

STANDARDS COMMITTEE

Minutes of a Remote Meeting held on 24th November, 2022.

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

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

Present: R. Hendicott (Chair); L. Tinsley (Vice-Chair); R. Alexander, P. Hallett and G. Watkins (Independent Members); Councillors R.M. Birch and C.P. Franks.

475 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Principal Democratic and Scrutiny Services Officer 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.”

476 APOLOGY FOR ABSENCE –

This was received from Councillor J.E Charles.

477 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 6th October, 2022 be approved as a correct record, it being noted that Members had commented at the last meeting that they expected applications for dispensation to be received in a timely manner.

478 DECLARATIONS OF INTEREST –

Councillor C.P. Franks declared an interest in Agenda Item 4 having regard to Councillor Buckley's application regarding Ysgol Y Deri he advised that he would be submitting a similar application and vacated the room when this application was considered.

479 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. Having regard to the applications, the Monitoring Officer advised that with regard to the application for Ysgol y Deri, her recommendation would be that paragraph (d) be considered and

not paragraph (e) as this referred to the interest being common to the Member and a significant proportion of the general public.

Following careful consideration of the applications it was

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

| Member Requesting Dispensation | Paragraph(s) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 Under Which Dispensation is Granted and as applied for | Decision |
|---------------------------------------|---|---|
| Councillor I. Buckley | (d) | Dispensation granted to speak and vote on any matter relating to the South Wales Fire and Rescue Authority at Vale of Glamorgan Council and Penarth Town Council meetings in view of family members being employed by the Fire Authority. |
| Councillor I. Buckley | (d), (f) and (g) | Dispensation granted to speak and vote on topics connected with the Vale of Glamorgan Council's Reshaping Programme when being discussed at both Vale of Glamorgan and Penarth Town Council meetings as appropriate. |
| Councillor I. Buckley | (d) | Dispensation granted to speak and vote on matters relating to Ysgol y Deri as his daughter was employed there. |

Reason for decision

To comply with the regulations and obligations for the grant of dispensations to speak and vote.

480 PUBLIC SERVICES OMBUDSMAN FOR WALES DRAFT STRATEGIC PLAN
2023- 2026 (MO/HLDS) –

The report apprised the Committee of the Strategic Plan published by the Public Services Ombudsman for Wales (the Ombudsman).

Appendix 1 to the report detailed the Ombudsman's Draft Strategic Plan for 2023-2026 which provided details of the role, ambition, principles and strategic aims of the Ombudsman's Office.

The four strategic aims of the Ombudsman's office were:

- (1) Delivering justice with a positive impact for people and public services
- (2) Increasing accessibility and inclusion
- (3) Expanding its proactive improvement work
- (4) Ensuring a healthy, efficient and accountable organisation.

Mrs. Tinsley (Independent Member), in having considered the report, advised that it was an interesting document, however she was concerned that there was no mention of timeliness of dealing with complaints received and that it was important that such matters were dealt with in a timely manner.

Members also drew attention to the fact that the case loads were likely to increase in the future which would have a considerable impact on both the workloads of the Ombudsman's Office and Local Authorities.

Having therefore considered the Draft Strategic Plan, it was subsequently

RESOLVED –

(1) T H A T the Committee's comments on the Draft Strategic Plan as below, be forwarded by the Monitoring Officer to the Public Services Ombudsman:

- reference to be made in the Strategic Plan to the timeliness of dealing with complaints;
- and
- in view of the likelihood that caseloads may increase, consideration to be referenced in the Plan to the implications for resources for both the Ombudsman's Office and Local Authorities.

(2) T H A T the response outlined in Resolution (1) above be approved by the Chair, prior to despatch and the letter be presented to the next meeting of the Standards Committee for information.

Reasons for decisions

(1) Having regard to the contents of the report and to advise the Public Services Ombudsman for Wales of the Committee's comments.

(2) To seek the Chair's approval prior to despatch of the letter and to inform the Committee accordingly.

481 LETTER FROM PUBLIC SERVICES OMBUDSMAN FOR WALES RE CODE OF CONDUCT COMPLAINTS GUIDANCE AND PROCESS (MO/HLDS) –

All Chairs of Standards Committees in Wales had been forwarded a letter from the Public Services Ombudsman for Wales (PSOW) advising of minor changes to the PSOW's office Code of Conduct Complaints Guidance and Process.

A copy of the letter received dated 10th November, 2022 was attached to the report.

The Chair again having regard to the previous report on the agenda, advised that it was important that investigations were concluded as soon as possible as any delays could mean that participants and witnesses may have destroyed any files in the meantime.

Mrs. Hallett also as mentioned in the previous agenda item drew attention to the likely impact for resources on the Local Authority and the Standards Committee itself. The Monitoring Officer advised that it may be worth waiting to see how the new proposals materialised, it being noted that currently the Council did not have a significant number of complaints coming from the Ombudsman's office and that the Council had itself introduced a programme of mandatory training for its Members. Town and Community Councils had also been provided with Code of Conduct training which had been commissioned by the Vale of Glamorgan Council and undertaken by One Voice Wales.

Having considered the report, Committee subsequently

RESOLVED – T H A T the contents of the report and the letter attached as an Appendix to the report, be noted and that the same be forwarded to all Vale of Glamorgan Councillors and Clerks to Town and Community Councils for information.

Reason for decision

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

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

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 which were reported to the Standards Committee. In March 2019 this

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 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. An “overview and lessons learned” report of all visits undertaken had also been presented to the Standards Committee meeting in March 2022.

Independent Members of the Standards Committee had also commenced observation visits having been forwarded a list of dates of future meetings of TCCs in order that further observation visits could be undertaken for 2022/23.

Mrs. Tinsley advised that she had attended a meeting of Penarth Town Council which had been an enjoyable meeting undertaken remotely with a timely agenda and had been well chaired.

Mr. Watkins, having observed Llandough Community Council, stated that this had been a very well attended and conducted meeting the Chair having been in control and receiving advice from the Clerk as appropriate. Mr Watkins concluded by stating that it had been clear to him that all present had done their “homework” in relation to the agenda.

Mr. Hendicott advised that he had attended a meeting of the Cowbridge Town Council and reported that he felt that the meeting had been conducted well. The Chair had a pleasant style and had been in control of the meeting ably assisted by the Clerk. He did, however, refer to a matter in relation to Declarations of Interest, where two Councillors declared a personal interest in a matter but did not explain what the reasons were. The Monitoring Officer confirmed that it was a requirement that whenever any Member declared an interest, they disclosed the nature of that interest. The Monitoring Officer concluded by advising that she would share this advice again with all Clerks of TCCs at the next Monitoring Officer meeting with Clerks.

Mr. Hendicott stated that in his view the Members should have left the room if they had an interest, however the Monitoring Officer advised that that would have been dependent on the nature of the interest, as to whether it was a personal or a personal and prejudicial interest, which would be a matter for the individual Councillor. It was noted that any Member finding themselves having a personal or prejudicial interest in a matter could also apply for a dispensation to be considered by the Standards Committee. All TCC Clerks and Members were aware of this provision.

RESOLVED –

- (1) T H A T the report and feedback received at the meeting in respect of observation visits undertaken by Independent Members of the Standards Committee

be noted.

(2) T H A T the observations of the Independent Members be shared with the relevant Town and Community Councils.

Reason for decisions

(1&2) Having regard to the observations undertaken and the role of the Standards Committee.

483 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 Public Services Ombudsman for Wales 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.

484 MATTER WHICH THE CHAIR HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chair had decided was urgent for the reason given beneath the minute heading be considered.

485 UPDATE ON NATIONAL FORUM –

Matter which the Chair had decided was urgent in order to apprise Committee of the progress relating to the establishment of the National Standards Forum with the first meeting to be held on 8th December, 2022.

Committee was apprised of progress being made in respect of establishing a National Forum for Independent Standards Committee Members. It was noted that the first meeting of the National Standards Committee Forum had been arranged for 8th December, 2022. The report provided details of the Terms of Reference that were to be considered at the meeting on 8th December, 2022 as included in paragraphs 2.4 to 2.8 of the report, and additional items as referred to in paragraph

2.10 of the report. The Chair and Monitoring officer advised that they would both be attending the meeting.

Having regard to the contents of the report, it was subsequently

RESOLVED – T H A T the update report be noted.

Reason for decision

To apprise Members of the Committee

486 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.

487 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 would 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.