

**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, 18 October 2013 at 10 a.m.

**PRESENT**

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

**Officers in Attendance**

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

**13 APOLOGIES FOR ABSENCE**

An apology for absence had been submitted by Mr.M.Jehu (Independent Member) and as a result, County Borough Councillor G.Stacey had stood down from the meeting to allow the independent members present to be in the majority.

The Committee Members wished to place on record, their thanks to Councillor Stacey for standing down on this occasion.

**14 DECLARATIONS OF INTEREST**

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

**15 MINUTES**

**RESOLVED** to approve as an accurate record, the minutes of the meeting of the Standards Committee held on 28 June 2013.

**16 MATTERS ARISING FROM THE MINUTES**

- (1) Minute No.3(1) – the Monitoring Officer informed the Committee that a report recommending that the cap for indemnity for elected Members for legal representations at Standards Hearing be £20,000 and that the Standards Committee retain the “gate Keeper” role, was due to be presented to the Cabinet at its meeting in November 2013.
- (2) Minute No.3(2) & (3) – the Monitoring Officer reported that since the last meeting, reports had been presented to the Council in respect of amendments to the Local Protocol – Standards of Conduct Expected by Members and the proposed rules of procedure and the Protocol for elected Members to deal with Anonymous Correspondence in order to raise their awareness. Both reports had been well received and supported by the Council.
- (3) Minute No.3(5) – the Monitoring Officer stated that the Democratic Services Committee had met last week and a meeting between the Chairman of that Committee and the Chairman of the Standards Committee would now be arranged to discuss respective work programmes to ensure there was no overlap of duplication of planned work.
- (4) Minute No.5(1) – the Monitoring Officer informed the Committee that whilst it had been intended to deal with the Annual Review of Declarations of Gifts and Hospitality at today’s meeting, this review had would not now be undertaken until the January 2014 meeting of the Committee.
- (5) Minute No.7 – the Monitoring Officer reported that the revised Member-Officer Relations Protocol had been adopted by the Council.

**17 PRESENTATION – THE IMPLEMENTATION OF THE UNREASONABLY PERSISTENT CUSTOMER POLICY**

Pursuant to Minute No.31(2) (Standards Committee, 3 May 2013) the Committee received Mrs.C.Macey, Principal Officer, Democratic Services, who presented Members with information on the implementation of the Council’s Unreasonably Persistent Customer Policy and details of nine cases reviewed under Stages 1 and 2 of the Policy during 2012-2013.

The Committee was informed that the Unreasonably Persistent Customer Policy had been implemented effectively with clear referral points for staff, managers and Service-Co-ordinators.

**RESOLVED –**

- (1) To note the information provided on the annual review for 2012-13.
- (2) To thank all staff involved for their excellent work and practices.
- (3) To review the situation in twelve months time.

**(Note:** The Vice-Chairman, Mrs.A.Jones, wished to declare a personal interest in the above-mentioned matter in light of her role as the ICO's Assistant Commissioner for Wales. The nature of her interest was the relationship between the application of the Council's Unreasonably Persistent Complainant Policy and requirements to deal with a legitimate Freedom of Information Request).

### **REPORTS OF THE MONITORING OFFICER**

#### **18 REVIEW OF MEMBERS' DECLARATIONS OF INTERESTS AT MEETINGS AND APPLICATIONS FOR DISPENSATION TO THE STANDARDS COMMITTEE**

As part of its work programme, the Standards Committee agreed it would undertake a review of Members' declarations of interests at meetings and applications to the Committee for dispensations by County Borough Councillors and Community/Town Councillors as well as reviewing the format for applying for such dispensation.

In his report, the Monitoring Officer informed the Committee that it was a Member's individual responsibility to properly register interests declared at meetings in accordance with the Code of Conduct by promptly and correctly completing the Council's form in full at the meeting concerned. Examples of completed forms were circulated for the Committee's consideration of their content and it was noted that in some cases, forms had been incorrectly completed or insufficient detail had been provided. In view of this, the Committee considered the format of a revised form proposed for completion by elected Members at meetings and also, the way forward in relation to providing refresher training for Members in respect of the new form and declarations at meetings generally.

The Monitoring Officer also informed the Committee of the need to refresh Members' knowledge about the statutory framework relating to the granting of dispensations by the Standards Committee. The Committee was also asked to consider the current application form to apply for a dispensation with a view to revising the form and the mechanism for dealing with dispensation applications as and when they arise.

Following lengthy consideration of the matters before them, the Standards Committee **RESOLVED** –

(1) **Declarations of Interests at Meetings**

- (a) That the Monitoring Officer present a report to the next Council meeting highlighting the following key messages:
- 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

and that the report include a draft revised form for the Council's consideration.

- (b) Having received comments/feedback from the Council, the Monitoring Officer and the Chairman of the Standards Committee be authorised to revise the form with a view to it coming into effect from 1<sup>st</sup> December 2013.
- (c) In the meantime, Members be provided with refresher training in respect of declaration of interests at meetings with guidance on using the amended form with such training being scheduled to be provided before the Development Control Committee meetings on 7<sup>th</sup> and 21<sup>st</sup> November 2013.
- (d) To receive feedback on the matter at the next meeting of the Standards Committee.

(2) **Applications for Dispensations to the Standards Committee**

- (a) That at the next Council meeting, the Monitoring Officer remind Members of the circumstances when the Standards Committee may grant dispensations.
- (b) That the Monitoring Officer investigate how other local authorities in Wales deal with the granting of dispensations and report back.

- (c) To authorise the Monitoring Officer in consultation with the Chairman of the Standards Committee to amend the current form following a review of existing procedures.

## **ORAL UPDATES FROM THE MONITORING OFFICER**

### **19 LOCAL GOVERNMENT ETHICAL FRAMEWORK – MINISTERIAL CORRESPONDENCE**

With reference to Minute No.17 (Standards Committee, 1 February 2013), the Monitoring Officer provided the Committee with copies of correspondence between the Minister for Local Government and Government Business (Welsh Government) and the Leader of the Council regarding the Local Government Ethical Framework and the information contained therein was noted.

### **20 CODE OF CONDUCT TRAINING – COUNTY BOROUGH AND COMMUNITY/TOWN COUNCILLORS**

The Monitoring Officer provided feedback on the Code of Conduct training undertaken since the last meeting and some of the issues that had been raised at Community Council sessions in relation to the Local Protocol – Behaviour Expected by Members.

### **21 CHAIRMAN'S REMARKS**

Before closing the meeting, the Chairman informed the Committee that he had met with representatives of the Wales Audit Office in August 2013, who were keen for lay members to attend meetings of the Council in order to observe the cut and thrust of political debate first hand. In this regard, it was agreed that the Monitoring Officer would inform the Independent Committee Members of the dates of forthcoming Council meetings for their consideration and possible attendance.

**GUY SMITH  
CHAIRMAN**

The meeting terminated at 11.50 a.m.