

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee held at the County Borough Council Offices, The Pavilions, Clydach Vale on Friday, 24 January 2014 at 10 a.m.

PRESENT

Independent Members	Mr.G.Smith (Chairman) Mr.M.Jehu Mrs.A.Jones
County Borough Councillor	C.Davies G.Stacey
Community Councillor	R.Butler

Officers in Attendance

Mr.P.J.Lucas – Monitoring Officer
Mr.A.Wilkins – Corporate & Democratic Solicitor
Mrs.Z.Maisey – Principal Officer, Committee Services

26 DECLARATIONS OF INTEREST

There were no declarations of interests in matters pertaining to the agenda.

27 MINUTES

RESOLVED to approve as an accurate records, the minutes of the meetings of the Standards Committee held on 18 October 2013 and 3 December 2013.

28 MATTERS ARISING FROM THE MINUTES

- (1) Minute No.16(1) – Standards Committee, 18 October 2013 - Members were informed that the report recommending that the cap for indemnity for elected Members for legal representations at Standards Hearings be £20,000 and that the Standards Committee retain the “gate keeper” role, would be presented to the Cabinet for consideration as its meeting scheduled for 17 February 2014.

- (2) Minute No.16(3) – Standards Committee, 18 October 2013 - a meeting between the Chairs of the Standards Committee and the Democratic Services Committee to discuss work programmes would be arranged shortly.
- (3) Minute No.21 – Standards Committee, 18 October 2013 - the Monitoring Officer reported that the Vice-Chair of the Standards Committee, Ann Jones, had attended the Council meeting held on 15 January 2014 to observe proceedings.

ORAL UPDATE FROM THE MONITORING OFFICER

29 REVIEW OF DECLARATIONS OF INTERESTS AT MEETINGS

With reference to Minute No.24 (Standards Committee, 3 December 2013), the Monitoring Officer informed the Committee that he had submitted a report to the Council meeting on 15 January 2014 in relation to Members' declarations of interests at meetings and their attendance at the training sessions held in November 2013. It was noted that 37 Members of the Council had received the training to date.

In accordance with the Standards Committee's request, the Council had been advised that further training would be made available and another two sessions were planned for 27th and 29th January. Following feedback from all training sessions, the format of the new Declaration of Interest at Meetings Form would be finalised for use from 1st February 2014 onwards.

The Monitoring Officer stated that at the Council meeting he had highlighted the following key messages for Members in completing the new Form:-

- Members need to clearly identify the particular item of business on the Agenda to which the personal interest relates
- The nature of the interest needs to be clearly stated and readily identifiable
- Members should be giving reasons why they consider their personal interest is either prejudicial or not prejudicial
- Members should be confirming what action they took as a result of the declaration, i.e. participated fully in an item, left the meeting, etc.
- The declaration of interest at a meeting form must be fully completed and handed in to the member of the Democratic Services staff during the course of the meeting or immediately after.

It was intended to distribute the new Declaration of Interest at Meetings Form to Council Members with agenda with a view to Members partly completing forms prior to a meeting. At the meeting, Members would be expected to disclose their interest as written on their Form which would then be formally recorded in the minutes of the meeting.

It was also intended to circulate to all Councillors, the case study used at the training sessions together with the new form completed to cover each scenario set out in the case study. The training materials would also be made available on the Council's Intranet to assist and provide guidance to Council Members in completing their forms.

Following a discussion, it was **RESOLVED** to note the up to date information and to receive further feedback from the Monitoring Officer at the next meeting following the introduction of the New Forms.

REPORTS OF THE MONITORING OFFICER

30 REVIEW OF MEMBERS' DECLARATIONS IN RESPECT OF ACCEPTANCE AND REFUSAL OF GIFTS AND HOSPITALITY

At its meeting on 28 June 2013, the Standards Committee agreed its Work Programme for 2013/14 which included a review of the declarations in relation to the acceptance of gifts and hospitality by Members of the Council.

In accordance with this decision, the Standards Committee was invited to undertake a review of the declarations made by elected Members in respect of their acceptance and refusal of gifts and hospitality.

The Monitoring Officer advised the Committee that the Council's current policy was adopted on 23 May 2007 and a copy was presented for consideration. It was noted that the current policy sets out a threshold of £20 under which Members/Officers could accept gifts and hospitality. This threshold had been recommended by the Standards Committee prior to adoption of the policy by the Council in 2007.

The current proforma form used for the registration of acceptance or refusal of gifts and hospitality by Members and by Officers of the Council was also presented to the Committee for consideration.

It was noted that Members and Officers were required to register acceptance or refusal of any gifts, hospitality or other benefits both below and exceeding the threshold using the applicable form which would be

returned to the Monitoring Officer upon completion. The declarations currently held in the public Register totalled six which had been submitted since the last Local Government Elections held in May 2012.

The Monitoring Officer also outlined the guidance provided by the Public Service Ombudsman for Wales to Council Members in relation to the registering of gifts and hospitality.

A discussion ensued in relation to the operation of the Policy and compliance by elected Members as to their declarations of gifts and hospitality and it was **RESOLVED** –

- (1) That at the next Council meeting, the Monitoring Officer be requested to remind Councillors of the current requirements regarding the registration of the acceptance or refusal of gifts and hospitality including the guidance offered by the Ombudsman.
- (2) To give further more detailed consideration at the next meeting to the threshold of £20 currently adopted and that in the meantime, the Monitoring Officer makes enquiries of other Welsh Authorities as to their Policies and procedures for registering gifts and hospitalities.
- (3) To also consider the publication of elected Members' registration of gifts and hospitality on the Council's website at the next meeting.

31 CODE OF CONDUCT AND LOCAL INVESTIGATIONS – REFERRALS BY OMBUDSMAN TO MONITORING OFFICER

With reference to Minute No.25 (Standards Committee, 3 December 2013), the Monitoring Officer, in his report, outlined the background to this matter and advised the Standards Committee that the Public Services Ombudsman for Wales had revised his procedure regarding local investigations.

It was noted that whilst assessing a complaint, or during an investigation, the Ombudsman could invite the Monitoring Officer, in conjunction with the Standards Committee, to consider whether a local investigation was appropriate. If so, the Ombudsman would formally refer the investigation under Section 70(4) of the Local Government Act 2000.

The Committee was advised on how the new system appeared to operate by the Ombudsman's Office and was asked to consider how it wished to respond to any future provisional conclusions by the Ombudsman and potential local investigations.

Following a discussion on the way forward in this matter, it was **RESOLVED** –

- (1) That in the event of the Ombudsman referring a complaint to the Monitoring Officer for local investigation, he discuss the matter with the Chairman of the Standards Committee and if it is considered the case does not warrant investigation, the Ombudsman be advised accordingly but should any concerns be raised, the matter be referred to the Standards Committee for an urgent decision on whether or not to investigate locally.
- (2) That in the meantime, the Monitoring Officer obtains information regarding current practice across Wales in dealing with such matters and ascertains from the Ombudsman's Office whether the new procedures are to be formally adopted.
- (3) That an updated report be presented to the next meeting of the Standards Committee for consideration.

32 TRAINING PROPOSAL – PROCEDURES FOR DEALING WITH ALLEGATIONS MADE AGAINST COUNCILLORS AND REFERRED TO THE STANDARDS COMMITTEE FOR DECISION

With the permission of the Chairman, the Monitoring Officer outlined a training proposal for Standards Committee Members in relation to them undertaking a mock hearing in respect of an allegation made against a Councillor and referred to the Committee for a decision by the Ombudsman. The Standards Committee Members agreed the proposal and instructed the Monitoring Officer to make the necessary arrangements.

**GUY SMITH
CHAIRMAN**

The meeting terminated at 11 a.m.