

Pecyn Dogfen Gyhoeddus



Swyddog Cyswllt:
Sharon Thomas / 01352 702324
sharon.b.thomas@flintshire.gov.uk

At: Robert Dewey (Cadeirydd)

Y Cyngorwyr: Patrick Heesom, Paul Johnson ac Arnold Woolley

Aelodau Cyfetholedig:

Jonathan Duggan-Keen, Phillipa Earlam, Julia Hughes, Kenneth Molyneux a Mark Morgan

5 Ionawr 2021

Annwyl Gynghorydd

HYSBYSIAD O GYFARFOD ANGHYSBELL
PWYLLGOR SAFONAU
DYDD LLUN, 11EG IONAWR, 2021 AM 6.30 PM

**** Bydd y sesiwn hyfforddiant ar gyfer aelodau'r Pwyllgor Safonau yn cael ei chynnal o 6.00pm tan 6.30pm**

Yn gywir

Robert Robins
Rheolwr Gwasanaethau Democrataidd

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 Democrataidd ar 01352 702345.

R H A G L E N

1 YMDDIHEURIADAU

Pwrpas: I dderbyn unrhyw ymddiheuriadau.

2 DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)

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

3 COFNODION (Tudalennau 5 - 14)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfodydd ar 20 Hydref, 2 Tachwedd a 30 Tachwedd 2020.

4 GODDEFEBAU

Pwrpas: Derbyn unrhyw geisiadau am oddefebau.

Bydd aelodau'r wasg / y cyhoedd yn gallu aros yn y cyfarfod 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 PRESENOLDEB AELODAU ANNIBYNNOL YMWELIADAU Â CHYFARFODYDD PWYLLGOR (Tudalennau 15 - 20)

Pwrpas: Bod y Pwyllgor yn cytuno ar rota o ymweliadau mewn Cyfarfodydd Pwyllgor a'r canllawiau ar sut y dylid eu cynnal.

6 RECRIWTIO AELODAU ANNIBYNNOL I'R PWYLLGOR SAFONAU (Tudalennau 21 - 24)

Pwrpas: Cytuno ar amserlen a phroses ar gyfer recriwtio Aelodau Annibynnol i'r Pwyllgor.

7 SESIWN FRIFFIO CYN Y CYFARFOD CYSWLLT MOESEGOL A FFORWM SAFONAU (Tudalennau 25 - 28)

Pwrpas: Ceisio safbwyntiau'r Pwyllgor ar faterion i'w codi yng nghyfarfodydd nesaf y Fforwm Safonau Gogledd a Chanolbarth Cymru a'r cyfarfod bob dwy flynedd gyda'r Cadeirydd ac Arweinydd y Cyngor.

8 ADOLYGU PROTOCOL CYNHYRCHU NEWYDDLENNI CYNGHORWYR
(Tudalennau 29 - 34)

Pwrpas: Mae hyn yn rhan o adolygiad treigl o godau a phrotocolau a gynhelir gan y Pwyllgor i sicrhau eu bod yn gyfredol ac yn berthnasol.

9 RHAGLEN GWAITH I'R DYFODOL (Tudalennau 35 - 38)

Pwrpas: Er mwyn i'r Pwyllgor ystyried testunau i'w cynnwys ar y Rhaglen Gwaith i'r Dyfodol.

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 3

STANDARDS COMMITTEE **20 OCTOBER 2020**

Minutes of the remote meeting of the Standards Committee of Flintshire County Council held on Monday, 20 October 2020.

PRESENT: Rob Dewey (Chairman)

Councillor: Patrick Heesom

Co-opted member: Julia Hughes

IN ATTENDANCE: Monitoring Officer, and Democratic Services Officers

09. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

10. DISPENSATIONS

The Monitoring Officer provided background information to explain why dispensations had been submitted by Councillor Veronica Gay, Councillor Richard Lloyd, and Councillor Stephen Rodham (Saltney Town Council), for consideration in relation to applications for grant funding by Saltney Town Council.

Councillor Veronica Gay

As Councillor Gay was not present the Monitoring Officer introduced the dispensation request. He explained that an application for grant funding from Wood Memorial Primary School, Saltney, had been approved by Saltney Town Council. In addition a notice of motion proposed that equivalent grant funding be made to Saltney Town Council by St. David's High School, Saltney, and St. Anthony's Primary School, Saltney. The Monitoring Officer explained that he had advised Councillor Gay that as she did not have a personal or prejudicial interest in the funding for the other two schools she did not need to be granted a dispensation. The Monitoring Officer suggested that if the Committee agreed he would write to Councillor Gay to confirm that she did not have a personal and prejudicial interest in funding for St. David's High School or St. Anthony's Primary School by virtue of paragraph 12 (a) iv of the Code and therefore could not be granted dispensation. This was agreed by the Committee.

Councillor Richard Lloyd

As Councillor Lloyd was not present the Monitoring Officer introduced the dispensation request. He gave background information and advised that Councillor Lloyd was a school governor at St. David's High School, Saltney, and

therefore had a personal and prejudicial interest in matters relating to St. David's High School when considered at Saltney Town Council.

Councillor Stephen Rodham

As Councillor Rodham was not present the Monitoring Officer introduced the dispensation request. He provided background information and advised that Councillor Rodham was a school governor, appointed by Saltney Town Council, at St. Anthony's Primary School, Saltney. He explained that Councillor Rodham did not have a prejudicial interest by virtue of paragraph 12 of the Code in relation to matters regarding St. Anthony's Primary School, when considered at Saltney Town Council. However, Councillor Rodham was also a school governor at St. David's High School, Saltney, and had a prejudicial interest when matters regarding St. David's High School were being debated at Saltney Town Council. The Monitoring Officer clarified that Councillor Rodham was a Town Councillor not an elected member of the County Council and therefore could not cite a personal interest in relation to St. David's High School.

The Committee considered the level of dispensations sought and the relevant paragraphs for which dispensation was requested by Councillor Lloyd and Councillor Rodham in their applications. The Monitoring Officer provided advice and guidance to the Committee.

Julia Hughes proposed that Councillor Richard Lloyd and Councillor Stephen Rodham be granted dispensation to write to, speak, and/or answer questions at Council/Committee meetings in relation to the notice of motion to award grant funding by Saltney Town Council to St. David's High School and St. Anthony's Primary School. It was further proposed that Councillor Lloyd and Councillor Rodham not remain in the room during any debate but be allowed to report back to answer questions arising from the debate. The dispensations to be granted for 12 months. This was agreed by the Committee.

The recommendations were moved by Julia Hughes and seconded by Councillor Patrick Heesom.

RESOLVED:

- (a) That the Monitoring Officer writes to Councillor Veronica Gay to inform her that she did not have a personal and prejudicial interest in the notice of motion to award grant funding to St. David's High School, Saltney, and St. Anthony's Primary School, Saltney, by virtue of paragraph 12 (a) iv of the Code and therefore could not be granted dispensation;
- (b) That Flintshire County Councillor Richard Lloyd be granted dispensation under paragraph (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to write to, speak and/or answer questions at Council/Committee meetings in relation to the notice of motion to award grant funding to St. David's High School, Saltney by Saltney Town Council. Councillor Lloyd is not to remain in the room during consideration of the application but be able to report back to

answer questions arising from the debate. The dispensation to be granted for 12 months ceasing on 19 October 2021 and to extend to any application which, in the opinion of the Monitoring Officer, was substantially similar; and

- (c) That Councillor Stephen Rodham, Saltney Town Council, be granted dispensation under paragraph (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to write to, speak and/or answer questions at Council/Committee meetings in relation the notice of motion to award grant funding to St. Anthony's Primary School, Saltney, and St. David's High School, Saltney, by Saltney Town Council.. Councillor Rodham is not to remain in the room during consideration of the applications but be able to report back to answer questions arising from debate. The dispensation to be granted for 12 months ceasing on 19 October 2021 and to extend to any application which, in the opinion of the Monitoring Officer, was substantially similar.

11. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.00 pm and ended at 6.23 pm)

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Chairman

Mae'r dudalen hon yn wag yn bwrpasol

STANDARDS COMMITTEE
2 NOVEMBER 2020

Minutes of the meeting of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 2 November 2020

PRESENT: Rob Dewey (Chairman)

Councillors:

Patrick Heesom, Paul Johnson and Arnold Woolley

Co-opted members:

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

TOWN AND COMMUNITY COUNCIL REPRESENTATIVES: Councillor Vivienne Blondek of Buckley Town Council, Phillip Parry - Clerk to Caerwys Town Council, David Jones - Youth representative for Hope Community Council, Councillors Sue Delaney and Andy Trumper of Holywell Town Council, Tracey Brown - Clerk - and Councillors Veronica Gay, Richard Lloyd and Aled Roberts of Saltney Town Council

IN ATTENDANCE:

Monitoring Officer, Deputy Monitoring officer, Democratic Services Team Leader and Democratic Services Officer

8. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

9. MINUTES

The minutes of the meeting held on 21 September 2020 were approved, subject to amendments to typographical errors on minute numbers 4 and 6.

Matters Arising

On minute number 5, the Deputy Monitoring Officer advised that a report on the promotion of the Dispensation process at other authorities would be brought to a future meeting.

RESOLVED:

That subject to the two amendments, the minutes be approved as a correct record.

10. DISPENSATIONS

None.

11. ITEMS RAISED BY TOWN AND COMMUNITY COUNCILS

Town and Community Councils had been given the opportunity to raise any items in advance of the meeting: none were received.

12. DIRECTIONS FROM THE PRESIDENT OF THE ADJUDICATION PANEL FOR WALES

The Monitoring Officer presented a report to consider the directions received from the President of the Adjudication Panel for Wales (APW) on the role of the Monitoring Officer at APW proceedings, disclosure and anonymising evidence of witnesses and third parties.

The Monitoring Officer explained that the matter had arisen following his written request to the President of the APW for clarity on the process during tribunal proceedings. He gave an overview of the three practice directions that were subsequently issued which helped to ensure consistency, fairness and transparency at tribunals but were not legally binding. These would need to be considered by the Committee at any future hearings.

Having been moved and seconded by Councillor Paul Johnson and Julia Hughes, the recommendation was carried. Councillor Heesom asked that his abstention from the vote be recorded.

RESOLVED:

That the Committee welcomes the practice directions and agrees to consider applying similar principles (as appropriate) where required to any hearing before the Committee.

13. OVERVIEW OF ETHICAL COMPLAINTS

The Monitoring Officer presented the regular report on the number of ethical complaints alleging a breach of the Code of Conduct which had been submitted to the Public Services Ombudsman for Wales (PSOW).

Since the last report, a total of 16 complaints had been received. As previously agreed, the information was anonymised with references assigned to differentiate between individual Councils and Councillors for each period. Attention was drawn to a single complaint made against nine Councillors at the same time which had to be reported as separate complaints.

In response to questions from Julia Hughes, the Monitoring Officer agreed to check on whether the complaint reference 16/7020 related to a Town or Community Council. On reference 17/7925, he clarified that the missing wording indicated there was no breach of the Code, in line with his advice.

When asked by Councillor Andy Trumper, the Monitoring Officer provided clarification on the target timescales applying to various stages of the process. He also advised that changes within the Adjudication Panel for Wales

may help to speed up the process from referral to the case tribunal hearing stage in future.

The recommendation was moved by Councillor Arnold Woolley and seconded by Julia Hughes.

RESOLVED:

That the number and type of complaints be noted.

14. PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) CASEBOOK ISSUE 23 (OCTOBER 2019-DECEMBER 2019) AND THE ANNUAL LETTER FROM THE PSOW

The Deputy Monitoring Officer introduced the report on the outcomes from the latest publication of the Public Service Ombudsman Wales (PSOW) Code of Conduct Casebook covering October to December 2019. He provided an overview of the two complaints investigated during the period where no action was found necessary.

On the PSOW Annual Letter for 2019/20, the outcomes of the two complaints relating to County Councillors were summarised. It was noted that the 14 complaints against Town/Community Councillors, which were all closed after initial consideration, included nine relating to the same incident.

The recommendations were moved by Phillipa Earlam and seconded by Councillor Paul Johnson.

RESOLVED:

- (a) That having reviewed the cases summarised in Issue 23 of the Casebook, the Committee is satisfied that no action needs to be taken at Flintshire County Council to avoid similar complaints; and
- (b) That having had regard to the PSOW's annual letter and having already considered and acted upon the outcome of the case referred to the APW, and having noted that the other complaints submitted during 2019/20 were not investigated by the Ombudsman, the Committee concludes that no action is needed.

15. FORWARD WORK PROGRAMME

The Monitoring Officer presented the current Forward Work Programme for consideration.

An additional item was required for the January 2021 meeting on the recruitment process for an independent member on the Committee, as the Chairman's final term of office was due to end shortly.

RESOLVED:

That the Forward Work Programme be noted.

16. 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 7.20pm)

.....
Chairman

STANDARDS COMMITTEE
30 NOVEMBER 2020

Minutes of the meeting of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 30 November 2020

PRESENT: Rob Dewey (Chairman)

Councillor: Arnold Woolley

Co-opted member: Julia Hughes

IN ATTENDANCE: Deputy Monitoring Officer and Democratic Services Officer

20. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None.

21. DISPENSATIONS

The Deputy Monitoring Officer provided background information to the dispensation request from Councillor Mike Peers (who was not present) relating to his personal planning application 061720. Having previously been granted permission on an existing planning application on his property, Councillor Peers' subsequent application for an amendment to that extension had been granted under the delegated decision process in error, as applications by elected Members should be determined by the Planning Committee.

To rectify the matter, the item was to be submitted to a forthcoming meeting to enable the Planning Committee to endorse or revoke the planning permission which had been given.

As a member of the Planning Committee, Councillor Peers was seeking dispensation to write and speak to officers on the matter and to write and speak and/or answer questions when the application was heard by the Planning Committee, but to leave before the debate and vote.

22. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

At this point, the Chairman proposed that the meeting move into closed session - as provided for under the Local Government (Access to Information) Act 1985. This was seconded by Julia Hughes.

RESOLVED:

That the press and public be excluded from the meeting as the item was considered to be exempt by virtue of paragraph 18C of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

23. DISPENSATIONS

RESOLVED:

That Flintshire County Councillor Mike Peers be granted dispensation under paragraphs (d) and (f) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to write and speak to officers and to write to Council/Committee meetings but to leave before the debate and vote on planning application 061720. This allows for making verbal and written communications on the matter to officers of Flintshire County Council provided there is at least one witness when speaking to officers, thereby ensuring that there are at least three people involved in the conversation which should be minuted. The dispensation to be granted for 12 months, ceasing on 29 November 2021 and to extend to any application which, in the opinion of the Monitoring Officer, is substantially similar.

24. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

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

(The meeting started at 6.00 pm and ended at 6.25pm)

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Chairman

Eitem ar gyfer y Rhaglen 5



STANDARDS COMMITTEE

Date of Meeting	Monday, 11 January 2021
Report Subject	Independent Member attendance at Committee Meetings
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

In November 2019 the Chair and Vice Chair of the Committee met with the Leader and the Chair of the Council following a best practice recommendation within the report of the Committee on Standards in Public Life in England. It was suggested at the meeting that Independent Members of the Committee should attend Council meetings and Committees in the same way that they had attended Town and Community Council meetings during the course of 2019. At the meeting of the Standards Committee on 3 February 2020 such attendance was agreed by the Committee, and it was further agreed that a rota of visits would be arranged.

There has been a period of time where Council meetings could not take place due to the restrictions arising from the COVID19 Pandemic, and until legislation was passed to allow Council meetings to be held virtually/remotely. Now that all Council meetings are fully operational and taking place as remote meetings, it is appropriate for the Committee to agree a rota of attendance for Independent Members at Council meetings and Committees.

In attending such meetings the following simple guidelines are suggested for how they are conducted for the sake of courtesy and transparency:

- 1) that there should be a published rota of attendance by Independent Members of the Committee;
- 2) that the Chair of each Committee meeting should be told specifically who will attend their meeting;
- 3) that the attendee should not speak at the meeting unless invited to do so by the Chair of the Committee, and if invited to do so should only explain the nature and purpose of the programme of attendance if invited to do so;
- 4) that the attendee should decline to give specific advice on matters under the code such as declaring interests, and should refer any such requests to the Monitoring Officer or deputy Monitoring Officer instead;
- 5) that Independent Members will not be in attendance during the consideration of any confidential reports.

RECOMMENDATIONS

1	That the Committee agrees a rota of attendance and the guidelines for how they should be undertaken.
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REPORT DETAILS

1.00	EXPLAINING INDEPENDENT MEMBER ATTENDANCE AT COMMITTEE MEETINGS
1.01	In November 2019 the Chair and Vice Chair of the Committee met with the Leader and the Chair of the Council following a best practice recommendation within the report of the Committee on Standards in Public Life in England. It was suggested at the meeting that Independent Members of the Committee should attend Council meetings in the same way that they had attended Town and Community Council meetings. At the meeting of the Standards Committee on 3 February 2020 such attendance was agreed by the Committee, and it was further agreed that a rota of visits would be arranged.
1.02	From the end of March 2020 there was a period of time where Council meetings could not take place due to restrictions arising from the COVID19 Pandemic. This remained the case until legislation was passed to allow Council meetings to be held virtually/remotely. Now that all Council meetings are fully operational and taking place as remote meetings it is appropriate for the Committee to agree a rota of attendance for Independent Members at Council meetings and committees.
1.03	The purpose of attendance should be looking to see whether Councillors attending meetings and Committees follow the Members' Code of Conduct, the Flintshire Standard, the Member/Officer Protocol and, at Planning Committee, the Planning Code of Practice. It was agreed that one Independent Member would attend each meeting aside from Full Council meetings, which it was agreed would be attended by two Independent Members of the Committee.
1.04	In attending such meetings the following simple guidelines are suggested for how they are conducted for the sake of courtesy and transparency: 1) that there should be a published rota of attendance by Independent Members of the Committee; 2) that the Chair of each Committee meeting should be told specifically who will attend their meeting; 3) that the attendee should not speak at the meeting unless invited to do so by the Chair of the Committee, and should only explain the nature and purpose of the programme of attendance if invited to do so; 4) that the attendee should decline to give specific advice on matters under the code such as declaring interests, and should refer any such requests to the Monitoring Officer or deputy Monitoring Officer instead; 5) that Independent Members will not be in attendance during the consideration of any confidential reports.

1.05	The Democratic Services Team Leader (Committees) has prepared a rota of the upcoming meetings between the beginning of January 2021 and the end of July 2021 for consideration by Members and to assist Independent Members of the Committee to agree who will attend which meetings and Committees.
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2.00	RESOURCE IMPLICATIONS
2.01	Preparing a rota can be achieved within available resources.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Chairs of all Committees will be contacted in advance to inform them of the rota and proposed attendees.

4.00	RISK MANAGEMENT
4.01	Observation of Council meetings or behaviour of Councillors by Independent Members of the Committee will help inform the work of the Committee and may reduce the risk of poor behaviour at the meeting or in the future.

5.00	APPENDICES
5.01	Appendix 1- Draft rota of meetings between the beginning of January 2021 and the end of July 2021.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None

Mae'r dudalen hon yn wag yn bwrpasol

Committee meeting	Dates of meetings	To be attended by	Date chosen to attend
Audit Committee	27.01.21 24.03.21 02.06.21 28.07.21		
Cabinet	19.01.21 16.02.21 16.03.21 20.04.21 18.05.21 15.06.21 13.07.21		
Community, Housing and Assets Overview and Scrutiny Committee	20.01.21 10.03.21 28.04.21 16.06.21		
Constitution and Democratic Services Committee	27.01.21 24.03.21 09.06.21		
Corporate Resources Overview and Scrutiny Committee	14.01.21 11.02.21 11.03.21 15.04.21 13.05.21 10.06.21 08.07.21		
Education, Youth and Culture Overview and Scrutiny Committee	28.01.21 18.03.21 29.04.21 01.07.21		
Environment and Economy Overview and Scrutiny Committee	09.02.21 09.03.21 13.04.21 12.05.21 08.06.21 06.07.21		

Flintshire County Council	26.01.21 16.02.21 25.02.21 11.05.21 (AGM) 15.06.21	2 Members required	
Licensing Committee	24.02.21 07.07.21		
Planning Committee	03.02.21 03.03.21 31.03.21 28.04.21 26.05.21 23.06.21 21.07.21		
Social and Health Care Overview and Scrutiny Committee	21.01.21 04.03.21 15.04.21 27.05.21 01.07.21		

Independent Members

Rob Dewey (due to retire from Standards 31.03.21)

Julia Hughes

Mark Morgan

Jonathan Duggan-Keen

Ken Molyneux

Phillipa Earlam

Number of Committees = 11 (plus the requirement for an additional member to attend FCC as detailed in the Standards minutes of 03.03.20 = 12)

Number of Independent Members = 6

Each Independent Member to attend 2 Committee meetings.

Eitem ar gyfer y Rhaglen 6



STANDARDS COMMITTEE

Date of Meeting	Monday 11 th January 2021
Report Subject	Recruitment of Independent Members to the Standards Committee
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Council must appoint people who are not councillors to the Standards Committee called Independent Members. This is so that the Committee is seen to be more independent.

The term of office for one of those co-opted Members runs out in March. The Member is not eligible to be reappointed for a further term. Therefore, they must stand down, as a co-optee cannot serve more than two terms of office under the relevant legislation. In addition, the legislation relating to Standards Committees currently specifies that the second term of office can be a maximum of four years.

The co-optee has worked hard in their role and has made a beneficial contribution to the governance of the Council. Full Council will be asked to approve the establishment of a recruitment panel.

RECOMMENDATIONS

1	The Committee accepts the report and nominates members to the proposed appointment panel.
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REPORT DETAILS

1.00	EXPLAINING THE REQUIREMENT TO APPOINT CO-OPTees																		
1.01	Under the Standards Committee (Wales) Regulations 2001 (as amended) the Committee must include a majority of co-optees (termed “Independent Members” within the legislation). The presence of Independent Members is to ensure that the Committee is visibly impartial and a-political in nature.																		
1.02	Those co-optees must be recruited via advertisement at first, but can be reappointed for a second term without re-advertising the position. An Independent Member can serve a maximum of two terms to ensure that s/he does not become too accepting of the culture within the Council. The maximum second term of office for any Independent Member is 4 years.																		
1.03	<p>The Council appointed a number of co-optees in 2016 following advert with differing terms of office so that the Committee would not lose all of its experienced members in one go. The term of office for each Independent Member expires as follows:</p> <table border="1" data-bbox="304 864 1399 1111"> <thead> <tr> <th data-bbox="304 864 703 898">Independent Member</th> <th data-bbox="703 864 927 898">No. of Terms</th> <th data-bbox="927 864 1399 898">Expiry of Term</th> </tr> </thead> <tbody> <tr> <td data-bbox="304 898 703 931">Robert Dewey</td> <td data-bbox="703 898 927 931">2</td> <td data-bbox="927 898 1399 931">01.03.2021</td> </tr> <tr> <td data-bbox="304 931 703 965">Ken Molyneux</td> <td data-bbox="703 931 927 965">2</td> <td data-bbox="927 931 1399 965">01.12.2022</td> </tr> <tr> <td data-bbox="304 965 703 999">Julia Hughes</td> <td data-bbox="703 965 927 999">1</td> <td data-bbox="927 965 1399 999">12.12.2022</td> </tr> <tr> <td data-bbox="304 999 703 1032">Phillipa Earlam</td> <td data-bbox="703 999 927 1032">2</td> <td data-bbox="927 999 1399 1032">07.05.2023</td> </tr> <tr> <td data-bbox="304 1032 703 1066">Mark Morgan</td> <td data-bbox="703 1032 927 1066">1</td> <td data-bbox="927 1032 1399 1066">27.01.2026</td> </tr> </tbody> </table>	Independent Member	No. of Terms	Expiry of Term	Robert Dewey	2	01.03.2021	Ken Molyneux	2	01.12.2022	Julia Hughes	1	12.12.2022	Phillipa Earlam	2	07.05.2023	Mark Morgan	1	27.01.2026
Independent Member	No. of Terms	Expiry of Term																	
Robert Dewey	2	01.03.2021																	
Ken Molyneux	2	01.12.2022																	
Julia Hughes	1	12.12.2022																	
Phillipa Earlam	2	07.05.2023																	
Mark Morgan	1	27.01.2026																	
1.04	Robert Dewey’s term ends on 1 March. Whilst he is well regarded by the Committee, he cannot serve again.																		
1.05	The Council will need to advertise at least one vacancy. To do so it will need to place adverts in the local press and constitute an interview panel.																		
1.06	Full Council will need to establish an appointment panel and I would suggest that it should consist of the Chair of the Council, 2 Independent Members and an elected Councillor from the Committee. In addition, any panel to appoint a co-optee to the Standards Committee, must include a lay person who has themselves been recruited via advert. This would give the maximum allowed complement of 5.																		
1.07	Full Council meets on 26 January 2021 and will formally establish the panel. Interviews can take place during the latter part of February/early March based on availability of the panel members. The preferred candidate needs to be officially appointed by Full Council. There is a meeting of Full Council on 1 April 2021.																		
2.00	RESOURCE IMPLICATIONS																		
2.01	The Council will need to advertise the vacancy in the local press. The adverts for a similar vacancy last year in the Flintshire Leader and Daily Post cost £6,267.93																		

2.02	The role descriptions and adverts used last time are still available. They have been updated and it will be possible to place an advert quickly.
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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
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3.01	None.
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4.00	RISK MANAGEMENT
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4.01	The interview process includes a number of restrictions on candidates to ensure that only people who are truly independent of the Council may be appointed, and careful interviewing is used to ensure that candidates of the right calibre are selected.
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4.02	Adverts will be placed bilingually in order to attract applications from Welsh speakers, and would be sent to local community groups representing people with disabilities to ensure that no potential candidate is accidentally excluded by the medium through which the vacancies are advertised.
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5.00	APPENDICES
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5.01	None.
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6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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6.01	Not relevant Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: Gareth.legal@flintshire.gov.uk
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7.00	GLOSSARY OF TERMS
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7.01	Co-optee – the Council consists of a Chairman and 69 Members who are all elected. By contrast, legislation sometimes provides for a person to be appointed to a Committee without being elected through a process called co-option.
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Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 7



STANDARDS COMMITTEE

Date of Meeting	Monday, 11 January 2021
Report Subject	Standards Forum & Ethical Liaison Pre-briefing
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

As a matter of good practice the Chair and Vice Chair of the Standards Committee meet the Chair and Leader of Council every 6 months. The meeting scheduled to take place during the response phase of the pandemic was cancelled.

A date and a suggested list of issues to discuss need to be suggested for the next meeting. The meeting would be a good opportunity to discuss how the forthcoming duty on Group Leaders to help promote good standards and co-operate with the work of the Standards Committee could be implemented.

RECOMMENDATIONS

1	That the Committee suggest items for discussion with the Leader and Chair of Council.
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REPORT DETAILS

1.00	EXPLAINING ETHICAL LIAISON MEETINGS
1.01	As suggested by the Committee on Standards In Public Life, the Chair and Vice Chair of the Committee meet with the Chair and Leader of Council to discuss any current issues or concerns relating to standards of behaviour and ethics. The meeting scheduled to take place during the response phase of the pandemic was cancelled, and it is therefore appropriate to arrange a further meeting.

1.02	As with the previous meeting, the purpose of the meeting is to allow the Committee to directly express its views on what Councillors could/should do, if anything, to improve compliance with the Code. At the first such meeting it was agreed to hold further meetings with Group Leaders, who do play a role in helping to establish and maintain standards of behaviour amongst their group members. Before meeting directly with the Group Leaders it would be as well for the Committee to establish with the Chair and Leader of Council expectations for such a meeting, and this next meeting should take place without Group Leaders present.
1.03	The informal role of Group Leaders to promote good behaviour is soon to be recognised in legislation by the Local Government and Elections Wales Bill (“the Bill”) which has been approved by the Senedd and is awaiting Royal Assent before being brought into law. The bill provides that Group Leaders must — “(a) take reasonable steps to promote and maintain high standards of conduct by the members of the group, and (b) co-operate with the Council’s Standards Committee ... in the exercise of the Standards Committee’s functions.”
1.04	The Committee should express its own aspirations for how that role will be fulfilled. This is, of course, “breaking new ground” and so the Committee could provide a lead by setting out its reasonable expectations for how Group Leaders might fulfil this duty e.g. <ul style="list-style-type: none"> • creating a culture of attendance at training by group members; • setting expectations of acceptable behaviour based on the Code and Flintshire Standard; • providing low level advice themselves on code issues; • encouraging group members to speak to the Monitoring/Deputy Monitoring Officer; • working with officers to tackle problems when they arise.
1.05	Independent Committee members are due to observe Council/Committee meetings, and those observations might also help to inform or suggest areas for discussion. It may be that the Committee would wish therefore to suggest the ethical liaison meeting is held once these observations have taken place.

2.00	RESOURCE IMPLICATIONS
2.01	Ethical liaison meetings will take place twice a year and can be supported within existing resources.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	The Leader and Chair of Council plus Group Leaders will be asked if they have any topics they wish to raise.

4.00	RISK MANAGEMENT
4.01	Clearly strategic discussions of this type to help promote observance of the code and maintain standards of behaviour will help to reinforce the culture of good behaviour and high standards.

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Committee on Standards In Public Life – an advisory non-departmental public body, sponsored by the Cabinet Office. It advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. Royal Assent – all legislation is made by the Monarch and every piece of proposed legislation (a Bill) must be signed by the Queen in order to complete its approval process (when it becomes an Act).

Mae'r dudalen hon yn wag yn bwrpasol

Eitem ar gyfer y Rhaglen 8



STANDARDS COMMITTEE

Date of Meeting	Monday, 11 January 2021
Report Subject	Review Protocol on the Production of Councillor Newsletters
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

Most Councillors within Flintshire produce their own newsletters periodically as part of their “social contract” with the electorate. Typically, they do so out of their own means. Some newsletters are quite extensive and are part funded by advertising revenues. The current protocol reflects this culture of self-reliance and so prohibits the use of council resources in the production of Councillors’ newsletters.

RECOMMENDATIONS

1	That the current protocol is not amended.
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REPORT DETAILS

1.00	EXPLAINING THE PRODUCTION OF COUNCILLOR NEWSLETTERS
1.01	The protocol on the production of Councillor newsletters was last reviewed in 2016. As part of the rolling review of the Constitution it needs to be tested to ensure that it is <ul style="list-style-type: none">• Still pertinent; and• Up to date
1.02	Members may recall that as part of the last review the Committee undertook a survey of the number of Councillors who produced their own newsletter. 28 Councillors (40%) responded of whom 26 produced their

	own newsletters. If that result was representative of Councillors as a whole then 65 Councillors will produce a newsletter.
1.03	These newsletters are produced periodically to keep the electorate informed of current issues and a Councillors' activities on their behalf. The newsletters are viewed as part of the "social contract" between Councillors and their residents. As such Councillors produce and distribute the newsletters at their own expense. Some newsletters are quite extensive, resembling community newspapers with local notices in addition to feedback from Councillors, and some are even part funded by carrying local advertisements.
1.04	Members are (perhaps justifiably) proud of this culture of self-reliance. When the protocol was last reviewed Councillors clearly indicated that they were happy to continue the current arrangement and did not want Council resources to be used in the production of newsletters.

2.00	RESOURCE IMPLICATIONS
2.01	The Council does not make any provision for the production of newsletters, and if resources were to be made available to Councillors additional funding would need to be found. Likewise, officer time is not set aside for Councillor newsletters. Under the Local Government Measure 2011 there is a facility for Councillors to publish an annual report on the Council's website (utilising officer time to upload it) but this is little used because of the newsletters and Councillors' own blogs/social media pages.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	Incumbent Councillors may not use Council resources for electoral purposes, although keeping residents informed is essential, permitted feedback. If resources were made available for the production of Councillor newsletters then there would need to be a provision that they should not be overtly political and they would need to be controlled/prohibited during pre-election periods when campaigning is taking place.

5.00	APPENDICES
5.01	Appendix 1 – Current Protocol

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None.

Mae'r dudalen hon yn wag yn bwrpasol

PROTOCOL ON THE PRODUCTION OF COUNCILLOR NEWSLETTERS

Paragraph 7(b) of the Members' Code of Conduct makes clear that Members must not use Council resources improperly for political purposes. Guidance issued by the Public Services Ombudsman for Wales indicates that an authority may authorise the use of its resources and facilities for some political purposes.

At its meeting on 3 September 2012 the Council's Standards Committee considered a report on the Use of Council Resources for the Production and Distribution of Councillor Newsletters. The recommendation of the Standards Committee was that Members should be free to use the computers available in Members' Services and in the group rooms for the purposes of designing and setting up newsletters to their constituents. This was considered at the County Council meeting on the 25 October 2012. At that meeting it was decided that Members cannot use any Flintshire I.T. software to produce Councillor Newsletters. Any use of Council resources for the production of newsletters would therefore be a breach of paragraph 7(b) of the Members' Code of Conduct.

Mae'r dudalen hon yn wag yn bwrpasol

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

Date of Meeting	Topic	Notes/Decision/Action
March 2022	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Forward Work Plan 	
January 2022	<ul style="list-style-type: none"> • Training • Dispensations • Independent member visits to meetings • Forward Work Plan 	
November 2021 Joint meeting with T&CCs	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • PSOW Annual Report/Casebook Issue 25 • Items raised by Town and Community Councils • Forward Work Plan 	
September 2021	<ul style="list-style-type: none"> • Training • Dispensations • Standards Forum & ethical liaison pre briefing • Forward Work Plan 	
July 2021	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Independent member visits to meetings • Forward Work Plan 	
May 2021	<ul style="list-style-type: none"> • Training • Dispensations 	

Tudalen 35

Eitem ar gyfer y Rhaglen 9

Date of Meeting	Topic	Notes/Decision/Action
	<ul style="list-style-type: none"> • PSOW Casebook Issue 24 • APW Annual Report • Standards forum & ethical liaison debriefing • Forward Work Plan 	
March 2021	<ul style="list-style-type: none"> • Training • Dispensations • Overview of Ethical Complaints • Review of Protocol for meeting Contractors • Review of Dispensation Procedures at Conwy, Denbighshire and Wrexham • Forward Work Plan 	<p>Report by Gareth Owens</p> <p>Report by Matt Georgiou</p>
January 2021	<ul style="list-style-type: none"> • Training • Dispensations • Review Protocol on the Production of Councillor Newsletters • Standards Forum & Ethical Liaison Pre-briefing • Recruitment of Independent Members to the Standards Committee • Independent Member attendance at Committee Meetings • Forward Work Plan 	<p>Report by Gareth Owens</p> <p>Report by Gareth Owens</p> <p>Report by Gareth Owens</p> <p>Report by Matt Georgiou and Nic Gittins</p>
November 2020 Joint Meeting with T&CC	<ul style="list-style-type: none"> • Training • Dispensations • PSOW Annual Report/Casebook Issue 23 (Oct –Dec 2019) and the Annual letter from the PSOW • Overview of Ethical Complaints • Directions from President of the APW • Items raised by Town and Community Councils • Forward Work Plan 	<p>Report by Matt Georgiou</p> <p>Report by Gareth Owens</p> <p>Report by Gareth Owens</p> <p>Verbal</p>

Date of Meeting	Topic	Notes/Decision/Action
September 2020	<ul style="list-style-type: none">• Training on LDP• Dispensations for LDP• Review of Dispensation Procedures• Forward Work Plan	
Reports to be scheduled		

Mae'r dudalen hon yn wag yn bwrpasol