

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
20 Mehefin 2016

**MINUTES
OF THE STANDARDS COMMITTEE MEETING**

held at Fire Service Headquarters, Lime Grove Avenue,
Carmarthen
20 June 2016

10:30 – 11.51

70% PRESENOLDEB/ATTENDANCE

Presennol yn y Cyfarfod/Present at Meeting:

CADEIRYDD/CHAIR: Mr H W Jones
IS-GADEIRYDD/DEPUTY CHAIR: Ms G Storr

AELODAU/MEMBERS: Cllr L Frayling, Cllr W Evans, Cllr J
Curtice, Mr M Jehu, Mr R Jenkins

YMDDIHEURIADAU/APOLOGIES

YN BRESENNOL /IN ATTENDANCE: D Daycock, C Jackson

1 APOLOGIES FOR ABSENCE

There were no formal apologies received.

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.

All Committee Members present declared a personal interest in relation to Agenda Item Number 5.

The Clerk advised that a Committee Member could also declare an interest in any matters arising at a point where it became apparent during the meeting.

3 CHAIR'S ANOUNCEMENTS/PERSONAL MATTERS

The Chair welcomed Councillor Wynne Evans to the Committee, Members were informed that Councillor Evans had replaced Councillor Roy Llewellyn on the Committee having served his four-year term. The Chair expressed his appreciation and gratitude to Councillor Llewellyn for his time served with the Committee and conveyed his best wishes to Councillor Llewellyn following his recent ill health.

The Chair also congratulated Councillor Janice Dudley and Councillor Rowland Rees-Evans on their appointments to the roles of Chair and Deputy Chair of the Fire Authority.

4 TO RECEIVE AND CONSIDER THE MINUTES OF THE STANDARDS COMMITTEE HELD ON 07 DECEMBER 2015.

The Chair commented on the fact that the minutes were comprehensive and detailed and read well. An error was noted on page 3, item 6, second paragraph with the word Conduct missing. It was confirmed that this would be amended and re-circulated.

The minutes of the meeting of the 07 December 2015 were approved as a true and accurate record of this meeting.

Matters Arising

The Clerk/Monitoring Officer provided Members with an update on the Action List from the meeting of the 07 December 2015 and was pleased to report that they had all been completed.

5 TO RECEIVE AND NOTE THE FINAL ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2016/17.

The Clerk/Monitoring Officer presented the Annual Report of the Independent Remuneration Panel for Wales (IRPW) relating to the payments to be made in 2016/17 to Members and co-opted Members.

Committee was informed that the Authority had resolved, in keeping with previous practice regarding this matter, to only pay a senior salary to the Chair of the Fire Authority for 2016/17.

The Clerk/Monitoring Officer highlighted to the Committee that this year the IRPW had decided that there would be no increase in remuneration to Members and Co-opted Members, given the continued constraints on local government spending, however it was reported that the Independent Remuneration Panel for Wales may review the remuneration for Members and Co-opted Members next year. Committee were informed that members of the Independent Remuneration Panel for Wales were due to attend that afternoon to meet with Fire Authority Members to discuss remuneration and related matters.

In response to a query raised by Gail Storr, the Clerk/Monitoring Officer confirmed that further clarification would be sought from the Director of Resources in relation to the tax implications for Members who claimed travelling and mileage expenses for passengers, and the response provided to Members.

RESOLUTION

It was RESOLVED *that the report be noted*

6 TO RECEIVE THE CODE OF CONDUCT CASEBOOK ISSUES 6 & 7

The Clerk/Monitoring Officer provided the Committee with an overview of the Ombudsman's Casebook Issues 6 & 7 which were attached to the report as Appendix 1 and Appendix 2. The Casebook set out cases involving breaches of Members Code of Conduct dealt with by the Public Services Ombudsman for Wales.

It was reported by the Clerk/Monitoring Officer that it was pleasing to note that there had been no breaches found or reported against Members of the Fire Authority for Mid and West Wales Fire and Rescue Service. The Committee was provided with an overview of the Llanfihangel ar Arth Community Council, disclosure and registration of interest's case, and other relevant cases.

A discussion ensued regarding the relevance for Member training for all Members and the importance of having an understanding of the Model Code of Conduct, in order to avoid potential breaches and complaints being made to the Ombudsman.

RESOLUTION

It was RESOLVED *that the report be noted.*

7 TO RECEIVE THE OMBUDSMAN'S CASEBOOK ISSUES 23 AND 24

The Clerk/Monitoring Officer presented the report on the Ombudsman's Casebook Issues 23 and 24 which were attached to the report as Appendix 1 and 2 respectively, and which dealt with general maladministration issues.

The Clerk/Monitoring Officer stated that there were no cases relating to the Fire Service or Fire Authority in the casebooks and that the majority of cases within the casebooks related to Health Boards and Unitary Authorities.

The Chair acknowledged that a number of the complaints reported in the Casebooks were due to a delay in the processing of complaints.

RESOLUTION

It was RESOLVED *that the Committee note the report.*

8 TO RECEIVE AND NOTE A REPORT ON COMPLIMENTS AND COMPLAINTS FOR THE PERIOD 01 APRIL 2015 – 31 MARCH 2016.

The Head of Corporate Communications and Business Development provided Committee with an overview of the Compliments and Complaints report for the period 1 April 2015 – 31 March 2016. Members were informed that a total of 29 complaints had been received and investigated during the reporting period, which was a decrease of 12 from the 01 April 2014 – 31 March 2015 period. 16 of the complaints were determined as 'not upheld', 11 of which were 'upheld', 1 complaint was withdrawn and 1 complaint was ongoing.

The Head of Corporate Communications and Business Development drew Members' attention to the 53 compliments received during the reporting period, which was an increase of 20 from the 01 April 2014 to 31 March 2015 period.

Councillor W Evans questioned if compliments reported in the local newspapers had been included, to which the Head of Corporate Communications and Business Development confirmed that the newspapers were cross referenced and noted and all compliments received were also published in the Service's weekly newsletter.

Mr M Jehu identified that the majority of the compliments received by the Emergency Services from members of the public, would normally be made verbally and would therefore not be recorded centrally as they had not been made in writing.

The Head of Corporate Communications and Business Development reassured

Committee Members that the Service was very proactive in recording all concerns and complaints raised by members of the public, as they were considered as being valuable areas of learning. Clarification was provided with regards to the meaning of “not a complaint”, as being where an individual would not necessarily be wishing to make a complaint or requesting for the matter to be progressed formally, but to bring a matter of concern to the Service’s attention and draw awareness to the matter.

Councillor W Evans enquired if compliments received from Fire Authority Members and Schools were recorded on the compliments register, to which it was confirmed that they would be, providing they were received formally in writing by the Corporate Communications and Business Development Department. Following a discussion in relation to the “not a complaint” heading, it was agreed that the wording would be amended to “concern”.

RESOLUTION

It was RESOLVED that the report on Compliments and Complaints for the period 01 April 2015 – 31 March 2016 be noted.

9 TO RECEIVE AND NOTE A REPORT ON THE STANDARDS CONFERENCE WALES 2015.

The Clerk/Monitoring Officer presented a report to Members on the formal feedback received from the Standards Conference Wales 2015 which took place on 20 October 2015 in the City Hall, Cardiff. Committee were referred to Appendix 1 of the report, which was the feedback provided from the conference organisers.

The Chair reported that he felt the Social Media event he had attended was extremely important, relevant and had been very beneficial.

Members expressed their disappointment with the organisation of the Conference, as it was felt there was a confusion on the day with regards to which sessions Members were due to attend, due to a lack of clarity and communication from the organisers. It was also felt that there had been missed opportunities to discuss and update Members on the changes to the Model Code of Conduct, as well as the Calvert Case and the role and remit of the Standards Committee. Committee also agreed that it would be beneficial for all future conferences if Standards Committee Members had involvement and input with regards to suggested Agenda items. The Clerk/Monitoring Officer confirmed that this matter would be raised with LLG at their next meeting.

A discussion ensued concerning the requirements of Member Training and the publishing of training events attended. The Head of Corporate Communications and Business Development informed Committee that at the request of Fire Authority Members, the Service were publishing the details of Member Training events attended, together with the reasons of non-attendance on the external website, as on a number of occasions the reasons for Members non-attendance was due to their commitments within their Local Authorities.

In response to a query raised by the Chair, the Clerk/Monitoring Officer confirmed that the next Standards Conference would be taking place in 2017, following the general elections. Ms G Storr commented that she was disappointed that the discussions which had taken place regarding leadership and the Nolan principles, together with the detail of what had been discussed during the workshops of the Standards Conference, had not been reflected in the report provided by the Conference organisers.

RESOLUTION

It was RESOLVED that the Committee note the report.

10 TO RECEIVE AND CONSIDER THE DRAFT STANDARDS COMMITTEE ANNUAL REPORT 2015/16

The Chair introduced the draft Standards Committee Annual Report for 2015/16 which set out the work undertaken by the Committee during the reporting period.

Upon consideration of the draft report, Committee agreed on the following amendments:

- The picture of Councillor Wynne Evans be included together with the picture of Councillor Roy Llewellyn.
- The foreword to be translated into Welsh.
- The Chair to provide an updated foreword and summary.
- The Chair to make amendments to the Standards Committee Work Program for the 20th June 2016 meeting.
- That the Chair be authorised to make any final amendments or refinements to the report as he saw fit

RESOLUTION

It was RESOLVED that the Committee note the report, and the amendments set out above, and recommend the report to the Fire Authority.

11 TO RECEIVE AND NOTE A REPORT ON THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) (AMENDMENT) ORDER 2016

The Clerk/Monitoring Officer presented a report to the Committee on the Local Authorities (Model Code of Conduct) (Wales) (Amendments) Order 2016, which had been passed by the Welsh Assembly in January 2016, and had since been approved by the Fire Authority Members at their meeting on the 08 June. Members were provided with an overview of the changes made and referred to Appendix 1 which outlined the changes made to the existing Model Code of Conduct in further detail and Appendix 2 which set out the revised Code.

The Chair enquired if there was a requirement to include the minimum amount of

£25.00 for the Registration of Gifts in Part 4, The Register of Members' Interests section, as it had been included previously in the Fire Authority Members Model Code of Conduct. It was agreed that this would be amended accordingly.

A discussion ensued regarding the potential requirement to register and declare a declined gift by Members and Co-opted Members, as this had not been included within the revised Model Code of Conduct. The Clerk/Monitoring Officer responded and confirmed that the Service would not be able to unilaterally make amendments to the Model Code of Conduct, and would make the necessary enquiries in this regard and report back to Members.

RESOLUTION

It was RESOLVED *that the Committee note the report.*

12 TO REVIEW THE STANDARDS COMMITTEE TERMS OF REFERENCE

The Clerk/Monitoring Officer presented a report on the Standards Committee terms of reference and reported that it was considered good governance to review the Committee's terms of reference periodically as a means of ensuring that its remit remained relevant and up to date. Suggestions were also welcome from the Committee as to possible additions to its responsibilities.

Upon consideration of the Committee's wide ranging set of responsibilities and functions Members expressed the view that the current terms of reference were adequate and appropriate, and as such no amendments were required.

RESOLUTION

It was RESOLVED *that the Committee note the report.*

13 TO RECEIVE A VERBAL UPDATE ON RELEVANT AND LEGISLATIVE STANDARDS ISSUES

The Clerk/Monitoring Officer provided an update to Members on relevant and legislative Standards Issues, where it was confirmed that Clare Sharpe had been appointed as the Chairwoman of the Adjudication Panel for Wales, and former (Ceredigion) Monitoring Officer (now at Pembrokeshire County Council) Claire Jones was also a Panel Member.

Committee were informed that under the new Standards Committee (Wales) Regulations there was, inter alia now a possibility of having joint Standards Committees where matters were able to be referred from one Committee to another, to extend the term of office of members, and to delay publication of agendas. Members were also made aware that the Local Government Minister, Mark Drakeford was encouraging further collaborative working.

The Clerk/Monitoring Officer confirmed that clarification had been provided with regards to the terms of suspension which could now be until the end of the

Members term of office or a six-month period, and that the issue of dispensations could now be referred to neighbouring standards committees, under the new legislation. It was also reported that any appeals would need the consent of the President of the Adjudication Panel for Wales.

Mr M Jehu stated that he was aware that the Standards Committee within Rhondda Cynon Taf County Borough Council had been collaborating with Merthyr Tydfil County Borough Council, and enquired as to who the Standards Committee collaborative partners for Mid and West Wales Fire and Rescue Service were. The Clerk/Monitoring Officer stated that in his view, it would be South Wales Fire and Rescue Services' Standards Committee and the Standards Committees of any of the Constituent Authorities that were within the Mid and West Wales Fire and Rescue Service area.

14 TO RECEIVE A VERBAL UPDATE ON TRAINING ISSUES

A verbal update was provided to Members on training issues and the Clerk/Monitoring Officer stated that should Members identify any training needs they believe to be relevant that they should notify the Head of Corporate Communications and Democratic Services.

Committee were informed that the Clerk/Monitoring Officer was in the process of making the arrangements for Members to receive a role play training session, and once the arrangements had been finalised, the details would be circulated to Members.

The Head of Corporate Communications and Business Development advised Members that the Member Development Strategy and Member Development Training Programme had been cross referenced with the training provided by Members Local Authorities in order to ensure that no training events were duplicated and the training provided by the Service was therefore Fire Authority specific.

Mr M Jehu requested that, should Members be due to receive role play training within their Local Authority, they be advised to inform the Chair, as there may be a possibility of sharing training events and their associated costs. The Chair commented on the importance of clearly establishing what training Members had received, in order to identify any training needs and requirements, and therefore not duplicate any training sessions already being provided.

15 TO CONSIDER ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100(4)(B) OF THE LOCAL GOVERNMENT ACT 1972.

There were no items of urgent business.

The meeting closed at 11:51

ACTION LIST – STANDARDS COMMITTEE – 20 JUNE 2016

The action list is provided for Officers and Members to enable them to be aware of the main actions from the meeting, together with individual requests from Fire Authority Members

Agenda Item	Action	Responsible Officer	Progress
1	Send letter of thanks to Councillor Roy Llewellyn	Clerk/Monitoring Officer / Democratic Services Officer	Complete
4	To Amend Item 6, Page 3, second paragraph of the minutes by inserting the word Conduct to the Code of Conduct Casebook	Democratic Services Officer	Complete
5	To establish if any Members expenses claims submitted where a passenger is taken and claimed for is taxable as it is over 45ppm.	Clerk/Monitoring Officer	
8	To amend the heading of “not a complaint” to concern in the Compliments and Complaints report	Democratic Services Officer	Complete
9	To raise the matter with LLG for Standards Committee Members to have an input into the creation of the Agenda at future Standards Conferences.	Clerk/Monitoring Officer	
10	To include a photograph of the new Standards Committee Member, Councillor Wynne Evans and re-inset Councillor Roy Llewellyn’s photograph with his dates of the term served on the Committee.	Democratic Services Officer	Complete
10	To Translate the foreword of the Draft Standards Committee report to Welsh	Democratic Services Officer	Complete
11	To insert the minimum fee of £25.00 to the Model Code of Conduct Members Declaration of Interests in Part 4.	Democratic Services Officer	Complete
11	To check with other Monitoring Officers if there is a requirement to record the details of when a Member declines a gift	Clerk/Monitoring Officer	
14	For Councillor Wynne Evans to receive Standards Committee training	Clerk/Monitoring Officer	
	To invite the Chair and Deputy Chair to the opening of the Aberystwyth Fire Station open day	Democratic Services Officer	Complete