

Minutes of the Meeting of **ETHICS AND STANDARDS COMMITTEE**
held remotely via video-conference on Monday, 17 January 2022

PRESENT:

Mrs Caroline White (Chair) , Mr Alan Davies, Mrs Caryl Davies and Ms Carol Edwards (Independent Members);
Councillor Odwyn Davies and Councillor Dai Mason (Elected Members)
Councillor Julian Evans and Gill Hopley (Town and Community Council representatives)

ALSO IN ATTENDANCE: Councillor Ellen ap Gwyn, Ceredig Davies, Ray Quant, Dan Potter and Rowland Rees-Evans

IN ATTENDANCE:

Ms Elin Prysor (Monitoring Officer)
Mrs Lisa Evans (Scrutiny and Standards Officer)
Mrs Dana Jones (Democratic and Standards Officer)

(10:00am-12:20pm)

1 Apologies

Mr John Weston apologised for his inability to attend the meeting.
Councillor Dafydd Edwards apologised for his inability to attend the meeting relating to item 5).

2 Personal Matters

None.

3 Disclosure of Personal / Prejudicial Interests

Mrs Dana Jones, Democratic and Standards Officer declared a personal and prejudicial interest in 7 (a), (b) and (c) and left the meeting during consideration of these applications. Mrs Lisa Evans, Scrutiny and Standards Officer took the minutes during consideration of those applications.

Councillor Gill Hopley declared a personal and prejudicial interest in 7 (a), (b) and (c) and left the meeting during consideration of these applications.

Councillor Julian Evans declared a personal and prejudicial interest in 7 (a), (b) and (c) and left the meeting during consideration of these applications.

Councillor Dai Mason declared a personal and prejudicial interest in 7 (d) and (e) and left the meeting during consideration of these applications.

Councillor Odwyn Davies declared a personal and prejudicial interest in 7 (d) and (e) and left the meeting during consideration of these applications.

4 To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 17 September 2021

It was RESOLVED to confirm as a true record of the minutes of the meeting of the Committee held on 17 September 2021 subject to:-

- (i) amending the name of the late Anne Winfield to Ann in minute 13(i) and
- (ii) amending Minute 20, that bilingual training would be provided between the members of the committee

5 Matters arising

Minute 14 – It was reported that the Review of Local Dispute Resolution protocol would be amended following discussion with PSOW Officers as the PSWO was no longer receiving repetitive or low level complaints. Once amended, One Voice Wales would be informing the Town and Community Councils accordingly.

Minute 16 –had been discussed at a workshop on the 17 November 2021.

Minute 20- feedback had not been received and was not forthcoming

Minute 20- The two new independent members had received training on the 27 September 2021

Minute 21- A proposal had been received from the All Wales Monitoring Officers group that the North Wales Standards Forum be extended to an All Wales Forum. Members agreed to this proposal and the response would be sent to the MO group accordingly.

6 To discuss with party leaders the methods of promoting and maintaining high standards by conduct by Members of Ceredigion County Council to include the duties required under S 62-63 of the Local Government and Elections (Wales) Act 2021

The Chair welcomed Councillor Ellen ap Gwynn (Leader of the Council and Leader of the Plaid Cymru Group), Councillor Ray Quant (Deputy Leader of the Council and Leader of the Independent Group) and Councillor Ceredig Davies (Leader of the Liberal Democrats and opposition party) for attending the meeting to exchange views on promoting and maintaining high standards of conduct in Ceredigion.

It was reported that the Local Government and Elections (Wales) Act 2021 placed new duties on leaders of political groups and standards committees and contains the relevant sections, namely s62 and s63.

With regard to the duties of leaders of political groups in relation to standards of conduct, (S.52A Local Government Act 2000) states that a leader of a political group consisting of members of a county council in Wales must take reasonable steps to promote and maintain high standards of conduct by the members of the group; and must co-operate with the council's standards committee.

In section 54 Local Government Act 2000 (functions of standards committees), a standards committee of a county council or county borough council in Wales also has the specific functions of—

- (a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and
- (b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties

It was reported that the political leaders of Ceredigion County Council were invited annually to the Ethics and Standards Committee to discuss the methods of promoting and maintaining high standards of conduct by Members of Ceredigion County Council. It was reported that it was now necessary for Group Leaders to consider the additional duties upon them to take reasonable steps to promote and maintain high standards of conduct by the members of the group; and how to co-operate with the council's standards committee, and how this can be evidenced. The political leaders stated that they welcomed this guidance, as it was a reference for them to confirm that the standards were being adhered to.

All the Leaders of the Council emphasised the importance of the Committee's work in promoting high standards of conduct and welcomed the training that would be held in May 2022, following the elections on the Code of Conduct.

The Leaders also highlighted the need to address the issues of conduct at meetings that were held virtually, especially with the etiquette of Members such as answering the phone while attending the meeting.

The Chair thanked the Leaders for attending the meeting.

7 To consider applications for dispensation from the following Councillors:-

a Councillor Dan Potter, Ceredigion County Council

An application for dispensation dated 12 November 2021 received from Councillor Dan Potter to speak only on issues discussed regarding the harbour at the Harbour Users Consultative Committee for New Quay which are held prior to the season and following (March and October). Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour. He is also employed by Ceredigion County Council annually to undertake the swimming area as a Safe Swim area contractor. Councillor Potter also leases two mooring from Ceredigion County Council and owns a shed outside the lifeboat station and the old coast guard station in Paragon. He also receive £40 a week as a coxswain of New Quay Lifeboat /RNLI.

Councillor Potter was present at the meeting to present his application and answered questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Potter with dispensation to speak only on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of 12 months.

b Councillor Dan Potter, Ceredigion County Council

An application for dispensation dated 12 November 2021 was received from Councillor Dan Potter to speak and vote on issues discussed regarding the harbour and beach at New Quay. Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour. He is also employed by Ceredigion County Council annually to undertake the swimming area as a Safe Swim area contractor. Councillor Potter also lease two mooring from Ceredigion County Council and owns a shed outside the lifeboat station and the old coast guard station in Paragon. He also receive £40 a week as a coxswain of New Quay Lifeboat /RNLI.

Councillor Potter was present at the meeting to present his application and answered questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

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c Councillor Dan Potter, New Quay Town Council

An application for dispensation dated 12 November 2021 was received from Councillor Dan Potter to speak and vote on issues discussed regarding the harbour and beach at New Quay. Councillor Potter owns New Quay marine a boating business which repairs boats in the harbour. He is also employed by Ceredigion County Council annually to undertake the swimming area as a Safe Swim area contractor. Councillor Potter also lease two mooring from Ceredigion County Council and owns a shed outside the lifeboat station and the old coast guard station in Paragon. He also receive £40 a week as a coxswain of New Quay Lifeboat /RNLI.

Councillor Potter was present at the meeting to present his application and to answer any questions regarding his application.

Councillor Potter was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Potter with dispensation to speak only on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; and the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (d) and (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for a period of 12 months.

d Councillor Rowland Rees-Evans, Ceredigion County Council

An application for dispensation dated 18 December 2021 was received by Councillor Rowland Rees-Evans to speak only at the Governance and Audit Committee in relation to the Audit Wales report on Planning. Councillor Rees-Evans sat on both the Development Control Committee and was the Vice-Chairman of the Governance and Audit Committee. There were a number of issues within the AW report directed at the Development Control Committee.

Councillor Rees-Evans was present at the meeting to present his application and to answer any questions regarding his application.

Councillor Rees-Evans was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Rees-Evans with dispensation to speak only on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation 2 (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for the meeting to be held on 17/1/22 only.

e Councillor Peter Davies MBE, Ceredigion County Council

An application for dispensation dated 10 January 2022 was received by Councillor Peter Davies MBE to speak and vote at the Governance and Audit Committee in relation to the Audit Wales report on Planning. Councillor Davies was a member of the Council's Development Control Committee.

It was RESOLVED to grant Councillor Peter Davies with dispensation to speak only on the grounds as the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise; (regulation

2 (f) of the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001). The dispensation was granted for the meeting due to be held on 17/1/22 only.

8 **A Development Framework for Councillors in Wales 2021**

Consideration was given to the Report upon the Development Framework for Councillors in Wales 2021. It was reported that the framework had been developed by the WLGA, as a useful guide to identify priorities for continual personal and professional development and for providing support and training for members. It includes a range of generic competencies required by all Councillors as well as specialist competencies related to specific roles on the Council.

The generic competencies include: fundamental skills such as understanding the role of the Councillor, and the Local Authority, conduct, equalities and diversity, ICT skills and work-life balance etc; skills required by all councillors in their roles as community leaders such as consultation and engagement; casework on behalf of the public; partnership and representation; and working in a political environment. Specific role competencies include an understanding of the role of Scrutiny, policy development and review, holding the Executive to account, monitoring performance; Chairing skills; serving on statutory / regulator committees; Executive Members; and Council Leadership.

The framework would feed into the training / induction programme for Councillors.

Relevant sections to the Ethics and Standards Committee

The table below refers to the fundamentals: A range of general skills required by all Members.

Ref	Requirement	Knowledge and Skills	Effective behaviours
A3	Conduct	The ethical framework that Councillors must work to. The Code of Conduct. The role of the Monitoring Officer, Standards Committee, Local Resolution Protocol. the role of and guidance from the Public Services Ombudsman for Wales.	Always abides by the Code of Conduct. Always declares and defines interests when necessary. Seeks advice from the monitoring officer when necessary.

A1 7	Working with Officers	The role of officers generally and the ‘rules’ they need to abide by including a deeper understanding of the role of senior officers such as the Chief Executive, Senior Management Team, Monitoring Officer and Heads of Finance, Legal and Democratic Services. Skills in acting as a corporate employer. Understanding of the appointments process and interviewing skills.	Maintains professional relationships with officers, recognising boundaries and abiding by the Member Officer Protocol. Acts as an effective member of an appointment panel, applying sound HR and equality and diversity principles to make appointments.
A3 8	Group Discipline	Understanding of the behaviours and conduct required of a group member	Works according to the standards of behaviour required by the Group Leader.
B8	Committee Leadership	An in depth understanding of the role of the committee and its scope. Ability to liaise with relevant officers, members, and agencies. Commitment to enabling all committee members to develop skills and participate effectively in meetings.	Promotes the work and value of the committee in the Council and to the public. Works with the committee outside of meetings to make it work more effectively. Communicates with members and officers with an interest in committee proceedings. Builds relationships with the relevant Heads of Service/ Directors to ensure that the work of the committee is relevant, well informed and provides the outcomes needed.
B1 6	Standards	The law and constitution in relation to conduct. Local resolution protocols. Needs of both County Council and Town and Community Councils for Training in relation to the Code of Conduct.	Demonstrates objectivity by taking independent decisions based on evidence and the legal responsibility placed on committees acting in a semi- judicial role. Transparently adheres to

		Member behaviour, dealing with reports from Group Leaders and annual reporting	the Code of Conduct. Seeks appropriate professional officer advice, personal development or briefing before taking decisions.
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It was AGREED to note the Development Framework for Councillors and how it relates to the Ethics and Standards Committee

9 Update on Code of Conduct matters-Update on recent press articles

It was AGREED to note the recent press articles presented.

10 The Public Services Ombudsman Code of Conduct Casebook issue 25

It was AGREED to note the Public Services Ombudsman Code of Conduct Casebook issue 25 as presented.

11 Appointing Town & Community Councillors to the Ethics and Standards Committee -Succession Planning

Consideration was given to the report presented upon Appointing Town & Community Councillors to the Ethics and Standards Committee -Succession Planning.

It was AGREED to accept the proposed process for selection of the Town & Community Councillors to the Ethics and Standards Committee for the administration period May 2022-May 2027.

12 Dealing with complaints referred to the Ethics & Etandards committee & Hearings procedures

Consideration was given to the report upon Dealing with complaints referred to the Ethics & Standards Committee & Hearings procedures

It was reported that the Independent Review of the Ethical Standards Framework in Wales report (para 1.6) recommended that training be undertaken by Standards Committees on how to hold hearings, to ensure openness and fairness to the member complained of, to the complainant and to any witnesses. The report points out that the PSOW accepts the needed for more reference back to Standards Committees when he declines to investigate complaints.

A review of the document had been undertaken to take account of changes in the Regulations (in 2016) and also a comparison of the procedures in place in other authorities to ensure the Council's current procedures were current, fit for purpose.

The revised document Proposed changes were presented for consideration.

Following questions from the floor, it was AGREED to

(i) accept the amendments;

(ii) recommend the document for approval by Council subject to any recommendation or amendments to the document following consideration at a workshop of the committee to be held prior to the May Elections

13 Update on Adjudication Panel for Wales matters

It was AGREED to note the Adjudication Panel for Wales matters for information.

14 Ethics and Standards Committee: Member Role Descriptions and Person Specifications

The Welsh Local Government Association (WLGA) produced a revised set of Member Role Descriptions in association with Member and Local Authority Officers. The generic role descriptors which set out the responsibilities and functions of the role of the elected member are available as a suggestion rather than prescription. Elected and lay Members have specific roles and responsibilities which they are expected to undertake, and the role descriptions aim to provide a framework and guidance upon these responsibilities and a range of activities that Members undertake.

The Political Group Leader Supplementary Guidance set out examples of “reasonable steps” which Political Group Leaders might take.

The WLGA Framework Member Role Descriptions and Person Specifications includes the model role descriptions for various roles including:

Chair of Standards Committee

Member of Standards Committee

Political Group Leader-Role Description and Supplementary Guidance

It was reported that consideration was given to the document in association with Member and Local Authority Officers at the Democratic Services Committee on the 12 October 2021. The link is shown here:

<https://council.ceredigion.gov.uk/documents/s2103/report%20-%20Members%20role%20description.pdf?LLL=0>

It was reported that the document would also be considered by the Council and that the Committee had previously considered the document at its Workshop on 17/11/21.

Following consideration of the contents that relates to the Ethics and Standards Committee, it was AGREED to note the report.

15 The Wales Standards Conference held remotely on 9/2/22

It was reported that the Wales Standards Conference was to be held remotely on the 09 February 2022 and details of the event and agenda had been circulated to Members of the Committee, Councillors and Clerks to Town and Community Council accordingly. As the Conference was held remotely there was not a limit to the number of delegates attending per authority.

Members were to inform the Scrutiny and Standards Officer or Democratic and Standards Officer by 28th January if Members wished to attend the conference, together with language preference.

16 Training

- Members were informed of the following induction course following the election:-

Mon 9 May	10:00a m	Elin Prysor	TRAINING - Code of Conduct for <u>new</u> Members (2 ½ hours) (mandatory)
	2:00pm	Elin Prysor	TRAINING - Code of Conduct for <u>returning</u> Members (1 ½ hour) (mandatory)
Tue s 24 May			
	2:00pm	Elin Prysor	TRAINING – Role and responsibilities of the Ethics and Standards Committee (mandatory for all Committee members)

- Members were also informed that they were welcome to attend any other training sessions that would be provided following the new administration in May 2022 such as Development Control Committee or Governance and Audit Training. Also; training on the conduct of Members during virtual meeting would also be provided as there was a current protocol on this issue.

- Mandatory training for Group Leaders would also be held on the 06 June 2022
- It was also reported that Hearing training would be held in September 2022.

17 Any Other Business

(i) Councillors that would be retiring from the committee were thanked for their work during the term.

(ii) The Monitoring Officer reported that at the Workshop held on the 21 November, it was agreed on the following:-

- that it would be useful that the link to the Ombudsman website be placed on Ceredigion County Council Ethics and Standards web page,
- Effectiveness Questionnaire for the Committee
- The Monitoring Officer to provide a quarterly report on the trends of complaints, and their level as a standard item on the agenda. It was agreed that this would be placed on the agenda as from the new administration term.

(iii) composition of the Corporate Joint Committee for Mid Wales Joint Standards Committee was required to be discussed. It had been agreed in principle that the Monitoring Officer for Powys would be the MO for the Mid Wales CJC.

Powys County Council had suggested that Members of the Joint Standards Committee of the Mid Wales CJC might from Powys. Members were of the opinion that as this was a joint Committee that its Members should be from both Counties. An email from MO would be circulated to Members following the meeting to ascertain their opinion on the membership.

Confirmed at the Meeting of the Ethics and Standards Committee held on

Chairman:_____

Date:_____