

# AWDURDOD TÂN CANOLBARTH A GORLLEWIN CYMRU



## MID AND WEST WALES FIRE AUTHORITY

NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE STANDARDS COMMITTEE AT ITS NEXT MEETING

### COFNODION CYFARFOD Y PWYLLGOR SAFONAU

Pencadlys Y Gwasanaeth Tân, Heol Llwyn Pisgwydd  
Caerfyrddin  
13 Mehefin 2011

### MINUTES OF THE STANDARDS COMMITTEE MEETING

held at Fire Service Headquarters, Lime Grove Avenue,  
Carmarthen  
13 June 2011

2.00 – 3.30

### **57% PRESENOLDEB/ATTENDANCE**

Presennol yn y Cyfarfod/Present at Meeting:

CADEIRYDD/CHAIR:	M Howells
IS-GADEIRYDD/VICE CHAIR:	H Jones
AELODAU/MEMBERS:	Cyng/Cllrs:, A Davies, J Holmes
YMDDIHEURIADAU/APOLOGIES	R Jenkins, R Llewellyn, G Storr
YN BRESENNOL /IN ATTENDANCE:	D Daycock, J Maunder

## **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr R Jenkins, Ms G Storr Councillor R Llewellyn.

## **2 DECLARATION BY MEMBERS OF ANY PERSONAL OR PREJUDICIAL INTERESTS**

All Local Authority Members present declared that they had a personal interest regarding any matters that related to or were likely to affect their own constituent authorities.

## **3 CHAIR'S ANNOUNCEMENTS / PERSONAL MATTERS**

None

## **4 TO RECEIVE AND CONSIDER THE MINUTES OF THE MEETING HELD ON 11<sup>TH</sup> APRIL 2011**

The minutes of the meeting held on 11<sup>th</sup> April 2011 were received and approved as a true record.

## **5 TO CONSIDER MATTERS ARISING FROM THE MINUTES**

Reference was made to item 6 of the minutes relating to the Government's intentions to abolish the Standards for England (formally the Standards Board for England) in late 2011 / early 2012. The Clerk reported that there would no longer be a requirement for relevant Authorities to adopt a Code of Conduct for their Members or to appoint Standards Committees, and that there would be no mandatory enforceable Code of Conduct for Members. Committee were informed that any issues of concern that would arise after the abolition of the Standards Board would be regulated by the criminal law. This raised several questions as to how England would regulate its local government standards regime as matters of honesty, integrity, openness, and transparency could not always be protected by the criminal law and that maintaining the principles of ethics in public life was very different from merely avoiding breaches of the criminal law..

Mr Jones reported that the Police Authority in Wales had been subject to the English Code of Conduct and had therefore agreed in principle to create a voluntary code and that furthermore it would be logical to adopt the Welsh Code of Conduct. Reference was also made to a conference that would be held in Nottingham to further discuss the matter and Mr Jones agreed to forward any information to the Clerk.

The Chair informed Committee that within the City and County of Swansea a meeting had taken place involving the political Group Leaders, the Chairman of Standards Committee, the Chief Executive and the Acting Monitoring Officer to discuss their views on the current and future role of the Standard Committee. Following the meeting a paper had been submitted to the Council meeting on 9<sup>th</sup>

June 2011 recommending the adoption of an informal system of dealing with complaints by members against other members. This internal mediation process would involve members attempting to resolve any grievances they may have with other Councillors internally whenever possible.

The Clerk reported that he would obtain a copy of the report from the City and County of Swansea and further informed Committee that they would be provided with a more detailed update on the abolition of the Standards for England at the next meeting.

The Chair made reference to item 7 of the minutes relating to Customer Feedback Analysis and Councillor Davies agreed to forward a copy of the new Local Authority protocol in respect of domestic abuse to the Clerk on conclusion of the meeting.

The Clerk reminded the Committee that they would be provided with various scenarios as part of their training in the area of dispensations at a future meeting.

Reference was made to item 9 of the minutes relating to the Standards Conference Wales which was due to be held on Wednesday, 5<sup>th</sup> October 2011 in Powys. Committee agreed that upon receipt of the full details of the conference, members were welcome to register their expressions of interests in attending and the Chair would determine attendance levels accordingly.

## **6 TO RECEIVE THE STANDARDS COMMITTEE ANNUAL REPORT FOR THE PERIOD 31<sup>ST</sup> MARCH TO 30<sup>TH</sup> APRIL 2011**

The report set out a summary of the work undertaken by the Committee during 2010/11. The Clerk explained that the report contained a broad analysis of business that had been transacted at two meetings during the reporting period and noted the appointment of three new members, namely Mr H Jones, Ms G Storr and Mr R Jenkins on 7<sup>th</sup> February 2011.

Committee noted that no complaints had been made against Members in respect of their role as members of the Fire and Rescue Authority and accordingly, the Committee did not have to meet to consider or determine any matters referred to it by the Public Services Ombudsman for Wales. Furthermore, it was reported that no dispensations had been granted by the Standards Committee during the reporting period; nevertheless the important role of the Standards Committee was emphasised, with its key responsibility to promote and maintain the high standards of conduct of Members of the Fire Authority.

A discussion ensued on the procedure for recurring non-attendance at Standards Committee meetings whereby the Chair emphasised that it was standard procedure to monitor attendance levels.

### **RESOLUTION**

*It was RESOLVED that*

***The annual report be presented to the Fire Authority at its meeting on 27<sup>th</sup> June 2011.***

## **7 TO RECEIVE THE STANDARDS COMMITTEE TERMS OF REFERENCE**

The report set out the Standards Committee Terms of Reference, which members were requested to review in order to ensure good governance for the Fire Authority.

Following a query from Mr Jones, the Clerk agreed to investigate the scope of the delegated powers attributed to the Standards Committee

A discussion ensued on the Whistleblowing Policy whereby the Clerk explained that the process enabled members of staff to anonymously disclose inappropriate acts to named officers within the Service. The Clerk noted that the Policy would be reviewed at the next Standards Committee meeting.

Consideration was given to the training of Councillors whereby Committee agreed that it had a role to facilitate the training of both Councillors and Independent Members and the Terms of Reference should reflect this accordingly.

Committee highlighted the register of Members' interests and requested that a twice yearly report would be submitted to the Standards Committee, setting out the registers of interests and declarations of hospitality along with the production of guidelines that would ensure parity and consistency.

Committee noted that the monitoring of external Service complaints was a remit of the Performance, Review and Audit Committee and did not form part of the Members' Code of Conduct and therefore concluded that it be removed from the Terms of Reference.

The Chair reported that the Committee would consider each aspect of the Terms of Reference at the meeting scheduled for 26<sup>th</sup> March 2012 as a means of ensuring that the Committee had completed each area of responsibility to be reflected within the 2011/12 Annual Report.

### **RESOLUTION**

***It was RESOLVED that***

- 1. A twice yearly report on the register of Members' interests be submitted to the Standards Committee***
- 2. The monitoring of external Service complaints be removed from the Standards Committee Terms of Reference.***
- 3. Article 10 of the constitution be updated to read as follows:***

- i. Promoting and maintaining high standards of conduct by Councillors/Independent Members***
- ii. Assisting to observe and to monitor the operation of the Members' Code of Conduct***
- iii. Advising the Authority on adopting or revising the Members' Code of Conduct or other Authority internal procedures relating to Members, including Standing Orders and any other procedures regulating the conduct of meetings***
- iv. Advising, training or arranging to train Councillors and Independent Members on matters relating to the Members' Code of Conduct***
- v. Granting dispensations from requirements relating to interests set out in the Members' Code of Conduct***
- vi. Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred to that officer by the Public Services Ombudsman***
- vii. Considering Public Services Ombudsman matters***
- viii. Overseeing the Authority's 'whistle-blowing' policy***
- ix. To supervise the register of Members' interests required under section 81(1) of the Local Government Act 2000 and to inspect the Authority's register for declarations of interests by members and the register for the recording of gifts and hospitality and to receive an annual report from the Monitoring Officer on these issues***
- x. Overseeing the protocol on relations between members and officers***
- xi. To consider and act upon any matters relating to probity, ethics and the Code of Conduct is deemed appropriate.***

## **8 TO RECEIVE A VERBAL UPDATE ON THE COMPLAINTS HANDLING PROCESS**

The Deputy Monitoring Officer explained that she had intended for the Committee to discuss and consider the Service's complaints handling process, however as it had been resolved within item 7 of the agenda to remove this remit from the Terms of Reference the Committee agreed that discussion of this item was no longer relevant.