

# Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:  
Nicola Gittins 01352 702345

At: Robert Dewey (Chairman)

Y Cyngorwyr: Jonathan Duggan-Keen, Phillipa Earlam, Patrick Heesom, Hughes, Paul Johnson, Kenneth Molyneux, Morgan and Arnold Woolley

Dydd Mawrth, 15 Medi 2020

Annwyl Gyngorydd,

**RHYBUDD O GYFARFOD ANGHYSBELL**  
**PWYLLGOR SAFONAU**  
**DYDD LLUN, 21AIN MEDI, 2020 6.30 PM**

Sylwch bydd sesiwn gyflwyno I aelodau'r Pwyllgor Safnau I groesawu'r aelod annibynnol newydd yn cael ei chynnal rhwng 6pm a 6.30pm.

Yn gywir

Robert Robins  
Rheolwr Gwasanaethau Democraidaidd

Sylwch: Oherwydd y cyfyngiadau presennol ar deithio a'r gofyniad am gadw pellter corfforol, ni chynhelir y cyfarfod hwn yn y lleoliad arferol. Bydd hwn yn gyfarfod rhithiol a bydd 'presenoldeb' yn gyfyngedig i Aelodau'r Pwyllgor yn unig. Bydd y cyfarfod yn cael ei recordio.

Os oes gennych unrhyw ymholiadau, cysylltwch ag aelod o'r Tîm Gwasanaethau Democraidaidd ar 01352 702345.

## R H A G L E N

### 1 YMDDIHEURIADAU

**Pwrpas:** I dderbyn unrhyw ymddiheuriadau.

### 2 COFNODION (Tudalennau 3 - 6)

**Pwrpas:** I gadarnhau, fel cofnod cywir gofnodion y cyfarfod ar 2 Mawrth.

### 3 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

**Pwrpas:** I dderbyn unrhyw ddatganid o gysylltiad a chynghori'r Aelodau yn unol a hynny.

### 4 GODDEFEBAU

**Pwrpas:** Derbyn unrhyw geisiadau am oddefebau.

Bydd aelodau'r wasg / y cyhoedd yn gallu aros yn yr ystafell tra bydd cais am ryddhad yn cael ei gyflwyno i'r Pwyllgor a bydd yn gallu dychwelyd i glywed penderfyniad y Pwyllgor. Fodd bynnag, o dan Baragraff 18C Atodlen 12A Deddf Llywodraeth Leol 1972 bydd y Pwyllgor yn gwahardd y wasg a'r cyhoedd o'r cyfarfod tra bydd yn ystyried unrhyw gais am ryddhad.

### 5 MOESEG A LLYWODRAETHU YN YSTOD Y CYFNOD CLO (Tudalennau 7 - 14)

**Pwrpas:** I hysbysu a sicrhau Aelodau ynglŷn â'r trefniadau a wnaed yn ystod y cyfnod ymateb ar gyfer Moeseg a Llywodraethu o fewn y Cyngor.

### 6 ADOLYGU'R WEITHDREFN GODDEFEB YNG NGHYNHORAU YNYS MÔN A GWYNEDD (Tudalennau 15 - 18)

**Pwrpas:** Cymharu a chyferbynnu sut mae Cyngorau eraill yng Ngogledd Cymru yn prosesu ceisiadau ar gyfer goddefeb.

### 7 RHAGLEN GWAITH I'R DYFODOL (Tudalennau 19 - 30)

**Pwrpas:** I drafod amllder cyfarfodydd.

# Eitem ar gyfer y Rhaglen 2

## **STANDARDS COMMITTEE** **2 MARCH 2020**

Minutes of the meeting of the Standards Committee of Flintshire County Council held at County Hall, Mold on Monday, 2 March 2020

### **PRESENT: Rob Dewey (Chairman)**

Councillors:

Patrick Heesom, Paul Johnson and Arnold Woolley

Co-opted members:

Jonathan Duggan-Keen, Phillipa Earlam, Julia Hughes and Ken Molyneux

### **APOLOGY:**

Mark Morgan

### **ALSO PRESENT:**

Councillor Jean Davies was present as an observer

### **IN ATTENDANCE:**

Monitoring Officer and Democratic Services Officer

## **64. MINUTES**

The minutes of the meeting held on 3 February 2020 were submitted.

On minute 58, the next ethical liaison meeting had been arranged with Group Leaders for the end of the month. The Democratic Services Team Leader would co-ordinate rota visits to observe committee meetings once she had returned from sick leave.

The minutes were approved, subject to corrections in minute numbers 57, 58 and 62, as moved and seconded by Ken Molyneux and Councillor Woolley.

### **RESOLVED:**

That subject to the amendments, the minutes be approved and signed by the Chairman as a correct record.

## **65. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

None.

## **66. DISPENSATIONS**

None.

## **67. REVIEW OF MEMBER/OFFICER PROTOCOL**

The Monitoring Officer presented a report to consider updates to the Member/Officer Protocol as part of the Committee's rolling review of the Constitution. In addition to reflecting changes in working practices, the proposed amendments took account of recent work on the Flintshire Standard, the review of handling Member queries and the outcome of the Case Tribunal recently reported to the Committee. Once agreed, the proposed changes would be reported to Constitution & Democratic Services Committee for recommendation to Council for adoption.

In response to a question from Councillor Heesom, the Monitoring Officer referred to the recently updated Officers' Code of Conduct which was available within the Constitution. Any Member with a concern could raise it with the officer - or their line manager who was required to address any potential breaches against the standards. As employees had the right for disciplinary issues to be handled in confidence, the Member could only be given a high-level summary of the outcome as feedback.

The following amendments to the protocol were agreed:

- Section 7.3: Remove 'to' from the first sentence. 'Lead Members' to be removed and include reference to Chairs of Audit, Licensing and Planning to reflect the varying levels of support provided. No capital letter needed for 'services' in the final sentence.
- Capital letter for 'Members' in sections 5.3, 7.2, 9.1, 9.2 and 10.3.
- Section 9.2: insert 'key' before 'decisions under delegated powers'.
- Section 14.2: should read 'in relation to'.

The recommendations were moved by Councillor Woolley and seconded by Phillipa Earlam.

### **RESOLVED:**

That the amended Protocol be recommended to Council for adoption.

## **68. SUB-COMMITTEE OF THE STANDARDS COMMITTEE**

The Monitoring Officer presented a report to consider the merits of establishing a sub-committee to determine dispensation requests in the event of there being no other convenient meeting of the full Committee. This followed the meeting in January which, having been initially cancelled, was re-convened with the bare minimum quorum in order to consider a single dispensation request.

In explaining the provisions required to set up a sub-committee, the Monitoring Officer advised that this option would offer less flexibility in terms of membership. He went on to say that the Committee met on a monthly basis and that the arrangement in January had worked well.

Members spoke in support of this suggestion and wished to continue with the current arrangements without the need for a sub-committee. This was moved and seconded by Julia Hughes and Councillor Woolley.

In response to comments from the Chairman, the Monitoring Officer gave assurance that Members were reminded of the need to submit dispensation requests as early as possible.

**RESOLVED:**

That the Committee agrees that a sub-committee is not required.

**69. FORWARD WORK PROGRAMME**

The Monitoring Officer presented the current Forward Work Programme for consideration. The following changes were agreed:

Items for inclusion in the list 'to be scheduled':

- The Public Services Ombudsman for Wales (PSOW) Casebook.
- A review of the proforma to assist Independent Members observing Council meetings.
- Feedback from those visits.

Items shown on the Forward Work Programme but not yet scheduled:

- Annual Report of the Adjudication Panel for Wales - to remain on the list until publication of the next report.
- Dispensations process at Gwynedd and Ynys Mon Councils - to be scheduled for 27 April.
- Frequency of reporting on the Overview of Ethical Complaints - to be scheduled annually on the anniversary of when last reported.
- Confidential Reporting Procedure - to be removed due to it being under the remit of the Audit Committee.

**RESOLVED:**

That the Forward Work Programme be noted.

**70. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE**

There were no members of the press or public in attendance.

(The meeting started at 6.30pm and ended at 7.25pm)

.....  
**Chairman**

Mae'r dudalen hon yn wag yn bwrpasol

# Eitem ar gyfer y Rhaglen 5



## STANDARDS COMMITTEE

<b>Date of Meeting</b>	Monday, 21 September 2020
<b>Report Subject</b>	Ethics and Governance During Lockdown
<b>Report Author</b>	Chief Officer, Governance

### EXECUTIVE SUMMARY

Until this year local authority meetings operated under legislation requiring the majority of Members to be physically present. As well as being unsafe, the coronavirus restrictions on movement and assembly effectively made such meetings impossible. On 17 March 2020 the Council was forced to cancel all of its Council, Cabinet and Committee meetings for the remainder of the month, and then again for the whole of April. Town and Community Councils likewise cancelled their Member meetings.

Member meetings were gradually restored from May as new models of governance were put into place, and later legislation was passed, that enabled meetings to be held without any physical attendance. Meetings are now taking place via video conference and a full calendar of meetings is due to be restored from September.

The requirement on Councillors to observe the Code of Conduct and, in particular, to declare interests has been operated continuously throughout the temporary governance arrangements. For example, in remote meetings, where a Member declares a personal and prejudicial interest, facility exists to temporarily suspend a Member's participation in a meeting to mirror the effect of leaving the room.

### RECOMMENDATIONS

1	That the Committee is assured that ethical arrangements have been maintained during the response phase of the emergency.
---	--

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE ETHICAL ARRANGEMENTS DURING THE EMERGENCY</b>
1.01	Local authority meetings take place in accordance with legislation laid down in the 1970s. In essence meetings must take place with Members physically present, and meetings are inquorate if the number of Members drops too low. This was modified by the Local Government (Wales) Measure 2011 which permitted attendance by remote means provided at least 30% of Members were physically present.
1.02	Physical presence at meetings became unsafe due to the risk of catching the virus. Welsh Government passed legislation requiring people to work from home wherever possible, not to meet indoors with anyone from outside of their household (except carers) and not to travel except for limited reasons. All of these factors made Member meetings impossible and from the 17 March the Council was forced to cancel its meetings for the remainder of that month as it responded to the virus. This was then extended to April.
1.03	During that time, officers focussed on responding to the emergency through the regional civil contingency hierarchy, accountable ultimately to Welsh Government. Regular informal teleconferences and video conferences also took place with Cabinet Members and political Group Leaders to ensure that Councillors were consulted and remained engaged in oversight of activity, albeit without formal decision making powers.
1.04	In April, officers devised means of permitting urgent decisions to be made by drawing up a protocol for single executive Members to make a limited range of very urgent decisions. The protocol is attached at Appendix 1. These decisions were made by the Cabinet Members who were advised over the telephone by officers. Five such decisions were made in April and May. The Committee will see that Executive Members were required to declare interests as part of this process and the Monitoring Officer attended every "meeting" to ensure this was observed.
1.05	Legally, only Executive Members can make a decision on their own, and non-executive decisions must be made by Committee (i.e. 2 or more Members meeting collectively). During April it was necessary to make some urgent planning decisions and so officers devised a virtual meeting protocol whereby the Chief Officer Planning, Environment and Economy consulted all Members of the Planning Committee before reaching a decision under emergency delegated powers. The protocol is attached at Appendix 2. Two such meetings took place.
1.06	At the end of April, Welsh Government passed legislation permitting meetings to take place remotely by telephone or video conference with no Members physically present. This enabled the Council to restore some Member meetings. Due to the time commitments of managing the emergency, a small, but growing, range of meetings were initially restored. The "Response Phase" is now coming to an end and the Council is moving



	in to the Recovery Phase. The range of meetings will continue to grow and full resumption of all meetings will take place in September.
1.07	Although there was a relatively low level of Member activity during the Response Phase, Councillors continued to seek and be given ethical advice. When making Individual Cabinet Member decisions each Councillor was asked to declare any interests prior to considering the report, and Members sought/were given advice on ethical issues, planning matters etc.
1.08	Members must also declare interests at remote meetings in the usual way. If a Member declares a personal and prejudicial interest in an item then she/he will be “moved to the lobby” during that item. This temporarily suspends their ability to participate in the meeting, thereby mirroring the effect of leaving the room. When that item is concluded, the Member is restored to full participation.
1.09	Town and Community Councils operate under the same legislation as the County Council. They therefore suspended their Council and Committee meetings as well. When the legislation was passed enabling meetings to take place by telephone or video conference many did not immediately have the technical expertise or capacity to arrange remote meetings. They have started to hold meetings more frequently as they have got to grips with the technology. However, for most Town and Community Councils, meetings have resumed more slowly than at the County Council.
1.10	The reduction in the number of Member meetings has seen a corresponding reduction in the need for dispensations. No requests for dispensation were received from any Councillors prior to the end of August.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Officer capacity and resources have been stretched meeting the demand for new governance methods and legislation during the emergency. It would not have been possible to have managed the workload without the reduction in Member meetings.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	None.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	During the Response Phase the risk of non-compliance with the Code of Conduct has been greatly reduced by the absence of Member meetings. The Monitoring Officer and Deputy Monitoring Officer have also continued

	to provide advice so that the governance arrangements were appropriate and compliant with the Code.
--	---

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Individual Cabinet Member Meeting Protocol Appendix 2 – Virtual Planning Committee Protocol

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	None  <b>Contact Officer:</b> Gareth Owens, Chief Officer, Governance <b>Telephone:</b> 01352 702344 <b>E-mail:</b> <a href="mailto:Gareth.Legal@flintshire.gov.uk">Gareth.Legal@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Response Phase:</b> Under civil contingency legislation the period when the risk to life and property is at its highest, and public services are focussed on tackling the immediate effects of the emergency, is known as the Response Phase  <b>Recovery Phase:</b> The period following the Response Phase when public services seek to return service delivery to “normal” (or as close to normal as possible) and when they begin to address the long term implications of the emergency.

**Individual Cabinet Member (ICM) decision making –  
Guidance for Cabinet and non-executive Members.**

1. In order to comply with current government guidance designed to delay the spread of the COVID 19 coronavirus, the Leader of the Council has delegated power to Individual Cabinet Members to make decisions in very limited circumstances, namely that it would harm the Council's or public's interests to wait until collective meetings of Cabinet are able to resume. The power will be used sparingly.
2. Individual Cabinet Members may decide any matter that would normally be determined by the Cabinet acting collectively subject to complying with all the following conditions:
  - a) decision to be taken is sufficiently urgent that it would prejudice the Council's and/or public's interests if it were not made; and
  - b) the decision to be taken falls within the Areas of Responsibility for that Cabinet Member as defined within the scheme of delegations; and
  - c) that the Cabinet Member has consulted with the following people
    - i. The Leader of the Council or Deputy Leader of the Council;
    - ii. any other Cabinet Member upon whose Areas of Responsibility the decision may impact;
    - iii. the Chief Executive and any relevant Chief or Statutory Officer.
3. Decisions will be taken by Individual Cabinet Members on the dates that Cabinet meetings would have been held (14.04.20; 12.05.20; 16.06.20; 14.07.20) However, they may be held on other dates where that is necessary.
4. 3 clear days before the decision is due to be made reports will be published on the Council's website under the heading "Individual Cabinet Member Reports for Decision" and will be emailed to all Members of the Council.
5. The facilitator/advisor to the appropriate Overview & Scrutiny Committee will contact the Chair of that Committee to proactively seek their views on the report at the same time that it is emailed to all Members of the Council.
6. Non-executive Members need to consider the proposed report before the date on which the Cabinet Member is due to make the decision. If a non-executive Member wishes to make representations about the proposed decision, those representations must be made in writing (in email form) and must be received by the Democratic Services Manager no later than the appointed time and date for the decision to be made.
7. The Democratic Services Manager will bring any representations made in time by the relevant Overview & Scrutiny Committee Chair, non-executive Members or members of the public to the attention of the Cabinet Member so that they may be taken into

account before making the decision.

8. Cabinet Members still need to consider whether they have an interest under the Councillors' Code of Conduct before taking a decision.
  - a. If the Cabinet Member has a personal interest it must be noted on the decision record and the decision can be taken by the Cabinet Member.
  - b. Where a Cabinet Member has a personal and prejudicial interest in a decision, then that decision will be taken by the Leader of the Council or the Deputy Leader of the Council instead, noting that if the Leader of the Council has a personal & prejudicial interest, then the decision will be taken by the Deputy Leader of the Council and vice versa.
9. The Democratic Services Manager will arrange a telecom with the Cabinet Member, the Chief Executive, the s.151 and Monitoring Officers and the relevant Chief Officer. The officers will advise the Cabinet Member and answer any questions.
10. When making a decision in accordance with this Scheme of Delegation, the relevant Cabinet Member shall:-
  - a. Take into consideration the advice of all relevant Council Officers and other Cabinet Members where appropriate, as well as any representations received from the Chair of the appropriate Overview & Scrutiny Committee, non-executive Members and/or members of the public (if any) in relation to the proposed decision;
  - b. Fully consider the report before making any decision;
  - c. Make a note in the form provided at the end of the report of
    - i. Any interest declared under the code of conduct
    - ii. The decision in respect of the report
  - d. The Cabinet member must then sign the form and return it to the Democratic Services Manager with a copy to the relevant Officer who prepared the report.
11. When considering the report, the Cabinet Member will be reminded that they have the full range of decisions open to them, without constraint. They will be able to accept the recommendations, reject the recommendation or defer the decision if they consider that more information is required. The Democratic Services Manager will then publish the Record of Decision on the website and circulate it to all Members of the Council.

**IN RESPONSE TO THE INABILITY TO HOLD AND UNDESIRABILITY OF HOLDING MEETINGS AS A RESULT OF THE COVID 19 PANDEMIC:-**

**PROCESS FOR THE DETERMINATION OF URGENT PLANNING APPLICATIONS THAT WOULD USUALLY BE DETERMINED AT PLANNING COMMITTEE (the Committee)**

1. The views of the local members for urgent applications will be sought and those members will be asked if they wish to submit a statement to be circulated to members of the Committee.
2. Members of the public who have responded to consultation on urgent applications will be asked if one of them wishes to provide a written statement to set out the views of those who have made requests to speak. The person nominated to provide a written statement will be nominated in the same way speakers at the Committee would have been. Any such statements will be circulated to members of the Committee.
3. The applicant and agent for the urgent application will be asked if they wish to submit a written statement in support of their proposal. Any such statements will be circulated to members of the Committee.
4. The planning reports that are urgent will be attached to an email to members of the Committee and will be published on the Council's website.
5. The reports will be drafted by the relevant planning officer, who has been dealing with the urgent application, and that officer will make a recommendation to the Chief Officer (Planning, Environment and Economy) (the CO).
6. Links to the application documents and photographs, which would normally have been displayed at Committee, as part of the presentation for each urgent application, will be sent to members of the Committee.
7. Members of the Committee will be asked to read the urgent reports, any statements and other information sent to them relating to the urgent application and provide their representations in writing, by email to the CO, before a prescribed deadline.

8. Members of the Committee will be requested to set out the following information for each report:
  - a) whether they would be minded to vote in favour of the officer's recommendation; or
  - b) whether they would be minded to vote against the officer's recommendation, and if so to clearly set out reasons why, or
  - c) whether they would be minded to vote in favour of the officer's recommendation, but subject to clarification of certain issues, and to set out those issues.
9. Members of the Committee who choose option 8 c) above will be contacted by email by the CO to clarify the issues of concern and legal input will be provided if needed.
10. If no further communication is received by a prescribed deadline in response to step 9 the CO will assume those members of the Committee are content with the clarification provided and that they would be minded to vote in favour of the officer's recommendation.
11. In most cases the CO is likely to give significant weight to the views of Committee members.
12. The decision will be made by the CO in consultation with the Chair of the Council, the Leader and the Chair of the Committee.
13. Confirmation of the decisions made will be sent by email to members of the Committee, the local member and all others who have provided statements referred to at steps 2 and 3.

There is a draft email for consideration that may be circulated to members if this process is adopted.

# Eitem ar gyfer y Rhaglen 6



## STANDARDS COMMITTEE

<b>Date of Meeting</b>	Monday, 21 September 2020
<b>Report Subject</b>	Review of Dispensation Procedures at Anglesey and Gwynedd Councils
<b>Report Author</b>	Deputy Monitoring Officer

### EXECUTIVE SUMMARY

There are no statutory procedures in place for dealing with applications for dispensations and every Standards Committee implements its own arrangements.

The Committee considered that it would be useful to explore what processes other Councils in North Wales have for dealing with applications for dispensations. This report reviews the processes and procedures for dealing with dispensations at Anglesey County Council and Gwynedd County Council with a focus on applications during 2019/20.

The report will identify the number and nature of applications dealt with during 2019/20, the process and procedures for dealing with the applications and the decisions reached.

### RECOMMENDATIONS

1	To note the processes and procedures for dealing with applications for dispensations by County Councillors and Town and Community Councillors at Anglesey and Gwynedd.
---	--

### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE DISPENSATION PROCEDURE</b>
1.01	<u>Anglesey</u> Procedure for considering applications for dispensations.

	<p>Anglesey County Council have a specific dispensations Panel of the Standards Committee who schedule meetings to consider applications for dispensations by their County and Town and Community Councillors, that fall between full Standards Committee meetings. Full Standards Committee meetings are held twice a year. A report is taken to the Standards Committee full meetings to explain the dispensations that have been considered by the panel since the last full Standards Committee meeting.</p>
1.02	<p>The Standards Committee has established an arrangement whereby a Panel of three members may be called to deal with any application received between meetings of the full Standards Committee. Applications received from County Councillors may be heard by any three independent County Council members (so long as the independent members are in the majority) and applications from Town/Community Councillors are to be heard by independent members and Town/Community Council members (independent members to again be in the majority).</p>
1.03	<p>During 2019/20 Anglesey County Council held four meetings of their dispensations panel on 28th January, the 7<sup>th</sup> and the 29<sup>th</sup> of March and the 18<sup>th</sup> of July and dealt with ten applications for dispensations in total throughout that year. They granted all ten of those dispensations. The extent of dispensations granted included nine dispensations to speak at meetings and to officers, write to officers and to vote. One application was granted on a number of grounds (pursuant to the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001): (d.f.g and i), eight were granted on statutory ground (a), on the basis that more than half of the members of the Community Council by which the business is to be considered has an interest which relates to that business. One dispensation was granted to speak at meetings and to officers and to write to officers, but not vote. This application was granted on statutory ground (b) on the basis that no fewer than half of the members of the Executive has an interest which relates to the business and (d) the nature of the members' interest is such that his participation would not damage public confidence. The last was granted on statutory grounds (d) and (f). All ten dispensations related to the school modernisation programme in the Amlwch area.</p>
1.04	<p>The process for consideration of applications for dispensations are similar to that of Flintshire County Council's Standards Committee. Applicants are invited to attend the meeting of the dispensations panel so that they can explain the reason for their application and members of the panel can ask any questions. They are then asked to leave the meeting whilst the panel debates and makes a decision, and whilst any necessary advice is given by their Monitoring Officer. They are then invited back into the meeting for the decision to be explained verbally and the decision is then followed in writing when, if a dispensation is granted, it will take effect.</p>
1.05	<p><b><u>Gwynedd</u></b></p> <p>On the 1<sup>st</sup> of October 2018 a report of the Monitoring Officer was taken to their Standards Committee inviting the Committee to discuss and decide whether to amend the procedure for applications for dispensations. At that</p>



	time their procedure was to receive a written report from the Monitoring Officer, along with a copy of the application form, as well as any additional information received by officers from the applicant when the applicants were contacted to discuss their application.
1.06	<p>The members of the Committee were asked to consider the propriety of allowing those applying for dispensations to appear before the Committee. They considered three options:-</p> <ol style="list-style-type: none"> <li>1. To allow applicants to appear before the Committee and submit their applications in person. However, the report highlighted that this would increase the risk of receiving additional information on the day that would not have been sufficiently scrutinised;</li> <li>2. To allow applicants to appear before the Committee to further explain their application by answering questions only;</li> <li>3. To continue with the current procedure based on a written report by the Monitoring Officer, along with a copy of the application form, as well as any additional information received by officers after contacting the applicant.</li> </ol>
1.07	<p>The Committee resolved as follows (and that has been the process/ procedure of Gwynedd's Standards Committee for consideration of applications of dispensations since) :-</p> <p>(a) To allow those applying for dispensations to attend meetings of the Standards Committee to answer possible questions by the Committee only, if they wish.</p> <p>This was on condition that:-</p> <ol style="list-style-type: none"> <li>1. Applicants are not allowed to present their case;</li> <li>2. Applicants are expected to have completed their application forms comprehensively and accurately;</li> <li>3. The Committee will allow applicants to have a dispensation to be present at the meetings to answer questions about their application.</li> </ol>
1.08	<p>Gwynedd Council held three meetings of the Standards Committee in 2019/20 having resolved, at the same meeting, to reduce the annual number of meetings from four to three a year, with the right to convene an urgent meeting if required e.g. to consider applications for dispensations.</p> <p>Their process is therefore similar to the process followed by Flintshire's Standards Committee, save that where applicants appear at the Standards Committee in respect of their application for a dispensation, they are invited to present the facts behind their application, as well as to answer questions raised by members of the Committee.</p>
1.09	<p>During 2019/20, Gwynedd's Standards Committee heard one application for a dispensation which was refused. This number is low compared with previous years.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	N/A

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Draft report sent to Monitoring Officers of Anglesey and Gwynedd Councils.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	N/A

<b>5.00</b>	<b>APPENDICES</b>
5.01	N/A

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Standards Committee reports and minutes at Anglesey and Gwynedd Councils.  <b>Contact Officer:</b> Matthew Georgiou, Deputy Monitoring Officer <b>Telephone:</b> 01352 702330 <b>E-mail:</b> <a href="mailto:matthew.georgiou@flintshire.gov.uk">matthew.georgiou@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	N/A

# Eitem ar gyfer y Rhaglen 7



## STANDARDS COMMITTEE

<b>Date of Meeting</b>	Monday, 21 <sup>st</sup> September 2020
<b>Report Subject</b>	Forward Work Programme
<b>Report Author</b>	Chief Officer (Governance)

### EXECUTIVE SUMMARY

The Committee regularly tends to receive reports on a cyclical basis enabling it to complete scheduled work over a period of time or allowing it to build up and maintain its knowledge. That work tends to fall into broad categories

- 1) Promoting compliance with the Code;
- 2) Reviewing codes, protocols and processes;
- 3) Information about the operation of the ethical process;
- 4) Decisions on the effective running of the Committee itself.

These reports can be scheduled so that the work programme gives due attention and weight to each aspect of the Committee's functions during the course of a year. Structuring the work programme also gives an opportunity to re-examine the frequency of meetings which is unusually high within Mid and North Wales.

### RECOMMENDATIONS

1	That the Committee schedules its principal meetings every other month with reserved dates in the intervening months in case it needs to determine any requests for dispensation.
2	That the Forward Work Plan at Appendix 2 is approved.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE COMMITTEE'S WORK PROGRAMME</b>
1.01	The Committee receives reports on a cyclical basis with items repeated throughout the year and some work being spread over a whole Council term. This enables the Committee to build up its knowledge of the matters within its terms of reference, keep up to date and pace its work over time.
1.02	The table at Appendix 1 shows the items considered by the Committee at each of its meetings since June 2017 i.e. the last 3 full municipal years. In addition to the items listed, every meeting considers dispensations and the Forward Work Plan (FWP). It is possible to categorise the work as follows: 1) <b>Promoting compliance with the Code</b> e.g. deciding dispensations, the annual meeting with Town and Community Councils, the liaison meetings with the Chair and Leader of Council, planned training for Councillors etc.; 2) <b>Reviewing codes, protocols and processes</b> e.g. the rolling review of the codes/protocols within the Constitution, visits to Town & Community Council meetings etc.; 3) <b>Information about the operation of the ethical process</b> e.g. the overview of ethical complaints, the annual report from the PSOW/APW and the PSOW case book etc.; 4) <b>Decisions on the effective running of the Committee itself</b> e.g. managing recruitment to the Committee, briefing/de-briefing for the NMWW Standards Forum, agreeing the Forward Work Programme etc.
1.03	The cyclical nature of the work enables it to be scheduled in advance and in so doing to spread a task across several meetings, or even, in the case of the review of codes/protocols, across the whole of a Council term. In turn it also gives the Committee the ability to plan its workload over fewer meetings in the confidence that nothing will be overlooked.
1.04	The Committee is aware that, at 8 – 10 meetings per year, it meets more often than any other Standards Committee in Mid and North Wales. Managing the impacts of the pandemic has increased workloads for officers, and it would be helpful to reduce the frequency of meetings.
1.05	Using the above categories of work it is possible to compile a FWP that addresses the Committee's full terms of reference in 6 principal meetings through the year. At each meeting the Committee could consider 2 – 3 items of work in the first 3 categories. Additionally, it could also consider dispensation requests and any reports relating to the running of the Committee which, by their nature, tend to be quicker to write and consider.
1.06	Meetings could be scheduled every 2 months, with a slot reserved in the intervening months in case of requests for dispensation. A suggested FWP based on this approach is attached at Appendix 2 for consideration.
<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Preparing reports for the Committee is undertaken almost exclusively by the Monitoring Officer and Deputy Monitoring Officer. Allowing for

	despatch deadlines there is usually just 3 weeks between one meeting taking place and the agenda being sent out for the next. With the additional workload caused by managing the response to the pandemic and the recovery period that frequency is unsustainable.
--	---

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
-------------	---

3.01	The Committee can agree to set its own meeting frequency.
------	---

<b>4.00</b>	<b>RISK MANAGEMENT</b>
-------------	------------------------

4.01	The key risks associated with setting the Committee's FWP are that it: <ul style="list-style-type: none"> <li>1) does not allow sufficient time thereby compromising the efficacy of the standards regime. This risk has been mitigated by reviewing the previous 3 years' workload to ensure that estimates are evidenced based and accurate;</li> <li>2) allows too much time thereby incurring unnecessary cost and inconvenience, or, requiring work to be contrived to keep it busy. Again, this has been mitigated by the review of previous work.</li> </ul>
------	---

<b>5.00</b>	<b>APPENDICES</b>
-------------	-------------------

5.01	Appendix 1 – Analysis of the Committee's work since June 2017 Appendix 2 – Draft Forward Work Plan
------	---

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
-------------	--

6.01	None  <b>Contact Officer:</b> Gareth Owens, Chief Officer Governance <b>Telephone:</b> 01352 702344 <b>E-mail:</b> <a href="mailto:gareth.legal@flintshire.gov.uk">gareth.legal@flintshire.gov.uk</a>
------	---

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
-------------	--------------------------

7.01	<b>PSOW</b> – Public Services Ombudsman for Wales, a body set up to investigate complaints of, amongst other things, alleged breaches of the Code of Conduct by Councillors.  <b>APW</b> – the Adjudication Panel for Wales, a tribunal established to determine whether breaches of the Code have occurred and to hear appeals against findings of Standards Committees that a breach as occurred.
------	---

Mae'r dudalen hon yn wag yn bwrpasol

## Appendix 1

<b>Date of Meeting</b>	<b>Reports</b>	<b>Frequency</b>	<b>Type of Report</b>
<b>2017</b>			
5 June	Verbal Update on Membership of the Committee Following the Elections		Running the Committee
	Local Resolution Procedure for T&CCs		Reviewing Processes
	Forward Work Plan	Monthly	Running the Committee
3 July	Reappointment of a T&CC Representative		Running the Committee
	Conduct Training for T&CCs		Promoting Compliance with the Code
	Annual Report by Members		Reviewing Processes
Tud den 23 September	Review of Dispensations		Running the Committee
	Committee Membership – Vacancy on the Committee		Running the Committee
	PSOW Report for 2016/17	Annually	Information on Ethical Regime
	Ombudsman’s Visit to Joint Meeting of the Standards Committee and T&CCs		Running the Committee
2 October	Presentation by the PSOW		Running the Committee
	Review of Dispensations		Running the Committee
	Meeting of the NW Standards Committee Forum		Running the Committee
4 December	Appointment of an Independent Member		Running the Committee
	NW Standards Forum		Running the Committee

Appendix 1

	Decision of Case Tribunal		Information on Ethical Regime
<b>2018</b>			
8 January	Review of Codes and Protocols		Reviewing Processes
	Induction and Training for the Standards Committee		Running the Committee
5 February	Social Media Protocol		Reviewing Processes
	Training for Town and Community Councillors		Promoting Compliance with the Code
	Code of Conduct for School Governors		Promoting Compliance with the Code
April	Visits to T&CCs		Reviewing Processes
	Councillors Annual Reports		Reviewing Processes
4 June	Overview of Ethical Complaints		Information on Ethical Regime
	Review of the Members Code of Conduct		Reviewing Processes
	Training for T&CCs	Annually	Promoting Compliance with the Code
2 July	Report Back from the Standards Committee Forum 29 <sup>th</sup> June 2018		Running the Committee
	Standards Conference – For Information		Running the Committee
1 October	Adjudication Panel for Wales Sanctions Guidance		Information on Ethical Regime
	PSOW Annual Report 2017/18	Annually	Information on Ethical Regime



Appendix 1

	PSOW Casebook (July 2018)	Quarterly	Information on Ethical Regime
	North Wales Standards Forum		Running the Committee
12 November	Response from Welsh Government to a Request for Increased Sanctions		Information on Ethical Regime
	Updated Guidance on the Use of Social Media from WLGA		Reviewing Processes
	Visits to T&CCs by Independent Members		Reviewing Processes
	Overview of Ethical Complaints	Quarterly	Information on Ethical Regime
	The Annual Report of the Adjudication Panel for Wales for 2016/17	Annually (when published)	Information on Ethical Regime
3 December	Visits by Members to T&CCs		Reviewing Processes
<b>2019</b>			
25 January	The Council's Planning Code of Practice		Reviewing Processes
	Officers Code of Conduct		Reviewing Processes
	Reports from Independent Member Visits to T&CCs		Reviewing Processes
4 February	Overview of Ethical Complaints	Quarterly	Information on Ethical Regime
	Councillor Training 2018		Promoting Compliance with the Code
	Reports from Independent Member Visits to T&CCs		Reviewing Processes
4 March	PSOW Code of Conduct Casebook Issue 18 (July – September 2018)	Quarterly	Information on Ethical Regime

Appendix 1

	Reports from Independent Member Visits to T&CCs		Reviewing Processes
29 April	Reports from Independent Member Visits to T&CCs		Reviewing Processes
	Overview of Ethical Complaints	Quarterly	Information on Ethical Regime
	Standards Committee Independent Members		Running the Committee
3 June	PSOW Casebook Issue 19 (October – December 18)	Quarterly	Information on Ethical Regime
	Adjudication Panel for Wales – Breach of the Code of Conduct of Monmouthshire County Council		Information on Ethical Regime
	Reports from Independent Member Visits to T&CCs		Reviewing Processes
Tudalen 26 July	Update on the Community Asset Transfer Progress		Reviewing Processes
	Reports from Independent Member Visits to T&CCs		Reviewing Processes
	Feedback on the N&MW Standards Forum		Running the Committee
2 September	Reports from Independent Member Visits to T&CCs		Reviewing Processes
	Review of the Flintshire Standard		Reviewing Processes
	Standards Committee Forum for North and Mid Wales		Running the Committee
	PSOW Casebook Issue 20 (Jan – March 2019)	Quarterly	Information on Ethical Regime
	Update on the Community Asset Transfer Progress		Reviewing Processes
30 September	Items Raised by T&CCs		Reviewing Processes
	Reports from Independent Member Visits to T&CCs		Reviewing Processes

Appendix 1

	Feedback from Independent Members Visits to T&CCs		Reviewing Processes
	The Role of a Councillor		Reviewing Processes
4 November	Reports from Independent Member Visits to T&CCs		Reviewing Processes
	Liaison with the Council on Ethical Issues		Promoting Compliance with the Code
	PSOW Casebook Issue 21 (April – June 2019) and Issue 22 (July – September 2019)	Quarterly	Information on Ethical Regime
	Update on the Vacancy for an Independent Member		Running the Committee
2 December	Feedback from T&CCs on Independent Member Visits		Reviewing Processes
<b>2020</b>			
6 January	N/A		
February	Liaison on Ethical Issues with the Council	Quarterly	Promoting Compliance with the Code
Tidallen 27	Standards Committee Forum for N&MW		Running the Committee
	Conduct Issues Arising from the Election		Information on Ethical Regime
	Hearing Before the Adjudication Panel for Wales		Information on Ethical Regime
2 March	Review of Member/Officer Protocol		Reviewing Processes
	Sub-Committee of the Standards Committee		Running the Committee

Mae'r dudalen hon yn wag yn bwrpasol

**FLINTSHIRE COUNTY COUNCIL – STANDARDS COMMITTEE – FORWARD WORK PROGRAMME 2020/21**

Tudalen 29

<b>Date of Meeting</b>	<b>Topic</b>	<b>Notes/Decision/Action</b>
<b>March 2022</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Overview of Ethical Complaints</li> <li>• Forward Work Plan</li> </ul>	
<b>January 2022</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Independent member visits to meetings</li> <li>• Forward Work Plan</li> </ul>	
<b>November 2021</b> Joint meeting with T&CCs	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Overview of Ethical Complaints</li> <li>• PSOW Annual Report/Casebook</li> <li>• Forward Work Plan</li> </ul>	
<b>September 2021</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Standards Forum &amp; ethical liaison pre briefing</li> <li>• Forward Work Plan</li> </ul>	
<b>July 2021</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Overview of Ethical Complaints</li> <li>• Independent member visits to meetings</li> <li>• Forward Work Plan</li> </ul>	
<b>May 2021</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• PSOW Casebook</li> </ul>	

	<ul style="list-style-type: none"> <li>• APW Annual Report</li> <li>• Standards forum &amp; ethical liaison debriefing</li> <li>• Forward Work Plan</li> </ul>	
<b>March 2021</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Overview of Ethical Complaints</li> <li>• Review of Protocol for meeting Contractors</li> <li>• Forward Work Plan</li> </ul>	
<b>January 2021</b>	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• Review Protocol on the Production of Councillor Newsletters</li> <li>• Independent Member visits to meetings</li> <li>• Standards Forum &amp; ethical liaison pre-briefing</li> <li>• Forward Work Plan</li> </ul>	
<b>November 2020</b> Joint Meeting with T&CC	<ul style="list-style-type: none"> <li>• Training</li> <li>• Dispensations</li> <li>• PSOW Annual Report/Casebook</li> <li>• Overview of Ethical Complaints</li> <li>• Forward Work Plan</li> </ul>	
<b>September 2020</b>	<ul style="list-style-type: none"> <li>• Training on LDP</li> <li>• Dispensations for LDP</li> <li>• Review of Dispensation Procedures</li> <li>• Forward Work Plan</li> </ul>	