be a delay on the report being ready for July Council.

During 2022/23 there were no standards or APW hearings involving Monmouthshire councillors.”

Typically we do very well on the Ombudsman data which acts as a performance measure of how well our we doing in terms of our role to promote and maintain the high standards of conduct in the local government act.

The Chair explained that he had added at 2.4 that the committee is accountable for the volume and nature and outcome of conduct complaints in the sense that if we have a burst of bad behaviour or low level complaints, then Standards Committee could be called to account by Council.

We noted that 6.1 needs updating with information on those who had not attended Code of Conduct training.

The Chair recommended that the Committee strongly commend all members of the authority for continuing to maintain high standards of conduct throughout a particularly challenging year, particularly in the first year of a new administration and considering the severe budget constraints in this economic environment.

Members resolved to approve the draft with final amendments to paras 2.5 and 6.1 to be agreed by the Monitoring Officer and Chair.

9. Date of next meeting - 9th October 2023

Noted.

The Chair thanked the Monitoring Officer for his support of the committee over the last five years, and expressed best wishes from all the members in his new role as Director of Corporate Governance at Cardiff and Vale University Health Board.

The meeting ended at 12.06 pm

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