

# 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  
30 Gorffennaf 2018

### MINUTES OF THE STANDARDS COMMITTEE MEETING

held at Fire Service Headquarters, Lime Grove Avenue,  
Carmarthen  
30 July 2018

10:30 – 11:50

#### **100% 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 J Curtice, Cllr L Frayling, Mr M Juhu, Mr R Jenkins, Cllr T Van-Rees

YMDDIHEURIADAU/APOLOGIES None.

YN BRESENNOL /IN ATTENDANCE: D Daycock, C Jackson

**1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**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, namely the final report of the Independent Remuneration Panel for Wales 2018/19.

**3 CHAIR'S ANOUNCEMENTS/PERSONAL MATTERS**

The Clerk / Monitoring Officer referred to the recent increased activity of the Service, particularly in respect of wildfire incidents which was attributable to the prolonged period of hot and dry weather. The Committee commended the Service for its efforts in tackling such incidents in challenging conditions.

The Committee congratulated the Chair on his appointment as Chair of the Ethics and Standards Committee for Ceredigion Council.

**4 TO RECEIVE AND CONSIDER THE MINUTES OF THE STANDARDS COMMITTEE HELD ON 18 DECEMBER 2017**

The minutes of the meeting held on 18 December 2017 were approved as a true and accurate record of proceedings. There were no matters arising.

**5 TO RECEIVE AND NOTE THE FINAL ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2018/19**

The Clerk/Monitoring Officer presented the Annual Report of the Independent Remuneration Panel for Wales (IRPW) relating to the payments to be made in 2018/19 to Members and Co-opted Members of the Fire Authority.

Consideration was given to the determinations of the IRPW in respect of Fire and Rescue Authorities and it was noted that there would be no changes to the payments for Co-opted Members, however an increase of £30.00 on the basic salary had been awarded to Members of Fire and Rescue Authorities, made payable from the date of the Authority's Annual General Meeting.

The Clerk/Monitoring Officer further informed Committee that the Fire Authority, at its meeting on 11 December 2017, had resolved to reinstate a senior salary to the Deputy Chair of the Fire Authority in line with the determinations of the IRPW.

## RESOLUTION

*It was RESOLVED that the report be noted.*

### **6 TO RECEIVE AND NOTE THE OMBUDSMAN'S CODE OF CONDUCT CASEBOOK ISSUES 15 & 16**

The Clerk/Monitoring Officer provided the Committee with an overview of the Ombudsman's Casebook Issues 15 & 16 which were attached to the report as Appendices 1 and 2. The Casebooks set out cases involving breaches of Members Code of Conduct dealt with by the Public Services Ombudsman for Wales (PSOW). The Clerk/Monitoring Officer reported that there appeared to be a generally satisfactory standard of conduct in public life in Wales, possibly attributable to the sanctions underpinning the members Code, unlike the situation in England, where no formal sanctions existed. However, it was expected that legislation in England would be introduced to strengthen the existing standards regime.

The Committee was provided with an overview of the relevant cases contained within the Appendices and the Clerk/Monitoring Officer was pleased to report 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 interested to note that instigation of local procedures at an early stage appeared to lead to swift resolutions in instances where Councillors acknowledged their indiscretions, showed remorse and issued suitable apologies which could be used as a learning experience. The introduction of local resolution of complaints in recent years, where low level councillor against councillor complaints were referred to the Authority's Monitoring Officer in the first instance, had long been advocated by the Committee and appeared to be taking effect within Wales.

In considering the cases presented, Members were interested to note that the most common breaches of the code of conduct related to allegations concerning failure to disclose personal and prejudicial interests.

## RESOLUTION

*It was RESOLVED that the report be noted.*

### **7 TO RECEIVE THE OMBUDSMAN'S CASEBOOK (MALADMINISTRATION) ISSUES 31 AND 32**

The Clerk/Monitoring Officer presented the report on the Ombudsman's Casebook Issues 31 and 32 which were attached to the report as Appendix 1 and 2 respectively, and which dealt with general maladministration issues relating to public bodies.

In considering the casebook summaries, the Clerk/Monitoring Officer was again

pleased to report that there were no cases relating to the Fire Service or Fire Authority and that the majority of cases within the casebooks related to Health Boards which possibly illustrated the difficulties in delivering services in the context of diminishing budgets.

The Committee felt that the cases referred to highlighted the importance of maintaining communication with complainants throughout an investigation process and informing them of complaint outcomes.

## **RESOLUTION**

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

### **8 TO RECEIVE AND NOTE A REPORT ON COMPLIMENTS AND COMPLAINTS FOR THE PERIOD 1 APRIL 2017 – 31 MARCH 2018**

The Head of Corporate Communications and Business Development provided Committee with an overview of the Compliments and Complaints report for the period 1 April 2017 – 31 March 2018.

Consideration was given to the 24 complaints which had been received and investigated during the reporting period in terms of their nature/type, outcome and location. Members were also provided with a breakdown of the further 12 areas of concern/comments/feedback which had been recorded but not progressed through the complaints procedure.

Members considered the 52 Compliments recorded during the reporting period, though it was recognised that the number of unrecorded compliments was likely to be significantly higher. Committee Members were pleased to note the number of expressions of appreciation received, which was considered a valuable tool in monitoring the effectiveness of a good service provided and was also reflective of the positive perception of the Fire and Rescue Service within the communities it served. However, it was acknowledged that further improvements in recording positive comments could be made to showcase the excellent work being undertaken on a daily basis across the Service.

The Committee acknowledged the positive report which it was felt also had to be evaluated in the context of the low number of complaints received from within such a large geographical area.

## **RESOLUTION**

***It was RESOLVED that the report be noted.***

### **9 TO RECEIVE AND APPROVE THE STANDARDS COMMITTEE DRAFT ANNUAL REPORT 2017/18**

The Chair introduced the Standards Committee Draft Annual Report for 2017/18 which set out the work undertaken by the Committee during the reporting period.

The Chair confirmed that the report would be updated to rectify a typographical error on page 5 of the document and that he would also ensure that the business conducted by the Standards Committee at its meeting on 30 July 2018 would be accurately reflected in it. Members were informed that the Chair of the Standards Committee would present the final report at a future meeting of the Fire Authority.

## **RESOLUTION**

***It was RESOLVED that the Committee recommend the report to be considered for approval by the Fire Authority.***

### **10 TO RECEIVE A REVIEW OF THE STANDARDS COMMITTEE TERMS OF REFERENCE**

The Clerk / Monitoring Officer 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 current version of the Standards Committee Terms of Reference be maintained.***

### **11 TO RECEIVE AND NOTE THE ADJUDICATION PANEL WALES ANNUAL REPORT 2016/17**

The Clerk / Monitoring Officer presented the Adjudication Panel for Wales (APW) Annual Report for 2016/17.

Attention was drawn to Section 2 of the report which outlined the Panel's Performance and Progress levels over a 5-year period, together with the case summaries outlined in Section 3 of the report. The Committee was interested to note that although the APW acted as an appellate body for appeals against the decisions of Standards Committees, the final determination of a sanction lay with the Standards Committee and accordingly the APW could only make recommendations on a case sanction.

## **RESOLUTION**

***It was RESOLVED that the report be noted.***

### **12 TO RECEIVE AND CONSIDER A REPORT ON ATTENDANCE AT THE STANDARDS CONFERENCE WALES 2018**

The Clerk/Monitoring Officer informed Members that the Standards Conference Wales 2018 would be held at Aberystwyth University on Friday 14 September 2018. The conference would provide an opportunity for Members and Officers to hear directly from senior officials such as the Public Services Ombudsman for Wales, and the Chair of the Adjudication Panel for Wales, who were involved in the administration of the Code of Conduct, to question them on matters of concern and to enable delegates to debate current issues on the Code of Conduct.

The Clerk/ Monitoring Officer reported that he would be conducting a workshop in respect of the 'Regulation of Members in other jurisdictions' and that Mr H Jones and M Jehu would be in attendance to represent their respective County Councils. Expressions of interest were received by Ms G Storr and Cllr T Van-Rees, subject to availability. The Chair, supported by a number of other Members, felt that all nominations could be supported given that the locality of the conference would not incur excessive additional costs in the form of overnight accommodation.

## **RESOLUTION**

***It was RESOLVED that the expressions of interest received in attending the conference be supported by the Standards Committee.***

### **13 TO RECEIVE AND CONSIDER A REPORT ON THE ADJUDICATION PANEL FOR WALES SANCTIONS GUIDANCE DOCUMENT**

The Clerk/ Monitoring Officer presented the report on the Adjudication Panel for Wales (APW) Sanctions Guidance document. Committee's attention was drawn to Appendix 1 of the report which set out APW's approach to be taken by case, appeal and interim tribunals in order to reach fair, proportionate and consistent decisions on the sanctions that should be applied in relation to an individual's breach of the local Code of Conduct.

The Clerk/ Monitoring Officer clarified that training on the guidance document would be delivered to Members within their respective Constituent Authorities.

In response to a query from the Chair, the Clerk/ Monitoring Officer clarified that the guidance could be applied to other levels of adjudication, though no indication had been yet given that the document would be endorsed as such by the PSOW.

The Committee commended the guidance document for providing an informative framework for the determination of sanctions which it was hoped would ensure consistency of approach throughout Wales.

## **RESOLUTION**

***It was RESOLVED that the Adjudication Panel for Wales sanctions Guidance be noted and used as a reference in determining sanctions in any cases determined by the Standards Committee.***

## 13 TO RECEIVE A VERBAL UPDATE ON RELEVANT STANDARDS ISSUES

### a) WLGA Guidance – Social Media for Members

The Clerk/Monitoring Officer presented for information the social media guidance document issued by the WLGA to the Committee. The document provided advice to those new to social media as well as tips for existing social media users in the context of a general overview, some key pointers and principles and references to online resources online. Members noted with interest the 'golden rules' set out at page 19 of the document and the feedback provided by Committee was broadly positive.

### b) Training and Development

A verbal update was provided to Members on training issues and the Clerk/Monitoring Officer stated that initial enquiries had been made with an experienced training provider to develop a bespoke training package to be delivered jointly to Mid and West Wales and South Wales Standard Committee Members. However, it was disappointing to note that considerable time had elapsed, and the training provider had not finalised arrangements with the Authority; therefore, the Committee discussed possible alternative training mechanisms and providers. Mr M Jehu provided a synopsis of a recent training session provided to Rhondda Cynon Taff Standards Committee Members which had been well received. Committee requested that the Clerk/Monitoring Officer make further enquiries with the training provider, Ms Olwen Dutton of Anthony Collins Solicitors, in respect of costings and availability for the provision of Standards Committee training.

### c) Legislative Update

The Clerk/Monitoring Officer provided a synopsis of the relevant legislative Standards Issues which had emanated from the Lawyers in Local Government (LLG) meeting.

Councillor T Van Rees referred to the best value inspection of Avon Fire Authority whereby a number of failings had been identified and documented within the media. The Clerk/Monitoring Officer confirmed that he had been appointed as Temporary Deputy Monitoring Officer for Avon Fire Authority to provide assistance and expertise in respect of its governance arrangements. The Committee was also informed that former Deputy Chief Fire Officer M Crennell would take up position as Chief Fire Officer from 1 September 2018.

The Chair referred to the Forum for Chairs of Standards Committees for North and Mid Wales which had been set up to discuss Standards issues of common interest. The Committee was reminded that it had previously resolved to consider the Authority's representation on the Forum following discussion at the next Standards Conference Wales. The Chair informed Members that he would be representing Ceredigion County Council on the Forum in his capacity as Chair of their Standards Committee and as such, would also be able to feed back any matters of relevance

to the Authority's Standards Committee.

## **RESOLUTION**

*It was RESOLVED that the verbal update be noted.*

**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 11:50

**ACTION LIST – STANDARDS COMMITTEE – 30 JULY 2018**

**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**

<b>Agenda Item</b>	<b>Action</b>	<b>Responsible Officer</b>	<b>Progress</b>
9	Typographical error on page 5 to be corrected.	Democratic Services Officer	
9	Chair of the Standards Committee to present the final report at a future meeting of the Fire Authority.	Chair	
12	Committee confirmed their support in respect of the Expressions of Interest received to attend the Standards Conference Wales 2018. Expressions of interest to be confirmed with the Democratic Services Officer to arrange attendance.	Democratic Services Officer	
14 b)	Further enquiries with Olwen Dutton in respect of costings and availability for the provision of Standards Committee training.	Clerk/Monitoring Officer	
14c)	Chair to feed back any matters of relevance from the North/Mid Wales Standards Chairs Forum, as appropriate.	Chair	
Other matters	In line with the Authority's sustainability policy and in an effort to reduce printing and postage costs, some reports would not be printed for Standards Committee Members. It was suggested that these include the case book summaries and the IRPW annual report. All reports would however be available on-line.	Democratic Services	