

CYNGOR SIR POWYS COUNTY COUNCIL.

**Standards Committee
7th February 2018**

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

Code of Conduct training was held on the 16th May 2017. Four County Councillors and one Independent Member were unable to attend the training (one County Councillor was on other Council business). In addition 3 Town and Community Council representatives were appointed in September who were required to undertake the training. Alternative dates were offered and the training was undertaken on 24th October and 14th November. As a consequence all Members and Co-Opted Members have completed the training. The new Member of the Standards Committee will have received training on 1st February, 2018.

A2 Mandatory Training

The Council agreed on 15th July, 2015 that:

- (i) Where a Member does not attend/complete a "Mandatory development" session they will receive an email from the Standards Committee advising them that they need to attend the next session. They will be given details of the session or how to access an appropriate session from another source and the required date for completion.
- (ii) Where a Member does not complete the second session they will be required to provide a verbal/written explanation of why they have failed to attend/complete the required development to the Standards Committee. The Standards Committee will require the Member to agree to complete the required "mandatory development" within a specified timescale.
- (iii) If a Member continues to fail to attend/complete the required training the Standards Committee can suspend that Member for a period of up to one month. During this period the individual will not receive their allowance and will not be able to act as a Councillor.
- (iv) The Standards Committee will however, take into account a Member's individual circumstances when considering the above.

As it is now a new term of Council, it would seem appropriate that this decision of Council is implemented. The purpose of this section of the report is to remind the Committee of the Council's decision and to give advanced notice that in future reports, the names of Members who have not completed Mandatory Training will be reported.

In addition it would be prudent for the Committee to write to all Group Leaders and Co-Opted Members to remind them of the Council's policy and to advise that in future the names of Members not attending Mandatory development Sessions will be reported to the Standards Committee.

RECOMMENDATION:	REASON FOR RECOMMENDATION:
<p>(i) To note the Council's policy in relation to Mandatory Development Sessions.</p> <p>(ii) That the Committee writes to all Group Leaders and Co-Opted Members reminding them of the Council's policy and to advise that in future the names of Members not attending Mandatory Development Sessions will be reported to the Standards Committee.</p>	<p>To implement the Council's policy regarding Mandatory Training as approved on 15th July, 2015.</p>

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 Ombudsman investigating.

C Dispensations

C1 Applications - County Councillors

No applications for dispensation have been received from County Councillors.

D Ombudsman's Casebook

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

- July – September 2017

A copy of this 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:

<http://www.ombudsman-wales.org.uk/en/publications/The-Code-of-Conduct-Casebook.aspx>

E Annual Report from Adjudication Panel for Wales

The Adjudication Panel for Wales (APW) has published its Annual Report for 2014/15 and 2015/16 Combined.

The report is usually published annually but was delayed due to the few cases dealt with by the APW and the retirement from office of the previous President of the APW, Mr Peter Davies. The current President is Ms Claire Sharp.

The report can be accessed from the APW website on the following link;

<http://gov.wales/docs/apw/publications/170404-apw-annual-report-2014-2016-en.pdf>

The Adjudication Panel for Wales is an independent tribunal. Their function is to determine alleged breaches by elected and co-opted members of Welsh county, county borough and community councils, fire and national park authorities, against their authority's statutory code of conduct.

The APW role is to form case and interim case tribunals ("Case Tribunals") to consider references from the PSOW following the investigation of allegations that a member has failed to comply with their authority's Code of Conduct; and

The Panel to consider appeals by members against decisions of their own authority's Standards Committee that they have breach their Authority's Code of Conduct ("Appeal Tribunals").

F Adjudication Panel for Wales decision report

In October 2017 the Adjudication Panel for Wales published a decision report in respect of Alison Halford former Councillor for Flintshire County Council. The Adjudication Panel for Wales had received the matter as a referral from the Public Services Ombudsman for Wales and, having dealt with the matter at a Case Tribunal on 6th October 2017. The outcome of the Tribunal was to disqualify Ms Halford from being or becoming a Member of a relevant authority for a period of 14 months.

A copy of the report is attached at **Appendix B**.

G Register of Gifts and Hospitality

To receive the Register of Gifts and Hospitality covering the period May 2016 – November 2017 at **Appendix C**.

H. Meeting Dates

To note dates of future meetings as follows:

Wednesday 27th June 2018

Friday 14th September 2018 – Standards Conference Aberystwyth University

Wednesday 3rd October 2018

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