

## STANDARDS COMMITTEE

Minutes of a remote meeting held on 23<sup>rd</sup> June, 2022.

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

The Meeting recording is available [here](#).

Present: P. Hallett, R. Hendicott, G. Watkins (Independent Members) and Councillors R.M. Birch, J.E. Charles and C.P. Franks (Vale of Glamorgan Council).

### 82 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair 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”.

### 83 APPOINTMENT OF CHAIR –

RESOLVED – T H A T R. Hendicott be appointed Chair for the remainder of the Municipal Year.

### 84 APPOINTMENT OF VICE-CHAIR –

RESOLVED – T H A T L. Tinsley be appointed Vice-Chair for the remainder of the Municipal Year.

### 85 APOLOGIES FOR ABSENCE –

These were received from R. Alexander and L. Tinsley.

### 86 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 17<sup>th</sup> March, 2022 be approved as a correct record.

### 87 DECLARATIONS OF INTEREST –

No declarations of interest were received.

## 88 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, in presenting the report, advised that following the Local Government Elections in May 2022 returning Members had been informed that previous applications granted for dispensations had ceased as a result of the election and that new applications were required to be submitted. For example, a number of these applications related to Reshaping Services where matters were to be discussed at Vale of Glamorgan Council and Town/Community Council meetings. Reshaping Services being a programme of work that was being progressed by the Vale of Glamorgan Council with other organisations being involved as appropriate.

During the discussion, having regard to the considerable number of late applications for dispensation that had been received after the despatch of the agenda it was suggested that a Special meeting of the Standards Committee be arranged prior to the August recess to consider the late applications save for the reshaping applications which the Committee considered were in line with a number of similar applications received as contained within the agenda.

Having considered the applications it was subsequently

**RESOLVED –**

(1) T H A T dispensations as set out in the schedule below be granted up to the date of the next Local Government Elections:

| <b>Member Requesting Dispensation</b> | <b>Paragraph(s) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 Under Which Dispensation is Granted and as applied for</b> | <b>Decision</b>   |
|---------------------------------------|---|---|
| Councillor J. Aviet                   | (a), (c), (d), (e) and (f)  | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town Council meetings |

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| Councillor B. Brooks     | (a), (c) and (d) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town and Council meetings. |
| Councillor J.E. Charles  | (a), (c) and (d) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan's re-shaping programme at both Vale of Glamorgan Council and Barry Town Council meetings.                          |
| Councillor P. Drake      | (a), (c) and (d) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town Council meetings.     |
| Councillor E.J. Goodjohn | (a), (c) and (d) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town Council meetings.     |
| Councillor E. Goodjohn   | (a), (c) and (d) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town Council meetings.     |
| Councillor H.C. Hamilton | (d), (e) and (f) | Dispensation granted to speak and vote on matters relating to the review of Councils employment employee terms and conditions in view of family members being employed by the authority.                 |

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| Councillor S.M. Hanks    | (c) and (d)                | Dispensation to speak and vote on the Vale of Glamorgan Council's Local Development Plan and Re-shaping Services Programme when being discussed at both Vale of Glamorgan and Llantwit Major Town Council meetings              |
| Councillor W.A. Hennessy | (a), (c), (d), (e) and (f) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town Council meetings.                            |
| Councillor C. Iannucci   | (a), (c) and (d)           | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Barry Town meetings.                                    |
| Councillor G. John       | (d) and (f)                | Dispensation granted to speak and vote where issues are raised in respect of sports fees and charges at both Vale of Glamorgan and Llantwit Major Town Council meetings.  |
| Councillor G. John       | (d), (e) and (f)           | Dispensation granted to speak and vote where issues are raised in respect of the Vale of Glamorgan Council's Re-shaping Services and Corporate Plan at both Vale of Glamorgan Council and Llantwit Major Town Council meetings. |
| Ms. R. Morteo            | (d), (e) and (f)           | Dispensation granted to speak and vote when matters relating to Church in Wales Primary Schools at all meetings of the Council are being discussed.   |

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| Councillor S.M. Perkes    | (a), (c) and (d)           | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping services programme when being discussed at both Vale of Glamorgan and Barry Town Council meetings as appropriate.   |
| Councillor N.C. Thomas    | (d), (e), (f), (g) and (i) | Dispensation granted to speak and vote when matters relating to Evenlode School are being discussed at Vale of Glamorgan Council meetings.   |
| Councillor N.C. Thomas    | (d), (f), (g) and (i)      | Dispensation granted to speak and vote at Council meetings of Penarth Town and the Vale of Glamorgan Council when matters relating to the Vale of Glamorgan's re-shaping programme are to be discussed.  |
| Councillor M.R. Wilkinson | (d), (e) and (f)           | Dispensation granted to speak and vote on matters relating to the review of Councils employment employee terms and conditions in view of family members being employed by the authority.   |
| Councillor M.R. Wilkinson | (c) and (d)                | Dispensation granted to speak and vote on matters at both Vale of Glamorgan and Barry Town Council meetings relating to the Vale of Glamorgan Council's re-shaping services programme and the Local Development Plan when matters are to be discussed at Council meetings. |
| Councillor M.R. Wilkinson | (d), (e), (f) and (i)      | Dispensation granted to speak and vote on matters at Vale of Glamorgan Council and Barry Town Council meetings where issues are raised (including budgets) relating to Gwenfo, Cadoxton  |

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|                        |             | primary schools and St. Richard Gwyn High School.  |
| Councillor E. Williams | (e) and (f) | Dispensation granted to speak and vote where issues are raised in respect of the Vale of Glamorgan Council's Re-shaping Services and at both Vale of Glamorgan Council and Llantwit Major Town Council meetings. |

(2) T H A T the following late applications relating to Reshaping services as set out in the schedule below be granted up to the date of the next Local Government Elections:

| <b>Member Requesting Dispensation</b> | <b>Paragraph(s) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 Under Which Dispensation is Granted</b> | <b>Decision</b>  |
|---------------------------------------|--|--|
| Councillor L. Burnett                 | (d), (e), (f) and (g)  | Dispensation granted to speak, vote and remain in meetings where issues (including budgets) are considered in respect of Oakfield Primary School.                              |
| Councillor C.A. Cave                  | (d), (e), (f) and (i)  | Dispensation granted to speak and vote in meetings where issues are raised in relation to matters (including budgets) concerning Ysgol Gymraeg Bro Morgannwg                   |
| Councillor A.M. Collins               | (a), (c), (d), (f) and (g)   | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan's re-shaping programme at both Vale of Glamorgan Council and Barry Town Council meetings |
| Councillor A.M. Collins               | (d), (e), (f) and (g)  | Dispensation granted to speak and vote on matters relating to Ysgol Gwaun y Nant and Ysgol Gymraeg Bro Morgannwg at Vale of Glamorgan Council meetings.                        |

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| Councillor Dr. I.J. Johnson | (a), (c), (d) and (f) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan's re-shaping programme at both Vale of Glamorgan Council and Barry Town Council meetings |
| Councillor H.M. Payne       | (a), (c) and (d)      | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan's re-shaping programme at both Vale of Glamorgan Council and Barry Town Council meetings |
| Councillor M.R. Wilson      | (d), (g), (g), (i)    | Dispensation granted to speak and vote at both Vale of Glamorgan Council and Penarth Town Council meetings when matters relating to re-shaping are to be considered.           |

(3) T H A T the use of the Monitoring Officer's delegated powers in consultation with the Chairman of the Standards Committee with regard to Councillor Burnett's dispensation application at Appendix 2 to the report be noted.

(4) T H A T a Special meeting of the Standards Committee be arranged prior to the August recess to consider the late applications (save for the late reshaping applications that had been received as referred to in Resolution 2 above) for dispensation that had been received after the despatch of the agenda for the meeting on 23<sup>rd</sup> June, 2022.

(5) T H A T all Vale of Glamorgan Councillors and Clerks to Town and Community Council's be informed that should any further applications for dispensation be required to be considered at the Special Standards Committee meeting, to be arranged prior to the recess, all applications must be received prior to the despatch of the agenda.

#### Reasons for decision

(1&2) To comply with the regulations and obligations for the grant of dispensations to speak and vote.

(3) Having regard to the use of delegated powers under the Council's Constitution.

(4&5) Having regard to the volume of applications that had been received following the despatch of the agenda and to consider any further applications prior to agenda despatch.

## 89 OBSERVATIONS BY INDEPENDENT MEMBERS OF TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO/HLDS) –

The purpose of the report was to provide the Committee with an overview of observations.

One of the roles of the Standards Committee was to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives of the Council.

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. In March 2019 the above process was extended to observations also being undertaken of Town and Community Council (TCC) meetings.

Feedback reports in respect of the observations undertaken were presented to the Monitoring Officer and verbal generic updates of the reports were presented to the Standards Committee by Independent Members on a regular basis. Any observations that required specific discussion with the Chief Executive of the Vale of Glamorgan Council or Chair of a Committee and the Clerk / Chair of a TCC were undertaken by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer. Having regard to the above an overview and lessons learned report of all visits undertaken was also presented to the Standards Committee meeting for consideration in March 2022.

In consideration of resourcing implications it was accepted that as a number of senior officers of the Council and Democratic Services Officers would be present at Vale of Glamorgan Council meetings, such officers would be requested to refer any matters they considered required attention, and/or any suggestions for improvement arising from such meetings to the Monitoring Officer with a view to these being reported to the Standards Committee as appropriate.

With regard to observations of Town and Community Councils it was agreed as recommended within the report that each of the TCCs be visited by an Independent Member of the Standards Committee in order that observations could be undertaken. The Principal Democratic Services Officer was subsequently requested to provide a list of future meetings of TCCs for Independent Members to consider. It was also accepted that during the Municipal Year where the Monitoring Officer may have particular concerns that additional and/or specific TCC and Vale of Glamorgan meetings be observed by an Independent Member.

### RESOLVED –

(1) T H A T the report and the feedback received at the meeting in respect of the observation visit undertaken by the Chair of Standards Committee to Sully and Lavernock Community Council be accepted.

(2) T H A T it be noted that a new schedule of Town and Community Council meetings will be prepared and emailed to Independent Members of the Standards Committee for observations to be undertaken commencing from September 2022.

(3) T H A T it be accepted that at any time during the year ( September 2022 to August 2023) that the Monitoring Officer may advise that additional, specific Town and Community Council and Vale of Glamorgan meetings be also observed.

Reasons for decisions

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

90 FEEDBACK REPORT FOLLOWING CODE OF CONDUCT AND ETHICAL STANDARDS FRAMEWORK TRAINING TO VALE OF GLAMORGAN COUNCILLORS AND LAY / CO-OPTED MEMBERS BY THE MONITORING OFFICER AND CODE OF CONDUCT AND ETHICAL STANDARDS FRAMEWORK TRAINING TO TOWN AND COMMUNITY COUNCILS BY THE MONITORING OFFICER AND ONE VOICE WALES (MO/HLDS) –

The Committee was provided with an update on progress relating to Code of Conduct training undertaken with Elected Members and Co-opted/Lay Members of the Vale of Glamorgan Council by the Monitoring Officer, Debbie Marles. The report also provided Committee with a progress update relating to Code of Conduct training commissioned by the Monitoring Officer, Debbie Marles and undertaken by Paul Egan of One Voice Wales.

The Chair took the opportunity to thank the Monitoring Officer and the Principal Democratic Services Officer for the significant amount of work that they had undertaken in relation to the training which was echoed by the Members of the Standards Committee, following which it was subsequently

RESOLVED –

(1) T H A T the progress update in relation to the training that had been undertaken with Elected Members of the Vale of Glamorgan Council be noted.

(2) T H A T the progress update in relation to the training that had been commissioned for Town and Community Councils in the Vale of Glamorgan by the Monitoring Officer be noted.

Reasons for decisions

(1-2) Having regard to the contents of the report.

## 91 MONITORING OFFICER MEETINGS WITH CLERKS OF TOWN AND COMMUNITY COUNCILS (MO/HLDS) –

The purpose of the report was to provide the Committee with an update of the meeting held on 15<sup>th</sup> June, 2022 between the Monitoring Officer and Clerks of Town and Community Councils (TCCs).

One of the roles of the Standards Committee was to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives of the Council. To assist in this process, the Monitoring Officer had held meetings with Clerks of TCCs to provide opportunities for discussion of matters of mutual concern, to have regard to the principles of standards in public life and to provide networking opportunities.

During the pandemic the Clerks meetings had been put on hold, however meetings had since resumed with two taking place in 2021 on 21<sup>st</sup> May, 2021 and 24<sup>th</sup> November, 2021 and the latest having been held on 15<sup>th</sup> June, 2022.

The Monitoring Officer confirmed that the generic observations undertaken by Independent Members of the Standards Committee since the last meeting on 24<sup>th</sup> November, 2021 had been reported to the Clerks meeting on 15<sup>th</sup> June, 2022 and a recording of the Clerks meeting on 15<sup>th</sup> June, 2022 had also been forwarded to all TTC Clerks for their information.

Other matters considered at the Clerks meeting in June 2022 included a discussion relating to the Public Services Ombudsman for Wales' Guidance, the provisions of the Local Government and Elections (Wales) Act 2021 and the Vale of Glamorgan Council's Whistleblowing Campaign.

RESOLVED – T H A T the report in respect of the Monitoring Officer's meeting with Clerks held on 15<sup>th</sup> June, 2022 be noted.

### Reason for decision

Having regard to discussions held at the meeting on 15<sup>th</sup> June, 2022.

## 92 MATTERS FOR CONSIDERATION: MEETING WITH GROUP LEADERS, ALL WALES STANDARDS FORUM, PROGRESS WITH REGARD TO THE RICHARD PENN REPORT RECOMMENDATIONS, UPDATE ON THE WELSH GOVERNMENT CONSULTATION ON THE STANDARDS OF CONDUCT STATUTORY GUIDANCE AND EXPRESSIONS OF INTEREST FOR THE COMMUNITY COUNCIL REPRESENTATIVE ON THE STANDARDS COMMITTEE (MO/HLDS) –

The report provided the Committee with an update re progress on matters that had previously been reported to Committee as below:

- Duties of Leaders and Political Groups in relation to standards of conduct under Section 62 of the Local Government and Elections (Wales) Act 2021;

- All Wales Standards Forum;
- Update re Review of Ethical Standards Framework in Wales commissioned by Welsh Government and undertaken by Richard Penn Recommendations, Update on the Welsh Government Consultation on the Standards of Conduct Statutory Guidance and Expressions of Interest for the Community Council Representative on the Standards Committee.

The Monitoring Officer also took the opportunity to advise the Committee that the All Wales Standards Forum was in addition to the Annual Standards Conference and was an opportunity to share best practice. The All Wales Monitoring Officers' Group was currently considering the Terms of Reference for the Forum and the Standards Committee would be informed of progress in due course.

Following a discussion regarding the appointment of the Town and Community Council representative on the Standards Committee, Councillor Cuddy's Term of Office under the legislation had come to an end and a new representative was being sought from all Town and Community Councils in the Vale of Glamorgan. The Committee would be advised in due course following nominations for appointment.

It was subsequently

RESOLVED –

- (1) T H A T the Monitoring Officer in consultation with the Chair be requested to make arrangements to meet with Group Leaders, prior to the recess, to discuss the requirements of Section 62 of the Local Government and Elections (Wales) Act 2021 with the intention that a further report be presented to the Standards Committee in due course.
- (2) T H A T it be noted that a further update will be provided in due course to the Standards Committee regarding the establishment of an All Wales Standards Forum.
- (3) T H A T following the meeting with Welsh Government, the Public Services' Ombudsman for Wales and a small group of Monitoring Officers in relation to the Ethical Standards Framework preliminary consultation ( as referred to in the report) a further progress update report be presented to the Standards Committee.
- (4) T H A T the progress regarding the submission of representations to Welsh Government regarding the draft statutory guidance on Standards of Conduct be noted.
- (5) T H A T the progress regarding seeking expressions of interest from Town and Community Councils within the Vale of Glamorgan with a view to appointing a Community Council representative to the Standards Committee be noted.
- (6) T H A T in light of Councillor Cuddy's Term of Office coming to an end as the Town and Community Councillor representative on the Standards Committee

a letter be sent to express the Standards Committees appreciation for his service and dedication.

Reasons for decisions

(1-5) In order to apprise Members of progress in relation to the matters.

(6) In order to acknowledge the service provided by Councillor Cuddy and the appreciation of the Committee.

93 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.

94 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.

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

As outlined at Part I of the agenda, 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 correspondence received from the Ombudsman, noting that it was confidential at this stage.