

**Minutes of the Standards Committee meeting held on
10 February 2022 via Zoom**

Present

Julia Hughes (Chair)

Sally Ellis (Deputy Chair)

Gill Murgatroyd

Gareth Pritchard

Cllr Owen Thomas, Flintshire County Council

Cllr Michael Dixon, Wrexham County Borough Council

Matt Georgiou, Deputy Monitoring Officer/Clerk

Matt Powell, observer (Flintshire County Council)

Alwen Davies, Member Liaison Officer

1 APOLOGIES

1.1 There were no apologies.

2 DECLARATIONS OF INTERESTS

2.1 None.

3 NOTICE OF URGENT MATTERS

3.1 None.

4 MINUTES OF THE LAST MEETING

4.1 The minutes of the meeting held on 30 September 2021 were approved as a correct record.

5 MATTERS ARISING

5.1 There were no matters arising.

6 TRAINING SESSION - WHEN DOES THE MEMBERS' CODE OF CONDUCT APPLY?

6.1 The Deputy Clerk delivered a training session on 'when does the members' code of conduct apply'. A copy of the PowerPoint had been circulated to members.

6.2 Members thanked the Deputy Clerk and noted the information presented.

7 FEEDBACK ON ATTENDANCE AT MEETINGS

- 7.1 An update was provided at the meeting of FRA members' attendance at meetings.
- 7.2 It was noted that overall the attendance had slightly improved. As agreed at the last Standards meeting a letter had been sent to all six local authorities in October 2021 to ask Democratic Services' officers to remind their councillors of the importance of attending FRA meetings and highlighting those members with an attendance below 25%.
- 7.3 The letter also outlined the Standards Committee's intention to set a minimum expectation of attendance at 50% from June 2022 onwards. It was noted that there had been no objection to this proposal. However, it was agreed that another letter be sent to all six local authorities, following the election, to remind them of this new standard in order for it to be taken into account when councillors are being nominated to be members of the FRA.
- 7.4 It was also felt that failure to attend any meetings within a three month period should result in a warning letter being sent to the councillor.
- 7.5 **RESOLVED to**
- (i) remind local authorities of the intention to set an expectation that councillors will attend, as a minimum, 50% of all FRA meetings;**
 - (ii) reinforce the attendance section in the annual report to reflect the importance of commitment and involvement of councillors nominated to be members of the FRA.**

8 OBSERVATIONS OF FRA MEETINGS

- 8.1 Independent Members had observed various meetings of the FRA and submitted their feedback; the Chair had collated all feedback into a single document for discussion at the meeting.
- 8.2 Having considered the issues raised in the document, it was agreed to make amendments to the presentation of the document and thereafter share it with the FRA Chairs and all members following the local authority elections. It was also suggested going forward that the Chair and Deputy Chair of the Standards Committee start meeting with the Chairs of FRA and its Committees to develop a rapport.
- 8.3 Members discussed the hybrid meeting arrangements that will be introduced as of June 2022 and noted that this will be work in progress over the next few months.

- 8.4 **RESOLVED to:**
- (i) **amend the document to reflect the positive comments as well as the constructive feedback received;**
 - (ii) **that the amended document be approved by the Chair and Deputy Chair of the Committee;**
 - (iii) **share the feedback with the FRA membership post local authority elections.**

9 REVIEW OF THE CONSTITUTION

9.1 The Deputy Clerk informed Members that the FRA's constitution had been reviewed by a working group of members including the Chair of the Standards Committee.

9.2 The revised constitution and multi-location meeting policy had been approved by the FRA at its December 2021 meeting.

9.3 **RESOLVED to note the information provided.**

10 DEBRIEF OF THE PAN WALES STANDARDS CONFERENCE

10.1 The Chair and Deputy Clerk gave an overview of the issues discussed at the conference held on 9 February 2022.

10.2 One of the main topics discussed was the Penn Review (Independent Review of the Ethical Standards Framework in Wales) and it had been agreed to write to the WG to support the outcomes of the Review.

10.3 **RESOLVED to note the information provided and that a recording of the conference will be circulated when available.**

11 REVIEW OF THE ETHICAL STANDARDS FRAMEWORK

11.1 The Deputy Clerk presented the report which gave an overview of the review of the ethical standards framework and to seek input from Members on the recommendations to Welsh Government arising from the review.

11.2 It was noted that the current ethical standards regime was largely created by the Local Government Act 2000. Although minor updates have been made to the code since, the overall framework has remained fundamentally unchanged.

11.3 Welsh Government commissioned Richard Penn to review the framework and the report has been published by Welsh Government, with commitment to considering the findings and undertaking consultation on their implementation.

11.4 The Deputy Clerk explained that the findings fall into categories based on whether they would need legislation to implement. Some recommendations need primary legislation, others require secondary legislation and some are matters of practice that can be implemented if the relevant parties are willing to do so.

11.5 **RESOLVED that**

- (i) **the Monitoring Officer will explore whether a national forum of Independent Members can be established; and**
- (ii) **if the Committee is required to hold a hearing to consider the conduct of members of the authority that training be provided to the Committee in advance of any such hearing; and**
- (iii) **the Monitoring Officer writes to the Welsh Government to note the Committee's general support of the recommendations of the review, whilst indicating the concern expressed at the Standards Conference about the impact on monitoring officers if all complaints must first be investigated by Monitoring Officers prior to a referral to the PSOW.**

12 PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) CASEBOOK - ISSUE 25

12.1 The report was presented to consider issue 25 of the Public Services Ombudsman for Wales ("PSOW") Casebook.

12.2 The PSOW summarised complaints investigated on a quarterly basis in the Code of Conduct Casebook (the Casebook). The latest edition of the Casebook highlighted that three complaints were investigated by the PSOW during this time, two of which were referred to the relevant standards committees and one which was referred to the APW.

12.3 **RESOLVED to note issue 25 of the Casebook and that no action needs to be taken by the Standards Committee.**

13 FORWARD WORK PLAN

13.1 Members asked that the forward work plan submitted be updated to reflect the business that the Committee will undertake over the next two years.

13.2 **RESOLVED that the amended forward work plan be approved by the Chair and Deputy Chair in order for its content to be included in the annual report.**

14 STANDARDS COMMITTEE'S ANNUAL REPORT TO FRA

- 14.1 A draft annual report had been circulated to Members for comment prior to its submission to the FRA meeting in March 2022.
- 14.2 **RESOLVED that the draft annual report be revised to include discussions at this meeting and that the Chair and Deputy Chair approve the final version for submission to the FRA meeting.**
- 15 URGENT MATTERS
- 15.1 No urgent matters to be considered.