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MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held on Monday, 17th December, 2018 at 10.00 am

PRESENT: County Councillors: D. Evans, J.Pratt and S. Woodhouse
T. Auld (Chair – Independent Member)
I. Cameron (Community Representative)
R. Stow (Independent Member)
R. McGonigle (Independent Member)

OFFICERS IN ATTENDANCE:

Nicola Perry
Matthew Phillips

Senior Democracy Officer
Head of Law/ Monitoring Officer

1. Declarations of interest

No declarations of interest were made by Members.

The Monitoring Officer advised that Councillor Woodhouse would be attending the meeting in an observing role, due to the decreased number of independent members.

2. To confirm the minutes of the previous meeting

The minutes of the meeting held on 18th June 2019 were confirmed and signed by the Chair.

3. Terms of Reference of MCC Standards Committee

The Committee received a copy of the terms and conditions of the Monmouthshire County Council Standards Committee for review purposes. The Head of Legal/Monitoring Officer welcomed views of the Committee.

It was recognised that the first five points in the terms of reference are imposed as statutory requirements.

A question as to how the new Cabinet post for Governance, which covers ethics and standards, would integrate into the work of the Committee. The Monitoring Officer explained he would be the link between the Cabinet Member and the Committee, and he would ensure that the activities of the Committee are included as part of their regular meetings.

A suggestion was made around raising the profile of the Standards Committee, as often it could be seen as an information sharing process. It was questioned if the Committee should be reviewing meetings and behaviours, looking at improvements in these areas. It was explained however, that this would fall under the remit of a committee Chair.

Members referred to the importance of training for Chairs of meetings. A suggestion was made to issue a communication to all Members to remind them of behaviour expectation.

Reference was made to the Self-Regulation of Member Conduct and suggestion was made that this be reviewed, particularly in terms of Group Leader responsibilities.

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In terms of well-being, the Monitoring Officer agreed to check the Dignity at Work policy to see how it applies in the political area.

We noted upcoming training due to take place on 11th January 2019.

4. Public Services Ombudsman for Wales - Annual Report 2017/18

The Head of Legal/Monitoring Officer presented the Public Services Ombudsman Annual Report for 2017/18. He added that the Public Services Ombudsman Wales Bill is at the second stage of going through the Wales Assembly and that includes provisions to provide new powers for the Ombudsman to deal with complaints made orally. They are also looking to get the ability for the ombudsman to conduct investigations of their own undertaking.

Mr. Stow noted the good data in the report and commended Members of the Council for keeping a high standard of behaviour.

The positive results for Town and Community Councils were also noted.

5. Standards Conference - Members Feedback

The Monitoring Officer provided verbal feedback on the recent Standards Conference, following on from an email to Committee Members.

During the Ombudsman's briefing it had been explained that the vast majority of complaints relate to a failure to respond to a complaint, or how a complaint is dealt with.

During case studies at the conference it became apparent how quickly the Monitoring Officer went from providing impartial advice to becoming a witness. Members were asked their views on this and the possibility of the involvement of more people from the legal team when it comes to Deputy Monitoring Officer roles. In response it was agreed that the Monitoring Officer is not a witness but a decision maker, where a decision is appealed it should be the Deputy Monitoring Officer who advises the panel.

A Member referred to the benefits of One Voice Wales with regards to Community Councils, and suggested that Community Councils may need re-educating in this area.

With any advice it should be made clear that it is departmental advice rather than personal advice.

Overall, the Conference was considered a fantastic day, and those who attended were fascinated to hear from the Ombudsman, and the President of the Adjudication Panel.

The Chair raised a question around the new Sanctions Guidance. This would be added to the next agenda.

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6. Independent Member Recruitment

The Committee received a report providing an outline on the constitution of the Standards Committee and an update on the recruitment process for two new Independent Members of the Committee.

The statutory requirement is that it is advertised in not less than two newspapers and the timeline was set out in the recommendations of the report:

1. The positions will be advertised via MCC social media immediately and a press release made available at the same time. Adverts will be placed in early January
2. The deadline for applications will be 8th February
3. A panel sift will take place week commencing 11th February – panel members will be decided in accordance with the regulations based on availability nearer the time.
4. Recommendations will be submitted to Council for approval on 7th March.
5. The next Standards Committee will take place 18th March.

The Committee resolved to accept the recommendation.

7. Application for Dispensation

Application deferred due to insufficient information.

It was agreed that the application form should be an electronic process, with mandatory section included.

8. Application for Dispensation

Application deferred due to insufficient information.

9. To note the date and time of next meeting as 18th March 2019 at 10am

Noted.

The meeting ended at 11:30am

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