

Meeting of:	<b>Standards Committee</b>
Date of Meeting:	<b>Thursday, 17 March 2022</b>
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Overview and Lessons learned following Observations by Independent Members of Town and Community Council Committee Meetings
Purpose of Report:	To provide the Committee with an overview of observations.
Report Owner:	Ms. Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Mrs. Karen Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not require consultation to be undertaken
Policy Framework:	This is a matter for decision by the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• One of the roles of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives of the Council.</li> <li>• To assist this process, in March 2018, Independent Members of the Standards Committee agreed to undertake observations at Vale of Glamorgan Council meetings and were reported to the Standards Committee.</li> <li>• In March 2019 the above process was extended to observations also being undertaken of Town and Community Council (TCC) meetings.</li> <li>• Feedback reports in respect of the observations undertaken are presented to the Monitoring officer and verbal generic updates of the reports are presented to the Standards Committee by Independent Members on a regular basis. Any observations that require specific discussion with the Chief Executive of the Vale of Glamorgan Council or Chair of a Committee and the Clerk / Chairman of a TCC are undertaken by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer.</li> <li>• This report provides an overview of the lessons learned from observations of TCCs from July 2019 to 25<sup>th</sup> November 2021.</li> </ul>	

## **Recommendations**

- 1.** That the report and the feedback received in respect of observation visits undertaken by Independent Members be considered and accepted by the Standards Committee
- 2.** That it be noted that following the Local Government Elections in May 2022 a new schedule of Vale of Glamorgan Council and Town and Community Council meetings will be prepared for observations to be undertaken by Independent Standards Committee members over the next two years.
- 3.** That it be accepted that at any time during the two years the Monitoring Officer may advise that additional meetings be also observed.
- 4.** That the verbal update, regarding the observation undertaken by the Chair and Vice-Chair of the Committee, in respect of the Vale of Glamorgan Council meeting on 10<sup>th</sup> February 2022, be noted.

## **Reason for Recommendations**

(1-4) Having regard to the observations undertaken and the role of the Standards Committee.

### **1. Background**

- 1.1** There are a number of roles and functions of the Standards Committee, one of which is:
  - (a) To promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives of the Council.
- 1.2** As part of the Committee's work programme, it was agreed that Independent Members of the Standards Committee would attend meetings of Vale of Glamorgan Council and Town and Community Council (TCC) meetings during the Municipal Year 2020/21 to observe meetings with a view to promoting and maintaining high standards of conduct in line with the Members' Code of Conduct. The proforma attached at Appendix 1.
- 1.3** Feedback reports would also be presented to the Monitoring Officer and verbal generic updates of the reports presented to the Standards Committee by the Independent Members on a quarterly basis following the observations. Any observations that require specific discussion with the Chief Executive of the Vale of Glamorgan Council or the Clerk / Chair of a TCC are undertaken by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer.
- 1.4** The Monitoring Officer also provides the Clerks with an overview of observations undertaken at the Monitoring Officer and Clerks meetings which are held on a six monthly basis.

- 1.5** Chairs of Vale of Glamorgan Council meetings and Clerks of TCCs are advised by Democratic Services of the dates of the meetings the Independent Member intends observing in order that arrangements for the agenda and the link to the virtual meetings can be forwarded to the Independent Member in time for the meeting.

## **2. Key Issues for Consideration**

- 2.1** During the period of Coronavirus restrictions Independent observations were undertaken in the main on a virtual basis.
- 2.2** All five of the Independent Members have undertaken observations to date and a new schedule of visits for Vale of Glamorgan Council and TCCs meetings following the Local Government Elections in May 2022 will be prepared for Members' consideration at the Standards Committee meeting scheduled for 23<sup>rd</sup> June 2022.
- 2.3** The proforma that is completed by Independent Members following the visits can be found at Appendix 1 to this report for Committee's information.
- 2.4** All TCCs have been visited at least once since the process was established however, on occasions either having been identified for a follow up visit by an Independent Member or following a request from the Monitoring Officer that a particular TCC be observed, some TCCs have been visited more than once.
- 2.5** The proforma attached at Appendix 1 provides the Independent Member with a list of questions to consider when undertaking the visits. It is recommended to Committee that the information gathered from these observations is considered by Independent Members prior to attending Vale of Glamorgan and TCC Council meetings detailed in the schedule to be prepared following the Local Government elections.
- 2.6** Of the observations undertaken of TCCs between July 2019 – November 2021 an analysis of the proformas used by Independent Members has identified that the majority of meetings observed were conducted and managed well.
- 2.7** Independent Members have observed in the main that TCC meetings are well structured and purposeful meetings.
- 2.8** Having regard to access to information procedures and the requirements of the Local Government Act 1972, in the main the following was reported :
- Agendas were received on time for the meetings;
  - Papers were available to the public;
  - Meetings commenced on time;
  - Motions were moved and seconded appropriately;
  - Members of the public being afforded the opportunity to speak at meetings;
  - Rulings by the Chair were adhered to;

- Respect and courtesy was shown to the Chair and to each other;
  - Where possible Members' names were identified on screen within the virtual platform or introductions were made at the start of the meeting.
- 2.9** In respect of a few TCC meetings where issues were raised by Independent Members, the matters were discussed with the Clerk and / or Chair of the TCC by the Monitoring Officer and / or the Principal Democratic and Scrutiny Services Officer.
- 2.10** Following the visits the comments and /or any concerns of the Independent Members are fed back to the Clerks and / or Chair of the TCCs by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer. The Independent Members also report to the next available Standards Committee meeting following their visits.
- 2.11** The Monitoring Officer has also drawn attention to generic good practice and areas of concern at the Monitoring Officer meetings with Clerks that are held on a six monthly basis.
- 2.12** The introduction of the programme of observations by Independent Members has been received positively by the Clerks and the Principal Democratic and Scrutiny Services Officer has recently consulted with Clerks for any further feedback from their point of view in respect of the benefits of the process they have found and whether it has been of assistance with regard to Members' standards of conduct.
- 2.13** Examples of matters of concern that have been raised with Clerks and/or Chairs of TCCs together with attention being drawn to such issues at the Monitoring Officer meetings with Clerks have related to:
- some Councillors did not always adhere to the respective Council's Rules of Procedure;
  - A lack of understanding with regard to Declarations of Interest;
  - Insufficient respect for fellow Councillors;
  - Part II matters being discussed in public
  - Accessibility of various software platforms used for virtual meetings
  - Accessibility for a number of Members of the public to attend a physical meeting.
- 2.14** As highlighted earlier in the report feedback received to date on the procedure and undertaking of observations from Clerks and Chairs of TCCs has been seen to be a positive process and in particular from the Clerks' point of view, as evidenced at the Monitoring Officer's meetings with Clerks, with regard to the sharing of good practice. The observation visits which have been seen in the main as a positive approach with the process being fully engaged in by Chairs and Clerks of Town and Community Councils. Following the Local Government Elections in May 2022 as part of the process and proforma arrangements the Monitoring Officer will be seeking to also receive feedback from Chairs and

Clerks of Town and Community Councils of how they intend to take any suggestions made, as a result of any further observations, forward.

- 2.15** All Clerks have also recently been requested to provide the Principal Democratic Services officer with any further feedback regarding the benefits of the process they may wish to share with the Committee, and in particular as to whether it has been of assistance to them with regard to Members Standards of Conduct. Any comments received, anonymised or otherwise will be reported verbally to the Committee on 17<sup>th</sup> March 2022.
- 2.16** It is recommended to Committee that following the Local Government Elections and the production of the next schedule of observations that Independent Members consider previous observation reports undertaken where issues of concern or suggested good practice have been identified and assess whether any improvement in the management and conduct at meetings can be seen as a result of the visits and to report such findings to the Standards Committee.
- 2.17** Following the Local Government Elections in May 2022 the Monitoring Officer as part of the proforma arrangements will be seeking further feedback from Chairs and Clerks of Town and Community Councils for their comments as to how they will take any suggestions forward as a result of the independent observations
- 2.18** Since the last meeting of the Standards Committee, following a concern raised, the Chair and Vice-Chair of the Standards Committee, have observed the recording of a meeting of the Vale of Glamorgan Council's Learning and Culture Scrutiny Committee held on 10<sup>th</sup> February 2022. The meeting was well Chaired but following the concern in respect of a verbal exchange at Agenda item 4 the matter was raised with the Chair and Vice-Chair of the Standards Committee, by the Monitoring Officer, in line with Committee procedure. Committee is advised that following the observations, at the Scrutiny Committee meeting on 10<sup>th</sup> March 2022 an apology was provided by the Chair of the Committee which was accepted at the meeting. A verbal update regarding the observations in line with the procedure will be presented at the Standards Committee meeting on 17<sup>th</sup> March 2022.

### **3. Resources and Legal Considerations**

#### **Financial**

- 3.1** Members are able to be remunerated for attendance under the allowance scheme agreed by the Independent Remuneration Panel and the Vale of Glamorgan Council's Constitution. Independent Members are able to claim for a maximum of 10 days per annum as detailed within the Council's Constitution.

#### **Employment**

- 3.2** Members will be remunerated for attendance under the allowance scheme agreed by the Independent Remuneration Panel and the Vale of Glamorgan Council's Constitution. Independent Members are able to claim for a maximum of 10 days per annum as detailed within the Council's Constitution.

### **Legal (Including Equalities)**

- 3.3** The Council has a duty to establish and maintain a Standards Committee as defined by legislation as set out in the Standards Committees Rules and Regulations 2001 and the Standards Committee (Wales) Amendment Regulations 2006.
- 3.4** The role of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives.

### **4. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 4.1** The role of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives. It is intended that the process adopted within this report will aim to promote that role.

### **5. Background Papers**

None.

## OBSERVATIONS CHECKLIST

**Observations of Independent Members of Standards Committee at Council Meeting of .....**  
**Town/Community Council on .....**

	Yes	No	Comments
Were you welcomed by the Clerk and seated in the public gallery?			
Were Members advised that you were observing the Meeting?			
<b>Room set up</b> <ul style="list-style-type: none"> <li>• From the seating arrangement was it clear who the Members, the Officer(s) and the public were?</li> </ul>			
<ul style="list-style-type: none"> <li>• Did Members and Officer(s) have name cards identifying who they were?</li> </ul>			
<ul style="list-style-type: none"> <li>• Was the room well lit?</li> </ul>			

	Yes	No	Comments
<ul style="list-style-type: none"> <li>• Could you hear what was being said?</li> </ul>			
<ul style="list-style-type: none"> <li>• Was the room of an appropriate size?</li> </ul>			
<ul style="list-style-type: none"> <li>• Were a reasonable number of copies of the agenda available in the public gallery (other than any Part II reports)?</li> </ul>			
<p><b>Meeting</b></p> <ul style="list-style-type: none"> <li>• Did the meeting commence on time?</li> <li>• Does the Council have a procedure for public speaking or is there an opportunity to suspend Standing Orders to allow a person to speak?</li> </ul>			
<p><b>Decision Making</b></p> <ul style="list-style-type: none"> <li>• Were motions moved and seconded?</li> </ul>			



	Yes	No	Comments
<ul style="list-style-type: none"> <li>If there wasn't agreement by the meeting as a whole was the motion voted on?</li> </ul>			
<ul style="list-style-type: none"> <li>Were any amendments moved and seconded?</li> </ul>			
<ul style="list-style-type: none"> <li>Were votes on the amended motion taken before the original motion? [A vote on an original motion is only necessary if the vote on an amendment is lost]</li> </ul>			
<ul style="list-style-type: none"> <li>Was only one amendment at any given time the subject of discussion prior to taking a vote on the amendment?</li> </ul>			
<ul style="list-style-type: none"> <li>Did the meeting follow the agenda?</li> </ul>			
<ul style="list-style-type: none"> <li>Were rulings by the Chair adhered to?</li> </ul>			

	Yes	No	Comments
<ul style="list-style-type: none"> <li>If Part II items appeared on the agenda, did Members agree to move into Part II of the agenda?</li> </ul>			
<ul style="list-style-type: none"> <li>Were Members of the Public (including the Independent [Standards Committee] Member) asked to leave the meeting room prior to the discussion of Part II matters?</li> </ul>			
<ul style="list-style-type: none"> <li>Were there any other items discussed at the meeting without a report being available and no prior notice given?</li> </ul>			
<p><b>Conduct of Members</b></p> <ul style="list-style-type: none"> <li>Did Members show respect and consideration for others?</li> </ul>			
<ul style="list-style-type: none"> <li>If a Member declared a personal interest, did the Member explain the nature of the interest?</li> </ul>			

	Yes	No	Comments
<ul style="list-style-type: none"> <li>If a Member declared a personal and prejudicial interest in a report did they leave the Meeting Room during the consideration of the relevant report?</li> </ul>			
<ul style="list-style-type: none"> <li>Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak from the Standards Committee? And if so, did the Member leave the Meeting Room having spoken on the matter?</li> </ul>			
<ul style="list-style-type: none"> <li>Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak and vote?</li> </ul>			
What time did the Meeting end?			