

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at Remote Meeting on Monday, 22nd March, 2021 at 10.00 am

PRESENT: County Councillors: P. Clarke, D. Evans, S. Woodhouse

Independent Members: R. Stow, (Chair) R Williams-Flew, P. Easy,
and I. Cameron (Community Representative)

OFFICERS IN ATTENDANCE:

Matt Phillips	Chief Officer People and Governance and Monitoring Officer
Nicola Perry	Senior Democracy Officer
Joanne Chase	Solicitor
Ben Davies	Solicitor

APOLOGIES:

Councillors R. McGonigle (Independent Representative)

1. Election of Chair

Richard Stow was elected as Chair of Standards Committee.

2. Appointment of Vice Chair

Richard McGonigle was appointed as Vice-Chair.

3. Declarations of interest

None.

4. Appointment process for new Independent Member

The Chief Officer for People and Governance explained that the constitution of the Standards Committee can be between 5 and 9 members. The Chair and Vice Chair should be independent members, and for a meeting to be quorate 50% of the committee should be independent members. The current membership stands at 8 and is legally quorate.

The recruitment process was explained should the Committee wish to seek another independent member. This would involve advertising via local newspapers and other means, invite applications, arrange an appointment panel of 5 members, one of whom needs to be a lay-person.

The Chair suggested that given the current Covid restrictions the decision be revisited early summer ahead of the October meeting.

It was agreed that the recruitment process had worked well previously and should be followed again.

MONMOUTHSHIRE COUNTY COUNCIL

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ACTION – MP to communicate no later than 7th June to determine whether to go ahead with the recruitment process.

5. Feedback on Code of Conduct training delivered to Mathern / Shirenewton.

Community Councillor Irene Cameron provided feedback on Code of Conduct training delivered to Mathern and Shirenewton Community Councils, which she had joined as an observer.

We heard that the sessions had been well attended with a friendly atmosphere. The Monitoring Officer had provided a comprehensive review of the responsibilities of someone accepting a position as councillor. He had reminded everyone that they were required to have read and understood the Code of Conduct and understand that they were making decisions on behalf of the community they represent.

The Monitoring Officer had referenced the importance of the Nolan Principles as well as the implications of freedom of speech.

Attendees had also received detail on:

- Declaration of interests
- Dispensation applications
- The role of the Monitoring Officer
- The role of the Ombudsman for Wales

The session had provided an opportunity to remind everyone present of their duties and responsibilities.

Overall, it was a well-received presentation.

6. Local Government and Elections Act - Overview and Governance impacts.

The Chief Officer for People and Governance and Monitoring Officer presented the Local Government and Elections (Wales) Act 2021 explaining that in local government terms it is one of the biggest legislative changes seen in several years.

The Act is wide ranging, and a few matters were highlighted:

- How petitions are presented at Council
- Who is allowed to vote in Local Government elections
- How an officer who works in a Local Authority may be able to stand for an election
- General power of competence

Within the Act there are elements specific to Standards Committee:

- Introduction of Combined Joint Committees (CJCs) – these allow Local Authorities to come together in order to deliver certain functions in a wider geographical pattern.
- Job Sharing, Chief Executive roles and how Cabinet should work – creating greater inclusivity and diversity.
- Change to family absence permissions so that it falls in line with industry standard.
- Requirement for the Standards Committee to make an annual report to Council.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at Remote Meeting on Monday, 22nd March, 2021 at 10.00 am

It was thought that more detail would be presented around October 2021, with all detail in readiness for the March 2022 meeting.

There is to be a change to the current Audit Committee which will become Governance and Audit Committee and will comprise 5 lay-members.

7. Discussion on the Adjudication Panel Wales Decision Report

The Chair presented the APW decision on Community Councillor Baguley of Sully and Lavernock Community Council, as an example of how code breaches involving social media are dealt with. The case demonstrated how social media posts can result in disqualification.

The Chair raised three issues of interest:

1. Important for councillors to understand it is the authorities code of conduct that counts, not the policies of the social media provider.
2. The responsibility of code of conduct training councillors, particularly new councillors.
3. The wording of the disrepute provision in the code.

The Monitoring Officer explained that it would be unlikely to expect a Local Authority to step in, and it should probably be referred to the Police at a Community level. He highlighted the importance of balance between criminal and not nice, but acceptable behaviour.

The Committee welcomed the opportunity for discussion and would revisit should there be an appeal to the decision.

8. To confirm the minutes of the previous meeting

The minutes of the meeting held on 16th March 2020 were approved.

9. To confirm the date of the next meeting as 18th October 2021

Noted.

The meeting ended at 11.15 am