

STANDARDS COMMITTEE

Minutes of a remote meeting held on 9th September, 2021.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: R. Hendicott (Chairman); R. Alexander, P. Hallett (Independent Members) and Councillor M. Cuddy (Town and Community Council Representative).

321 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chairman read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

322 APOLOGIES FOR ABSENCE –

These were received from L. Tinsley (Vice-Chairman) and G. Watkins (Independent Members) and Councillors R.M. Birch, B.T. Gray and A.R. Robertson (Vale of Glamorgan Council).

323 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 15th July 2021 be approved as a correct record subject to the typographical error within paragraph 7 of minute 231 being corrected to read “agreed and accepted.”

324 DECLARATIONS OF INTEREST –

No declarations were received.

325 APPLICATIONS FOR DISPENSATION (MO/HLDS) -

The Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 permitted Members to apply to the Standards Committee to speak, and if appropriate, to vote on issues which due to prejudicial interests, they might not otherwise be able to speak or vote on or remain in the room. The Monitoring Officer drew attention to the fact that no applications had been received.

RESOLVED – T H A T it be noted that no applications had been received.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

326 OBSERVATIONS AT TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO/HLDS) -

The purpose of the report was to provide the Standards Committee with an update of the observations made by Independent Standards Committee Members at Vale of Glamorgan Council and Town and Community Council meetings.

The Independent Members present confirmed that no further observations had taken place amongst themselves since the last meeting of the Committee due to the fact that meetings do not tend to be held during the month of August, and therefore no further updates were available.

The Chairman confirmed that a list of pending observations had been shared with all Independent Members via the Principal Democratic & Services Officer prior to the meeting, with the intention that all pending observations be concluded by the end of November 2021 as agreed at the previous meeting. After which, an over-arching report on key points and matters of best practice found would be presented to the Committee in due course.

The Monitoring Officer then highlighted recommendation 3 in the covering report with the purpose of ensuring that observations take place in addition to the existing arrangements if the need be identified by herself.

RESOLVED -

- (1) T H A T it be noted that no further observation updates were available since those provided at the meeting of the 15th July 2021.
- (2) T H A T on completion of all scheduled observations, an over-arching report on key points and matters of best practice found be presented to the Committee.
- (3) T H A T it be noted that prior to a new schedule of Vale of Glamorgan Council and Town and Community Council meetings being established following the May 2022 Local Government Elections that the Monitoring Officer may advise at any time that particular meetings are observed.

Reasons for decision

(1-3) Having regard to the observations undertaken and the role of the Standards Committee.

327 ADJUDICATION PANEL FOR WALES ANNUAL REPORT 2020/21
(MO/HLDS) -

The purpose of the report was to apprise Members of the Annual Report of the Adjudication Panel for Wales 2020-21.

The Monitoring Officer drew the Committee's attention to the case summaries set out within Section 3 (pages 12-14) of the report and noted that one of the cases related to a Community Council within the Vale of Glamorgan; a case which the Committee had previously been sighted on.

RESOLVED – T H A T the Adjudication Panel for Wales Annual Report 2020-21 as attached at Appendix 1 to the report be noted.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

328 PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL REPORT AND ACCOUNTS 2020/21 (MO/HLDS) -

The purpose of the report was to present to Members extracts from the Annual Report and Accounts for the Public Services Ombudsman for Wales for the year ending 31st March 2021 in respect of Members' Code of Conduct matters.

The report referred to three main roles of the Ombudsman, which were to consider complaints about public service providers in Wales, to consider complaints of members of Local Authorities who had breached their Authority's Members' Code of Conduct and to drive systematic improvement of public services.

Mr Alexander drew the Committee's attention to page 33 of the report and expressed his concern over the reference that *"many members of Town and Community Councils often do not take up training opportunities offered on the Code of Conduct. Whilst there is no statutory obligation for members to complete such training, we and the Monitoring Officers across Wales strongly advise them to do so."* In addition, the Monitoring Officer advised that an invitation was extended to the proper officer of each Town & Community Council to attend statutory training as part of the Council's Member Induction & Development Programme following the last Local Government Election in 2017 and that the opportunity was already scheduled to be repeated following the upcoming 2022 election.

In response, Mrs Hallett raised a suggestion that Committee Members also be invited to join training sessions attended by Vale of Glamorgan and Town & Community Council Members. The Committee supported Mrs Hallett's suggestion alongside Mr Alexander's supplementary suggestion that Committee Members also receive training regarding Equality, Diversity and Inclusion as related to the reference on page 35 of the report for the need to promote equality and respect.

RESOLVED –

(1) T H A T the Public Services Ombudsman for Wales Annual Report and Accounts 2020/21 as appended to the report be noted.

(2) T H A T Independent Standards Committee Members be invited to attend training provided to both Vale of Glamorgan Council elected members and Town and Community Councils, as part of the Vale of Glamorgan Council's Member Induction and Development Programme following the May 2022 Local Government Elections, on the following topics:

- Code of Conduct, and
- Equality, Diversity and Inclusion.

Reason for decision

(1&2) Having regard to the contents of the report and discussions at the meeting.

329 HEARING ARRANGEMENTS RELATING TO A COMPLAINT AGAINST COUNCILLOR A IN RESPECT OF B COMMUNITY COUNCIL (MO/HLDS) -

The purpose of the report was to apprise Committee, in conjunction with the Part II report later in the agenda, of the arrangements being made to hear and consider the complaint.

RESOLVED - T H A T the contents of the report be noted, having regard to the fact that an update on the Hearing Arrangements Relating to a Complaint against Councillor A in Respect of B Community Council and any matters arising under Part II of the report would be considered under Part II of the agenda.

Reason for decision

To apprise Members of the Committee.

330 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO/HLDS) -

The report outlined that the Monitoring Officer would provide an update to Members of the Committee at the meeting under Part II of the agenda in relation to recent correspondence and matters arising in line with the procedures of the Ombudsman which were confidential in nature.

The item was a standing item on the agenda in order that the Monitoring Officer could apprise Members as appropriate.

RESOLVED - T H A T the contents of the report be noted, having regard to the fact that an update on the correspondence received from the Public Services Ombudsman for Wales and any matters arising under Part II of the report would

be considered under Part II of the agenda.

Reason for decision

To apprise Members of the Committee.

331 EXCLUSION OF PRESS AND PUBLIC -

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

332 HEARING ARRANGEMENTS RELATING TO A COMPLAINT AGAINST COUNCILLOR A IN RESPECT OF B COMMUNITY COUNCIL (MO/HLDS) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 18C) -

The purpose of the report was to apprise Committee of the arrangements being made to hear and consider the complaint.

RESOLVED -

- (1) T H A T the allegations to be considered by the Standards Hearing in respect of Councillor A in Respect of B Community Council, as set out in paragraph 2.5 of the Part II report, be agreed.
- (2) T H A T the future meeting of the Standards Committee to consider the matter comprise of 6 Members of the Standards Committee to include 4 Independent Members including the Chairman of the Committee, a Vale of Glamorgan Councillor and the Town and Community Councillor representative on the Standards Committee.
- (3) T H A T the Chairman of the Standards Committee chair the hearing if he is in attendance on the day of the meeting.
- (4) T H A T in the event that Councillor A is unavailable to attend a hearing on the offered date of 30th September, the Principal Democratic & Scrutiny Services Officer be authorised to write to Councillor A to request available dates and advise of the terms of the hearing potentially taking place in their absence as per the complaints procedure.

Reasons for decisions

- (1-4) Having regard to the contents of the report.

333 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO/HLDS) – (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

It had been agreed by the Standards Committee that a standing item appear on the Committee's agenda in order that the Monitoring Officer be able to apprise Standards Committee Members of correspondence received from the Public Services Ombudsman for Wales (the Ombudsman) on any matters arising, the items being confidential in nature in line with the Ombudsman's procedure.

The Monitoring Officer therefore provided the Committee with a verbal update in respect of recent confidential correspondence with the Ombudsman. There being no questions in relation to the information provided at the meeting, it was

RESOLVED – T H A T the confidential information provided by the Monitoring Officer at the meeting be noted.

Reason for decision

Having regard to the correspondence received from the Ombudsman, noting that it was confidential at this stage.