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MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held
at The Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Monday, 19th
September, 2016 at 9.30 am

PRESENT: Mrs. P. Reeves (Chair)
County Councillors: D. Edwards and D. Evans
County Councillor P Jordan (who agreed to observe only as there
were only 3 independent representatives present)

INDEPENDENT REPRESENTATIVES:

Mr. T. Auld and Mr G. Preece

COMMUNITY REPRESENTATIVE

Mrs. I. Cameron

OFFICERS IN ATTENDANCE:

Robert Tranter
Nicola Perry

Head of Legal Services & Monitoring Officer
Senior Democracy Officer

1. Declarations of interest.

There were no declarations of interest.

2. To confirm the minutes of the previous meeting.

The minutes of the meeting held on 20th June 2016 were confirmed as a correct record and signed by the Chair.

3. Ombudsman's Annual Report and Annual Letter.

The Head of Legal Services and Monitoring Officer presented the committee with the Ombudsman's Annual Report and Annual Letter 2015/16.

In doing so it was noted that the detailed report provided useful comparisons with other principal councils in Wales, and with Town and Community Councils.

Members noted that the number of complaints had decreased, with the exception of NHS, which was a good sign for councils. The number of Code of Conduct complaints had also decreased year on year, with the exception of Community Councils where complaints against members had increased by 48%. We noted that most Town and Community Councils did not have an internal code in order to resolve the more minor 'member on member' complaints.

The Annual Letter provided a breakdown of complaints, and Code of Conduct allegations for Monmouthshire County Council. It was noted that MCC was below the Wales local authority

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average in terms of the numbers of complaints, and it was suggested that the figures given in the annual letter were a typographical error.

The Chair expressed congratulations to MCC Councillors on following the Code of Conduct which had been demonstrated by the low number of complaints.

The Chair commended the Monitoring Officer for the advice and training provided to Members.

A member of the committee referred to page 17 of the report and questioned if there had been any cases referred to another Standards Committee. In response we heard that the officer was not aware of any instances within the Greater Gwent Area. He agreed to ask the question at a future meeting with Monitoring Officers from across Wales.

A member asked for information regarding the general training in place for Community Councils. We were informed that, generally, Community Clerks would contact the Monitoring Officer to request training for members, usually coinciding with the introduction of new members. It was highlighted that there would be further training sessions taking place in line with the upcoming 2017 elections. Any information regarding the training would be shared with Community Clerks.

The Committee resolved to note the report.

4. Whole Authority Annual Complaints Report 2015/16.

The Head of Legal Services and Monitoring Officer presented the Whole Authority Complaint Report 2015/16, which had been prepared by the Customer Relations Manager.

Members noted that the report is broken down into complaints, comments and compliments. Positively, the council has received less complaints, and more compliments, this year compared to the previous two years.

A member questioned if we were able to estimate the cost of responding to Freedom of Information requests. It was explained that where an FOI request was expected to take over 20 hours of officer time, the request could be refused. The total cost was not known. Where a member of the public was not happy with the response they could go to the Information Commissioner. The Information Commissioner website provides useful guidance and information.

In response to a request for a comparison of FOI requests from press and public, we were referred to page 13 of the report which stated the figures as follows:

Commercial 39%
Press – Other than local paper 17%
Campaigner 15%
Local Resident 11%
Political researchers 10%
Press - Local 2%
All others 6%

A member referred to a complaint received from a constituent, and the unsatisfactory outcome. The Monitoring Officer agreed to discuss further following the meeting.

We resolved to note the report.

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5. Protocol for Self Regulation of Member Conduct.

We received a report in order to update Standards Committee members on the usage of the Protocol for Self-Regulation of Member Conduct.

The Ombudsman puts great emphasis on ensuring that principal councils have these protocols in place in order to resolve minor 'member on member' complaints.

This protocol had been in place since 2013 and centred around the group system within the council. Members noted that the role of Standards Committee members, within the protocol, is a supporting and advisory role to the Group Leaders. It was questioned what would be the protocol if the matter involved a Group Leader. The Monitoring Officer advised that it could be an indication of the seriousness of the alleged breach and that the matter should be referred to the Ombudsman, or perhaps the matter could be dealt with by the deputy leader of the respective group. Under the Code of Conduct allegations of breaches must be reported to the Monitoring Officer, where it may be resolved under the protocol if it is of a low level nature.

We resolved to note the report.

6. To note the time and date of the next meeting as Monday 28th November 2016 at 9.30am.

The Monitoring Officer advised the Committee that there was upcoming training with Caldicot Town Council. Also that he would be attending a meeting with other Welsh Monitoring Officers at Llandrindod Wells.

Members of the committee expressed their thanks and best wishes to the Chair, as this would be her last meeting.

We noted that advertisements would be put in place for vacancies on the Standards Committee. An interview panel, including Group Leaders and the High Sheriff, would be established, who would make recommendations to Council, who would then appoint to the Standards Committee.

We noted that date and time of the next meeting as Monday 28th November 2016 at 9.30am.

The meeting ended at 10.30 am

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