

Pecyn Dogfennau Cyhoeddus

Pwyllgor Safonau

Man Cyfarfod
**Ystafell Bwyllgor A - Neuadd y Sir,
Llandrindod, Powys**

Dyddiad y Cyfarfod
Dydd Mercher, 20 Chwefror 2019

Amser y Cyfarfod
10.00 am

I gael rhagor o wybodaeth cysylltwch â
Carol Johnson
01597 826206
carol.johnson@powys.gov.uk



Neuadd Y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad Cyhoeddi

Mae croeso i'r rhai sy'n cymryd rhan ddefnyddio'r Gymraeg. Os hoffech chi siarad Cymraeg yn y cyfarfod, gofynnwn i chi roi gwybod i ni erbyn hanner dydd ddau ddiwrnod cyn y cyfarfod

AGENDA

1.	YMDDIHEURIADAU
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Ymddiheuriadau am absenoldeb.

2.	COFNODION
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Awdurdodi'r Cadeirydd i lofnodi cofnodion cyfarfod blaenorol y Pwyllgor a gynhaliwyd ar 3 Hydref, 2018 fel cofnod cywir.

(Tudalennau 1 - 6)

3.	DATGANIADAU O DDIDDORDEB
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Derbyn unrhyw ddatganiadau o ddiddordeb gan Aelodau yn ymwneud ag eitemau i'w hystyried ar yr agenda.

4.	ADRODDIAD CYFREITHIWR Y CYNGOR
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Derbyn adroddiad Cyfreithiwr y Cyngor.

(Tudalennau 7 - 26)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

**MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD AT
COMMITTEE ROOM A - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON
WEDNESDAY, 3 OCTOBER 2018**

PRESENT: Mrs H Rhydderch-Roberts (Chair)

Independent Members: Mrs C Jackson, Mrs J Evans, Mr S Hays and Mrs C Mulholland

County Councillors: S McNicholas, S Lewis, K M Roberts-Jones and K S Silk

Observers: Community Councillors M Morris, H Patrick and J Shearer

In attendance: Ms D Jones (Deputy Monitoring Officer) and Ms C Johnson (Democratic Services Officer).

1.	APOLOGIES
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Apologies for absence were received from Mr C Pinney [Monitoring Officer] and Mr W Richards [Head of Democratic Services].

2.	MINUTES
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The Chair was authorised to sign the minutes of the meeting held on 27 June, 2018 as a correct record, subject to the list of attendees being amended to refer to Mrs C Mulholland rather than C Mulholland. It was requested that the use of titles is consistent in the minutes.

3.	DECLARATIONS OF INTEREST
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No declarations of interest were received.

4.	REPORT OF THE SOLICITOR TO THE COUNCIL
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The Committee received the report of the Solicitor to the Council (copy filed with signed minutes).

A General Standards Issues for County Councillors and Co-opted Members

A1 Code of Conduct Training

All Members and Co-opted Members have undertaken Code of Conduct training.

A2 Mandatory Training

The Committee noted the responses from the three Councillors who had not completed the Mandatory Treasury Management training, which had been provided on three occasions. The Committee noted that this mandatory training is not available as eLearning.

RESOLVED THAT	Reason for decision
1. The Chair write to	To ensure compliance with the

<p>Councillors M Alexander, M Barnes and N Morrison advising that they are required to attend the next Mandatory Treasury Management training scheduled for 10 January, 2019 and that they be advised of the sanctions open to the Committee and</p> <p>2. that if they fail to attend on 10 January 2019, they will be required to attend the Standards Committee on 20 February, 2019, where they will be required to provide a verbal explanation of their non-attendance at the training and depending on their explanation, sanctions may be considered by the Standards Committee in line with relevant Council Policy.</p> <p>3. that a diary invitation to the Mandatory Treasury Management training scheduled for 10 January, 2019 be made in these Councillors' outlook diaries.</p>	<p>Council's policy regarding Mandatory Training.</p>
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The Committee noted that even where some Members attend mandatory training sessions they may not always stay for the whole training. The Committee raised concerns that Members must attend for the whole training and discussed how this could be managed including, requiring Members to enter the time of their arrival at and departure from the training sessions on the attendance and asking trainers to ask those arriving late and leaving early to complete the attendance sheets with this information. It was noted, that in Committee meetings the committee clerks record when Members arrive and leave if this is during the meeting but no such officers are in attendance at training events. The Committee acknowledged the numerous commitments of Members, including those that work but noted that only a small number of mandatory sessions were held each year.

RESOLVED THAT	Reason for decision
<p>The Chair write to Members to raise the Committee's concerns that some Members do not attend for the whole of mandatory sessions and that they arrive late and leave early, which is not acceptable.</p>	<p>To remind Members that they must attend the whole mandatory session.</p>

B Referral of Councillors to the Public Services Ombudsman**B1 County Council Referrals**

02/CC/2017 Ombudsman investigating
 01/CC/2018 Ombudsman investigating
 02/CC/2018 Ombudsman investigating
 04/CC/2018 Ombudsman not investigating
 05/CC/2018 Ombudsman investigating
 08/CC/2018 Ombudsman deciding whether or not to investigate
 09/CC/2018 Ombudsman deciding whether or not to investigate

C. Dispensations**C1. Applications - County Councillors**

No applications for dispensation have been received from County Councillors.

D. Late Payment of Expenses

A claim for payment of expenses was submitted by Councillor Phil Pritchard for mileage expenses (submitted on 16 July, 2018 for mid-January to mid-February 2018).

The Committee approved this application (which was the first one for mileage made by this Member) and thanked the Member for the detailed explanation he had provided.

RESOLVED THAT	REASON FOR DECISION
the payment of the late claim submitted by Councillor Phil Pritchard for mileage be paid for the period mid-January to mid-February 2018.	To reimburse expenses incurred by Councillor Phil Pritchard

A further claim had been submitted in July 2018 by Councillor William Powell for mileage expenses (submitted on 20 July, 2018 for mid-January to mid-February 2018). However, this had only been received from Payroll on 2 October, 2018. The Chair had agreed to consider the application.

The Committee approved this application (which was the first one for mileage made by this Member) and thanked the Member for the detailed explanation he had provided.

RESOLVED THAT	REASON FOR DECISION
the payment of the late claim submitted by Councillor William Powell for mileage be paid for the period mid-January to mid-February 2018.	To reimburse expenses incurred by Councillor William Powell.

E Ombudsman's Casebook

The Ombudsman had published the April – June 2018 Code of Conduct Casebooks which can be accessed at.

(Copy filed with signed minutes).

F Adjudication Panel for Wales decision report

In August 2018 the Adjudication Panel for Wales published a decision report in respect of former County Councillor for Monmouthshire [currently Community Councillor] Graham Down. The Adjudication Panel for Wales had received the matter as a referral from the Public Services Ombudsman for Wales and dealt with the matter at a Case Tribunal on 19 July, 2018. The outcome of the Tribunal was to suspend Community Councillor Down from acting as a member of Mathern Community Council for a period of two months or, if shorter, the remainder of his term of office.

G Adjudication Panel for Wales Sanctions Guidance

The Committee noted the Sanctions Guidance which was published 1 September, 2018.

H Standards Conference – 14 September, 2018

The Members and officers who facilitated the Authority's Workshop indicated that they considered that this was well received. The following comments were noted for the Conference as a whole:

- The number of complaints regarding health services considered by the Ombudsman had increased but the number regarding local authorities had remained static.
- The Social Media workshop used too much redacted information which meant it was more difficult to discuss issues.
- At the Sharing Good Practice workshop, participants considered that where the Ombudsman finds a breach, but takes no further action, such cases should be referred back to the respective Standards Committee for consideration. The Committee noted that this issue had previously been raised with the Ombudsman. It was noted that in some Authorities, where such a situation occurs, the individual is followed up locally and offered training.
- It was considered that there were too many speakers in the morning and that more time should have been given to workshops.
- The sound in the main hall was not good as people indicated that they could not hear at the back of the room.

I Correspondence

The Committee received the letter from the Adjudication Panel for Wales regarding Legal Member Recruitment.

J Meeting dates

The Committee noted that the Council diary would be considered at the Council meeting on 18 October, 2018 after which the Committee's dates would be circulated.

5.	STANDARDS CONFERENCE 2018 - STANDARDS HEARINGS WORKSHOP - PRACTICAL ISSUES
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The Committee with the Standards Community Sub-Committee considered the questions used in the Conference Workshop facilitated by the Authority.

The Deputy Monitoring Officer advised that as the Chair's Term of Office comes to an end on 13 May, 2019 the process for agreeing the recruitment and appointment of a replacement independent member would be considered by Council at its meeting on 18 October, 2018.

The Committee thanked Liz Patterson, Scrutiny Officer for her support to the Committee.

Mrs H Rhydderch-Roberts (Chair)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL.

Standards Committee
20 February 2019

REPORT BY: Solicitor to the Council

SUBJECT: Standards Issues

REPORT FOR: Decision, Information and Discussion

A. General Standards Issues for County Councillors and Co-opted Members

A1 Code of Conduct Training

Nothing to report.

A2 Mandatory Training

At the last meeting of the Committee in October, 2018 it was reported that three members had not completed the Mandatory Treasury Management training for 2017-18. Following the meeting the Chair of the Committee wrote to the Members advising that they were required to attend the development Session in January 2019 and if they failed to attend would be required to attend the Standards Committee in February 2019 to provide a verbal explanation for their non-attendance. They were also advised of the sanctions which the Standards Committee could consider for non-attendance.

The Committee is advised that all three Members did attend the Mandatory Treasury Management session on 16 January, 2019 and therefore have completed their Mandatory Treasury Management training for 2017-18.

RECOMMENDATION:	REASON FOR RECOMMENDATION:
That the Committee notes that the 3 Members have completed their Mandatory Treasury Management training for 2017-18	To monitor attendance at Mandatory Development Sessions.

B. Referral of Councillors to Public Services Ombudsman

B1. County Councillor Referrals

B1.1 The current position regarding matters with the Ombudsman is as follows:

02/CC/2017 Ombudsman investigating

01/CC/2018 Referred to APW

02/CC/2018	Concluded no breach
05/CC/2018	Concluded no further action
08/CC/2018	Ombudsman deciding whether or not to investigate
09/CC/2018	Ombudsman deciding whether or not to investigate
10/CC/2018	Ombudsman investigating
11/CC/2018	Ombudsman investigating
12/CC/2018	Ombudsman investigating
1/CC/2019	Ombudsman not investigating

C Dispensations

C1 Applications - County Councillors

No applications for dispensation have been received from County Councillors.

D Late Payment of Expenses

One claim for late payment of expenses has been received from County Councillor Bryn Davies for travel claims. A copy of the claim will be circulated at the meeting.

E Ombudsman's Casebook

The Ombudsman has published Code of Conduct Casebooks for the following period:

- July – September 2018

A copy of these Casebook is attached at **Appendix A**

Back copies of the casebooks can be accessed from the website of the Public Services Ombudsman for Wales at:

<https://www.ombudsman.wales/code-of-conducts/>

F Arrangements to fill one vacancy arising from the completion of a term of office of an Independent (Lay) Member on the Standards Committee

The County Council in October, 2018 agreed the arrangements to fill one vacancy on the Committee, arising from the completion of the term of office of an Independent (Lay) Member. A press release was published on 4 February, 2019 and adverts were placed in the County Times and the Brecon and Radnor Express during the week of 4 February, 2019, the cost being £1,167.93 [£973.27 excluding VAT].

The arrangements for considering applications is attached at **Appendix B**.

Applications will be considered by an Appointments Panel of five members:

- two of the current Independent (Lay) Members of the Standards Committee,
- one of the four county councillors sitting on the Standards Committee,
- one Town/Community Councillor sitting on the Standards Community Sub-Committee

and one lay person who will act as Chair. The Standards Committee is requested to nominate Members of the Committee to sit on the Appointments Panel.

G Correspondence

H Meeting dates

To note dates of future meetings as follows:

Wednesday 5th June 2019

Wednesday 2nd October 2019

Contact Officer Name:	Tel:	Fax:	Email:
Clive Pinney – Solicitor to the Council	01597 826746	01597 826220	clive.pinney@powys.gov.uk

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

The Code of Conduct Casebook

Issue 18 October 2018

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Introduction

The Public Services Ombudsman for Wales considers complaints that members of local authorities in Wales have broken the Code of Conduct. The Ombudsman investigates such complaints under the provisions of Part III of the Local Government Act 2000 and the relevant Orders made by the National Assembly for Wales under that Act.

Where the Ombudsman decides that a complaint should be investigated, there are four findings, set out under section 69 of the Local Government Act 2000, which the Ombudsman can arrive at:

- (a) that there is no evidence that there has been a breach of the authority's code of conduct;
- (b) that no action needs to be taken in respect of the matters that were subject to the investigation;
- (c) that the matter be referred to the authority's monitoring officer for consideration by the standards committee;
- (d) that the matter be referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal (this generally happens in more serious cases).

In the circumstances of (c) and (d) above, the Ombudsman is required to submit the investigation report to the standards committee or a tribunal of the Adjudication Panel for Wales and it is for them to consider the evidence found by the Ombudsman, together with any defence put forward by the member concerned. It is also for them to determine whether a breach has occurred and, if so, what

penalty (if any) should be imposed.

The Code of Conduct Casebook contains summaries of reports issued by this office for which the findings were one of the four set out above. However, in reference to (c) and (d) findings, The Code of Conduct Casebook only contains the summaries of those cases for which the hearings by the standards committee or Adjudication Panel for Wales have been concluded and the outcome of the hearing is known. This edition covers July to September 2018.

Case summaries

No evidence of breach

Saltney Town Council – Disclosure and registration of interests

Case number 201707925 – Report issued in July

The Ombudsman investigated a complaint that a Councillor (“the Councillor”) may have breached the Code of Conduct by participating in, and voting on, a decision to award a grant to a charitable organisation of which she was Chair.

The Ombudsman concluded that the Councillor’s position as Chair of the organisation was likely to have given rise to a personal and prejudicial interest and as such the Councillor should not have taken part unless an exemption applied or she had received a dispensation from the relevant standards committee. The investigation found that the Councillor had recognised this and had considered applying for a dispensation. However, she was advised by a County Council Officer that this was not necessary as an exemption at paragraph 12(2)(a)(ii) of the Code applied and she could therefore participate. This exemption applies when the item of business relates to another public body or body exercising functions of a public nature in which the member holds a position of general control or management. The Ombudsman found that the Councillor was therefore acting in good faith on the basis of the advice she had received. He therefore concluded that the evidence did not suggest that she had breached the Code.

Powys County Council – Promotion of equality and respect

Case number 201701865 – Report issued in September

A complaint was received about a behaviour of a member (“the Councillor”), during a shortlisting meeting to discuss the applications for a new Headteacher post.

An investigation was commenced to consider whether the Councillor had breached parts of the Code which concern respect and consideration, bullying and harassment, and disrepute.

The Ombudsman determined that there was no evidence to suggest that the Councillor breached the Code and therefore no action needed to be taken.

Manorbier Community Council – Promotion of equality and respect

Case number 201708037 – Report issued in September

The Ombudsman received a complaint that a Councillor (“the Councillor”) was verbally abusive and bullying to a member of the public during a Community Council meeting.

An investigation was commenced to consider whether the Councillor had breached parts of the Code of Conduct (“the Code”) which concern to treating others with respect and consideration, bullying and harassment, and disrepute. **Tudalen 13**

Five witnesses were interviewed and the consensus was that the Councillor did not say or do anything during the meeting that gave them undue concern. The Ombudsman determined there was no evidence to suggest that the Councillor had breached the Code.

Abertillery & Llanhilleth Community Council – Promotion of equality and respect

Case number 201800122 –Report issued in August

The Ombudsman investigated a complaint that a Councillor (“the Councillor”) may have breached the Code of Conduct by disclosing confidential human resources and financial information.

Having considered the information available to him, the Ombudsman concluded that there was no evidence to suggest that the Councillor had improperly shared any information and, that there was no evidence that a breach of the Code of Conduct had occurred.

No action necessary

Sully and Lavernock Community Council – Promotion of equality and respect

Case Number 201706912 – Report issued in September

The Ombudsman received a complaint that a Member (“the Member”) of Sully and Lavernock Community Council (“the Council”) had breached the Code of Conduct by sending an email to his fellow councillors which was disrespectful and offensive about another councillor.

The Member was interviewed, as were the councillor who was subject of the email and two other members of the Council. At interview, the Member acknowledged that he should not have sent the email and that it was inappropriate. The Member expressed regret for his actions and said that he would not act in that way again. In mitigation, the Member said that relationships within the Council were currently difficult, and he had received a number of critical emails from the councillor concerned. The Member said that he had not intended to copy the email to all the members of the Council, but had done so by accident, when replying to a previous email.

The Ombudsman concluded that it was likely that the Member had breached paragraphs 4(a) and 4(b) of the Code, which require that members should carry out their duties with due regard to equalities issues and must show respect and consideration to others. However, in view of the mitigating factors, the Member’s contrition and his promise not to act in that way again, the Ombudsman concluded that it would not be in the public interest to refer the matter to the standards committee.

Carmarthenshire County Council – Promotion of equality and respect

Case number 201606614 – Report issued in July

The Ombudsman received a complaint that a former member of Carmarthenshire County Council (“the Councillor”) had brought the office of member of the Council into disrepute as a result of behaviour which failed to show respect and consideration for others. The complaint related to the Councillor’s behaviour towards the Council’s Chief Executive and her conduct towards officers of the Council on 2 December 2016. The investigation considered whether the Councillor may have breached paragraphs 4(b), 6(1)(a) and 7(a) of the Code of Conduct.

As the Councillor was not re-elected at the May 2017 election, the Ombudsman considered that the matters were not sufficiently serious for it to be in the public interest to pursue further. The Ombudsman found that no action needed to be taken in respect of the matters investigated.

Clyro Community Council – Disclosure and registration of interests

Case number 201704165 – Report issued in September

The Ombudsman investigated a complaint that a Councillor (“the Councillor”) may have breached

the Code of Conduct by participated in a discussion and voted on a local planning application without declaring an interest. In addition, the Ombudsman investigated whether the Councillor had a closed mind when he attended two Community Council meetings in September and October 2017.

Having considered all the information available to him, the Ombudsman concluded that there was no evidence that the Councillor had a personal interest in the planning application and it therefore followed that he did not have a prejudicial interest. In addition, the Ombudsman concluded that the Councillor was predisposed and not predetermined when he attended the initial meeting and voted. The Ombudsman did not consider that there was sufficient evidence to support a contention that the Councillor was predetermined at the second meeting. There was no evidence that a breach of the Code of Conduct had occurred.

Llay Community Council – Objectivity and propriety

Case number 201702478 – Report issued in July

The Ombudsman received a complaint that during a meeting of Llay Community Council a member (“the Member”) had breached the Code of Conduct. It was alleged that the Member’s behaviour had been disrespectful and, that he had disclosed confidential information. It was also alleged that the Member had used his position to confer a disadvantage on a local resident and failed to declare an interest in the matter. Finally, it was alleged that the member had brought his office of member into disrepute.

Information was sought from the Council and interviews were undertaken with witnesses to the meeting and the member.

The investigation found that, the member had made representation to the Council on this matter on behalf of his constituent. There was no evidence to suggest that the member had used his position to secure disadvantage for the member of the public or, that he had an interest in this matter. The investigation also found that, whilst the member did disclose information during the meeting, it was not of a confidential nature.

The Ombudsman did, however, have some concern about the personal comments the member made about a member of the public while addressing the Council. The comments did not add any value to the Council’s consideration of the matter and were neither appropriate nor necessary.

Under Section 69(4)(b) of the Local Government Act 2000, the Ombudsman found that no action needed to be taken in respect of the matters investigated.

Ceredigion County Council – Disclosure and registration of interests

Case number 201701091 – report issued in July

Mr X complained that an elected member of the Council (“the Councillor”) had breached the

Code of Conduct for members ("the Code") when he attended a meeting that a Council officer had advised him not to attend. Mr X also complained about the Councillor's conduct towards specific persons at the meeting.

The Ombudsman investigated the complaint on the basis that the Councillor may have breached paragraphs 8(a), 4(b), 4(c) and 6(1)(a) of the Code relating to showing respect, bullying behaviour, disrepute and having regard to advice provided by a Council officer.

The Ombudsman did not find any evidence that the Councillor had been advised not to attend the meeting by a Council officer, or that the manner in which he spoke to most of the meeting attendees exceeded the boundaries of professional conduct.

The Ombudsman did find that the Councillor's robust manner had an effect on one individual at the meeting and that the Councillor should have amended his behaviour towards him specifically as he had previously met him and described him as 'nervous'. Whilst the Councillor was reminded to modify his behaviour for his audience, the Ombudsman concluded that, on balance, it was not in the public interest to refer the matter to a Standards Committee or Adjudication Panel for Wales and, therefore, no further action should be taken.

Referred to Standards Committee

Neyland Town Council – Disclosure and registration of interests

Case number 201703026 – Report issued in July

The Ombudsman received a complaint that a member of the council (“the Councillor”) of Neyland Town Council may have used his position improperly by trying to stop a project that the Town Council had already agreed to support. It was alleged that the Councillor had a business interest in the matter.

The Ombudsman obtained relevant information about the matter and interviewed witnesses. The Councillor provided his comments on the complaint at the outset of the investigation but did not respond to a request to be interviewed.

The Ombudsman found that there was evidence to suggest that the Councillor may have breached the Code of Conduct and referred the matter for consideration by the Council’s Standards Committee.

The Standards Committee concluded that the Councillor had breached the Code of Conduct. Accordingly, the Committee decided that the Councillor should be censured.

The decision of the Standards Committee can be found [here](#).

Referred to Adjudication Panel for Wales

Monmouthshire County Council

Case Number: 201604188 - Report issued in December 2017

The Ombudsman received a complaint that a Councillor ("the Councillor") had sent emails to the complainant, when acting in his capacity as a member of the Council, which the complainant considered contained comments which failed to show respect and consideration for members of the LGBT community.

The Ombudsman considered that the comments made were egregious and there was no reason to use such language to obtain the information he required, about the way the Council used its funds or even to express his view. The Ombudsman found that the comments made and the language used may amount to a failure to show respect and consideration for others and that there was evidence suggestive of a breach of paragraph 4(b) of the Code of Conduct.

The Ombudsman referred the matter to the Adjudication Panel for Wales for adjudication by tribunal.

The Tribunal concluded that the Councillor had breached the Code of Conduct. Accordingly, the Tribunal decided that the Councillor should be suspended from the Council for a period of two months.

The decision of the Adjudication Panel for Wales can be found [here.](#)

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL.

County Council – 18 October, 2018

Arrangements to fill one vacancy arising from the completion of a term of office of an Independent (Lay) Member on the Standards Committee

1. Forthcoming Vacancy on the Standards Committee.

- 1.1 The term of office of an Independent Member of the Standards Committee, Mrs Helen Rhydderch-Roberts, ends on 13 May 2019. Mrs Rhydderch-Roberts will have completed the maximum two terms of office permitted, and is therefore not eligible for re-appointment.
- 1.2 The County Council will therefore need to undertake an appointment process for a new Independent Member to replace Mrs Rhydderch-Roberts in accordance with the Standards Committees (Wales) Regulations 2001 (as amended). The Regulations and the Constitution provide that Independent Members are appointed for not less than 4 years and not more than 6 years and the convention has been to appoint for a 6 year term. Approval is sought from the County Council for officers to commence the process as from February 2019.
- 1.3 The starting point under the regulations is a requirement for the Council to publish an advertisement in not less than two newspapers (which are not published by the Council) circulating within Powys advising local government electors that the Council is seeking to appoint an independent (lay) member to its Standards Committee. Such advertisement may also, if the Council considers appropriate, notify electors:
 - (a) that the chairperson and vice-chairperson of the Standards Committee are elected from independent (lay) persons; and
 - (b) the qualities and experience that may be required of independent (lay) members serving on the Standards Committee.
- 1.4 Additionally the Council can also publish such advertisement in any newspaper that it publishes or online. It is intended to publish information on the Council's website.
- 1.5 The newspaper advertisement based on the one used on the last occasion is attached as **Appendix A** which will appear in the County Times and the Brecon and Radnor Express. Other news releases will also be made referring to the information on the Council's website.
- 1.6 The Council is also required under the regulations to:
 - (a) Establish criteria for the appointment of independent members to its Standards Committee, and
 - (b) Publish those criteria in the newspaper advertisement referred to above.

- 1.7 A set of criteria (based on that used on the last occasion) is attached as **Appendix B**.
- 1.8 The regulations further stipulate that the Council must establish a Panel to:
- (a) Consider every application received;
 - (b) Apply the criteria established in considering applications;
 - (c) Make recommendations to the County Council in relation to applications.
- N.B.** Appointments of Independent (Lay) members must be made by the County Council which must have regard to the recommendations of the Panel.
- 1.9 The previous practice of such Panels has been to invite applicants to attend before the Panel for interview. There may also be need to consider a shortlisting stage in the event of there being a number of applicants.
- 1.10 The regulations go on to provide that a Panel established by the Council must not consist of more than 5 panel members one of whom must be a “lay panel member” and one of whom must be a member of a community council. In this context “lay panel member” means someone who is not or has not been a County Councillor and is not or has not been an independent member of the Standards Committee.
- 1.11 Based upon the composition of panels established previously it is suggested that the panel on this occasion comprises the following:
- Lay Panel Member (Who normally Chairs the Panel) – Lord Lieutenant or the High Sheriff [a previous High Sheriff will be approached as the current holder of the position is also a Councillor] .
 - Vice Chairman of the Standards Committee, as the vacancy relates to the current Chairman.
 - Independent ‘Lay’ Member of the Standards Committee.
 - 1 County Council representative from the Standards Committee – to be selected by the Standards Committee
 - 1 Town / Community Council representative from the Community Standards Sub-Committee – to be selected by the Sub-Committee
- 1.12 In the event of the non-availability of any member of the Panel it is suggested in accordance with past practice that the function of appointing a substitute be delegated to the Monitoring Officer in consultation with the Chairman of the County Council and the Vice Chairman of the Standards Committee.
- 1.13 A timetable for the appointment process in this connection is set out in **Appendix C** and is recommended for adoption by the County Council. It will be observed that this timetable anticipates that the County Council will make the formal appointment of a new Independent (Lay) Member to the Standards Committee at its Meeting in May 2019.
- 1.14 Given the obvious need to attract the widest interest and encourage as many suitable candidates as possible to apply it is suggested that the Chair and Vice Chair of the Standards Committee be authorised to take such steps as appear

necessary to them to achieve these objectives. This to include (but not be limited to) the power to (i) add to and modify the contents of the newspaper notice (subject to compliance with the regulations); (ii) undertake additional advertising/awareness raising steps; and (iii) produce additional literature/promotional material.

JOIN OUR STANDARDS COMMITTEE

The Council has a vacancy for an Independent (Lay) Member on its Standards Committee and Standards Community Sub-Committee. The successful applicant will be entitled to an allowance of £99 for a half day or £198 for a whole day plus travel expenses.

Further details are obtainable on the Powys County Council website: via <https://en.powys.gov.uk/article/812/Search-and-apply-forjobs> or obtained from: Clerk to the Standards Committee, Powys County Council, Llandrindod Wells, Powys, LD1 5LG (e-mail: carol.johnson@powys.gov.uk)
The deadline for receipt of application is 1 March, 2019.

YMWUNWCH Â'N PWYLLGOR SAFONAU

Mae gan y Cyngor swydd wag am Aelod Annibynnol (Lleyg) ar ei Bwyllgor Safonau a'r Is-bwyllgor Safonau mewn Cynghorau Cymuned. Bydd gan yr ymgeisydd llwyddiannus hawl i lwfans o £99 am hanner diwrnod neu £198 am ddiwrnod cyfan yn ogystal â chostau theithio.

Mae manylion pellach ar gael ar wefan Cyngor Sir Powys:
Gallwch gyflwyno cais ar-lein trwy xxxxx neu eu hargraffu oddi ar y wefan neu gan Glerc y Pwyllgor Safonau, Cyngor Sir Powys, Llandrindod, Powys, LD1 5LG (e-bost: carol.johnson@powys.gov.uk)
Y dyddiad cau ar gyfer derbyn cais yw 1 Mawrth 2019.



CYNGOR SIR POWYS COUNTY COUNCIL

STANDARDS COMMITTEE

Criteria for the Appointment of Independent (Lay) Members

1. An interest in seeking to uphold and promote high ethical standards in local government.
2. Candidates should be able to demonstrate the following qualities:-
 - (a) good character;
 - (b) understanding and communication skills;
 - (c) social awareness, including an understanding of local communities within Powys;
 - (d) maturity and sound temperament;
 - (e) sound judgement.
3. Members of the Standards Committee must be able to give a commitment to serve on the Committee and its Sub-Committee as required.
4. Some knowledge of local authority or public sector business, or knowledge or experience gained within a regulatory or ethical standard area, would be an advantage.
5. The following are not eligible to serve as Independent (Lay) Members of the Standards Committee by virtue of regulations made by the National Assembly for Wales :-
 - (i) a councillor, officer, or the spouse of a councillor or officer, of Powys County Council, any other Welsh county council, a Welsh National Park Authority, or a Fire Authority or Town or Community Council in Wales.* N.B. 'Officers' includes all staff of one of these authorities including teaching staff.
 - (ii) any person who was previously a member or officer of Powys County Council (post 1996).
 - (iii) any person who, within the previous 12 months, was a member or officer of any other Welsh county council, or a Welsh Fire Authority.

*Town and Community Councillors are welcome to apply but would be required to resign from their Town or Community Council role if appointed as an Independent Member.

APPENDIX C

Timetable for Appointments Panel 2019

It is necessary to have Panel of no more than 5 Members including a Lay Member and a Community Councillor.

Agree process at Council	Thur	18 th October, 2018
Delegate appointment of Standards Committee Panel Members	Wed	20 February 2019
Press Notice to papers	Fri	1 February, 2019
Notice in the papers (2 papers)	Fri	8 & 9 February 2019
News release and publication on the Council's website / social media – ongoing Social media promotion	Fri/Sat	4 February 2019
Re-issue of press release (if necessary)	w/c	18 February, 2019
Closing date for applications	Fri	1 March 2019
Shortlisting (left longer after closing date to give time to copy pack for selection panel)	w/c	18 – 22 March 2019
Panel Sitting	w/c	8 April 2019
County Council to confirm appointment (and commencement of term of office)		16 May 2019

Term of office of Mrs H Rhydderch-Roberts finishes 13 May 2019