

STANDARDS COMMITTEE

3 JUNE 2024

Minutes of the meeting of the Standards Committee of Flintshire County Council held as a remote attendance meeting on Monday, 3 June 2024

PRESENT: Julia Hughes (Chair)

Councillors: Teresa Carberry, Ian Hodge and Antony Wren

CO-OPTED MEMBERS:

David Wynn Davies, Ros Griffiths, Jacqueline Guest , Mark Morgan, and Gill Murgatroyd

ALSO PRESENT: Councillors Marion Bateman, Chrissy Gee and Richard Jones (as observers)

IN ATTENDANCE:

Chief Officer (Governance), and Democratic Services Officer

Prior to the start of the meeting the Chair welcomed Councillor Ian Hodge and Councillor Ros Griffiths (newly appointed Town and Community Council representative), to their first meeting of the Standards Committee.

1. **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

Councillor Anthony Wren declared a personal interest on agenda item 6 – Notification of the Decision of the Adjudication Panel for Wales.

2. **ADDITIONAL ITEM - NATIONAL STANDARDS FORUM**

The Chair advised that an additional item, as a matter of urgency, would be included at the end of the agenda to consider suggestions for agenda items for the next meeting of the National Standards Forum.to be held on 24 June 2024.

3. **MINUTES**

The minutes of the meeting held on 4 March 2024 were presented for approval.

The minutes were approved as an accurate record as moved by Jacqueline Guest and seconded by Mark Morgan.

Matters arising

Page 5 - The Chair asked if the Chief Officer was able to provide an update on the number of Town & Community Councils who had signed up to the Civility and Respect Pledge. In response the Chief Officer confirmed that 20 out of 34 Councils had confirmed that they had accepted the pledge and explained that he had contacted the remaining Town and Community Councils to seek a response on progress.

Page 8 – item 67 - David Davies asked the Chief Officer if he could provide an update on the value of any gifts or hospitality which was required to be registered by Members. The Chief Officer advised that the matter had been considered at the meeting of the County Council held on 16 April 2024 and it was agreed that the level remained at £10.00

Page 11 – The Chair asked the Chief Officer if he could provide an update on the National Standards Conference. The Chief Officer advised that he had met with the Monitoring Officer for South Wales who was coordinating activity and a meeting of the Monitors Officers Group was being held this week and he would inform the Committee of progress.

RESOLVED:

That the minutes be approved as an accurate record.

4. DISPENSATIONS

There were no applications for dispensation.

5. DRAFT ANNUAL REPORT

The Chief Officer (Governance) presented a report on the Draft Annual Report. He provided background information and referred to the key points. He advised that the draft Annual Report was attached at Appendix 1 and followed the same format as last year's report and described the work of the Committee during the municipal year 2023/24.

Councillor Teresa Carberry referred to the last sentence on page 24 and suggested that the word "that" be removed.

In response to comments from Gill Murgatroyd the Chief Officer advised that the attached report was in draft format and the final version would include numbering and other design features.

The recommendation in the report was moved by Jacqueline Guest and seconded by Gill Murgatroyd.

RESOLVED:

That the Annual Report be approved.

6. NOTIFICATION OF THE DECISION OF THE ADJUDICATION PANEL FOR WALES

The Chief Officer (Governance) introduced a report notifying the outcome of the hearing that took place on 26 April 2024 in respect of Councillor Attridge. He provided background information and reported on the main considerations. The Chief Officer advised that Councillor Attridge was found to have committed a number of breaches of the Code of Conduct for Councillors and had been suspended for four months. In view of Councillor Attridge's actions and the findings within the decision report it was recommended that steps be considered to protect the wellbeing officers and to provide advice on safeguarding practice. Training for all Councillors had

already been provided on respectful communication in response to the Committee's recommendation in its first Annual Report. The decision notice and the decision report were attached as Appendix 1 and 2 to the report.

The Chief Officer referred to paragraph 1.09 (page 29) of the report and explained that the Committee's role was to decide whether action was needed in response to the findings of the case tribunal in respect of the breach of the Code of Conduct for Councillors. The Committee was asked to consider the findings and commentary/suggested actions against each as detailed in the report.

Councillor Antony Wren drew attention to the information in paragraph 1.08 of the report that the widespread reaction was that the decision of the Tribunal was too lenient, and the Committee had no powers to alter the decision or request a review.

The Chief Officer responded to the questions and comments raised around training for Councillor Attridge on standards of behaviour and respect for officers. Further questions and concerns were raised on the potential impact of the leniency of the sanction and the reputational damage to the Council and Members, the undermining of trust, safeguarding matters concerning employees and Councillor Attridge going forward, the potential cost of additional officers being required to attend meetings, and the wider impact on the community.

The Chief Officer suggested that if the Committee wished he could contact an experienced independent mediator to discuss with Councillor Attridge how his behaviour was wrong and how it should be amended in future. This was agreed by the Committee.

Following consideration, the Committee decided it did not need to make a change to the Councillors Code of Conduct or Flintshire Standards because it should be self-evident about what is deemed to be appropriate and inappropriate behaviour (particularly inappropriate sexualised language and behaviour).

The Chief Officer suggested that the Chair may wish to give feedback to the Adjudication Panel for Wales (APW) that the general public was perplexed around the lenient sanction imposed on Councillor Attridge in comparison to the sanctions which had been applied to other Members of the Authority and the case of another councillor (which arose due to different circumstances) was cited as an example. This was agreed by the Committee.

RESOLVED

- (a) Notwithstanding the actions of Councillor Attridge the Committee agreed that the Councillors Code of Conduct and Flintshire Standards did not need further amendment because the behaviours for which Councillor Attridge had been sanctioned were self-evidently wrong and inappropriate. (Moved by Councillor Ian Hodge and seconded by Jacqueline Guest)
- (b) That the Chief Officer will speak to Officers of the Council and in doing so remind Officers that there are appropriate interactions between Members and Officers which take place on a daily basis;

(Moved by Councillor Antony Wren and seconded by David Davies)

- (c) That training be provided to Councillor Attridge on safeguarding practice; (Moved by Councillor Teresa Carberry and seconded by Mark Morgan)
- (d) That the Council engages an independent person to discuss with Councillor Attridge how his behaviour was wrong and how it should be amended in the future; (Moved by Gill Murgatroyd and seconded by Jacqueline Guest)
- (e) That the Chief Officer drafts a communication, in conjunction with the Chair and Vice-Chair of the Committee to the President of the APW expressing the widely held view that the sanction imposed on Councillor Attridge was too lenient. Concerns also to be outlined around the potential impact of the leniency of the sanction on Members' reputation, the undermining of trust, safeguarding matters, and the potential cost of additional officers being required to attend meetings. In addition, that the APW be asked in future to reflect on the expected level of sanction and if a lower level than anticipated is imposed greater explanation be provided to assist in the understanding of the reasoning of the case Tribunal. (Moved by Roz Griffiths and seconded by Councillor Ian Hodge)
- (f) That the Monitoring Officer speaks with those affected and group leaders about whether any special arrangements to ensure the wellbeing of staff and councillors are required

7. REVIEW OF THE MEMBER/OFFICER PROTOCOL

The Chief Officer introduced a report to consider the changes recommended by the Standards Committee to the Member/Officer Protocol as part of its rolling review of the Constitution. He advised that the Council had recently undertaken some training on respectful communication and how to set a good working culture.

The Chair referred to item 8 on the agenda – The Review of the Flintshire Standard and commented on the close connection with the Review of the Member/Officer Protocol. She proposed that the review of the Flintshire Standard be carried out jointly with the Standards Committee and Members and Officers using feedback from the recently held training sessions. She also proposed that the review of the Member/Officer Protocol be carried out following feedback from the recent training session. This was agreed by the Committee.

The Chief Officer explained that there were additional training sessions planned that would be pertinent to the Member/Officer Protocol and the Flintshire Standard and that he would be arranging a joint meeting with the WLGA, Audit Wales, and Members and officers to give an opportunity for Members to express views and raise questions around their roles and responsibilities.

RESOLVED:

That the review of the Member/Officer Protocol be deferred until the outcome of the review of the training on respectful communication and feedback on the further training sessions planned has been received.

8. REVIEW OF THE FLINTSHIRE STANDARD

The Chief Officer explained that the Public Services Ombudsman for Wales (PSOW) had recently requested all Councils to submit a copy of their Local Resolution Procedure (LRP) for consideration and comparison. The outcome of the review will not be known until late June (at the earliest) and it is possible that the PSOW might suggest changes be made to the LRP. The Chief Officer suggested that any review of the Flintshire Standard be delayed until the outcome of the PSOW was known in addition to feedback (as discussed during item 7 above) on the training sessions held.

RESOLVED:

That the review of the Flintshire Standard be deferred until the outcome of the Public Services Ombudsman for Wales consideration and comparison of the Council's Local Resolution Procedure has been received and feedback provided on the training sessions held.

9. REPORTS FROM INDEPENDENT MEMBER VISITS TO COUNTY COUNCIL MEETINGS

The Chair provided background information and invited Mark Morgan and Gill Murgatroyd to provide verbal reports on the following meetings they attended:

- Social & Health Care Overview & Scrutiny Committee - 18 January 2024 (Mark Morgan)
- Climate Change Committee - 19 March 2024 (Gill Murgatroyd)

The reports from the Independent Members were positive. The following point was noted:

- that names/job titles should be displayed on screens during remote and hybrid meetings to assist any observers

The Chief Officer confirmed that feedback from the visits would be shared in a communication to the Chairs of the Committees.

RESOLVED:

That the Committee notes the verbal reports and feedback be provided to the Chair of the Committees.

10. OVERVIEW OF ETHICAL COMPLAINTS

The Chief Officer presented the report which provided a summary of the ethical complaints alleging a breach of the Code that have been submitted to the Public Services Ombudsman for Wales (PSOW). He explained that as per the Committee's resolution, the complaints distinguish between different Councils and Councillors whilst still remaining anonymous. The report gives the Committee an understanding of the number and types of complaints being made, and the outcome of consideration by the PSOW.

The Chief Officer provided background information and advised that since the last report (8 January 2024) 16 complaints had been received of which 11 were not investigated and 5 were under investigation. There are 7 outstanding. He referred to Appendix A which was attached to the report and listed in summary form the complaints received during 2022/2023, 2023/2024 and 2024/2025.

Referring to the recent difficulties experienced in the PSOW office the Chair proposed that she raised a question at the National Standards Forum to ask if there was an impact on resources to investigate complaints and if delays were anticipated as a result. This was agreed by the Committee.

The Chief Officer responded to a query raised by Mark Morgan on complaint 2023/07895. In response to further questions from Mr Morgan the Chief Officer explained how complaints were analysed.

The recommendation in the report was moved by Roz Griffiths and seconded by Mark Morgan.

RESOLVED:

That the Committee notes the number and type of complaints.

11. FORWARD WORK PROGRAMME

The Chair presented the proposed Forward Work Programme September 2024 – July 2025. for consideration. She referred to the decision of the Committee to defer the Review of the Member/Officer Protocol and the Review of the Flintshire Standard to a future meeting and said the items would need to be scheduled onto the Forward Work Programme for potentially a September or November meeting.

During discussion it was agreed that the next meeting of the Committee would be held on 1 July 2024 to consider any outstanding items and Independent Member visits.

Responding to a suggestion by Gill Murgatroyd, the Chair agreed to provide feedback on the meeting of the National Standards Forum to be held at the end of June to the next meeting.

Subject to the above amendments the Forward Work Programme was agreed.

RESOLVED:

That subject to the above amendments the Forward Work Programme be approved.

12. ADDITIONAL ITEM - NATIONAL STANDARDS FORUM

The Chair provided background information and advised that the next meeting of the National Standards Forum would be held on 24 June 2024. She said the Committee had been asked to put forward items they wished to include on the agenda and she had asked for an update on a review on how the Chair's think the

Group Leaders duty and including this within the annual reports of the Standards Committee were working in practice. The Chair advised that it had also been suggested that she raised a question on whether the recent difficulties in the PSOW's office was having an impact on its resources to investigate complaints and if delays were anticipated. In addition referring to the earlier discussion during the meeting on the Notification of the decision of the Adjudication Panel for Wales (APW) the Chair explained that the following question had been raised: When the APW makes its decision does it consult with the Minister? and it was agreed that the question be put to the Forum to seek direction and she would liaise with the Chief Officer on a draft communication.

13. MEMBERS OF THE PRESS IN ATTENDANCE

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

(The meeting started at 6.30pm and ended at 9.40 pm)

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Chair