

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**Standards Committee  
27<sup>th</sup> June 2018**

**REPORT BY:** Solicitor to the Council

**SUBJECT:** Standards Issues

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**REPORT FOR:** Decision, Information and Discussion

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**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**

Following the last meeting, Group Leaders and all members have been advised of the Council's policy and that non-attendance at Mandatory Member Development sessions will be reported to the Standards Committee.

The Committee is asked to note that a mandatory Treasury Management development session is scheduled to take place on 20 July, 2018. In the Council year 2017-18 two sessions were provided namely on 14 July, 2017 and 31 January 2018. 13 Members did not attend either of these two sessions. As last summer was very busy with Induction and being a new Council, the Head of Democratic Services agreed that Members would be required to attend at least one of the Treasury Management sessions held in a 14 month period. Therefore the 13 Members who must attend the session on 20 July 2018 have received a diary invitation advising them that they must attend this session.

Members have had two opportunities to attend this Development Session and it is suggested that the Committee might wish to take a proactive role to ensure compliance in accordance with the Council's policy as follows:

- (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.

The Committee is therefore requested to note an email will be sent from the Chair of the Committee advising the 13 Members that they must attend this

session, otherwise they will have to provide an explanation to the Committee for their failure to attend.

<b>RECOMMENDATION:</b>	<b>REASON FOR RECOMMENDATION:</b>
<b>That the Committee note the Chair will write to the 13 Members advising that they must attend the Mandatory Treasury Management Development Session on 20<sup>th</sup> July, 2018.</b>	<b>To ensure compliance with the Council's policy regarding Mandatory Training as approved on 15<sup>th</sup> July, 2015.</b>

## **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
02/CC/2018	Ombudsman investigating
03/CC/2018	Complaint received – not investigating
04/CC/2018	Ombudsman deciding whether or not to investigate
05/CC/2018	Ombudsman investigating
06/CC/2018	Complaint received – not investigating
07/CC/2018	Complaint received – not investigating
08/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 Delegation for urgent matters**

There are only three meetings a year of the Standards Committee in the diary. Extraordinary meetings of Standards Committee may be called where urgent matters are required to be decided. In certain cases, for example referrals from the Ombudsman this is required. There are however other matters which may not warrant the calling of an extraordinary meeting and in this case Members are asked to consider delegating authority to the Chair and Vice-Chair of Standards Committee together with the Monitoring Officer to take a holding decision pending confirmation of the position at Standards Committee. Decisions such as this will be limited to non-controversial applications for dispensation.

RECOMMENDATION:	REASON FOR RECOMMENDATION:
That the Committee delegate non-controversial applications for dispensation to the Chair and Vice-Chair of the Standards Committee in consultation with the Monitoring Officer to grant a temporary dispensation subject to confirmation at Standards Committee	To allow applications for dispensation to be decided in a timely manner but confirmed at a meeting of the Standards Committee.

## **E Late Payment of Expenses**

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

## **F Ombudsman's Casebook**

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

- October - December 2017
- January – March 2018

A copy of these Casebooks are 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>

## **G Annual Report from Adjudication Panel for Wales**

The Adjudication Panel for Wales (APW) has published its Annual Report for 2016/17.

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”).

## **H Adjudication Panel for Wales decision report**

In February 2018 the Adjudication Panel for Wales published a decision report in respect of Dr Stuart Anderson former Councillor for Conwy County Borough 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 9<sup>th</sup> and 10<sup>th</sup> of January 2018. The outcome of the Tribunal was to disqualify Dr Anderson from being or becoming a Member of a relevant authority for a period of 18 months.

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

## **I Sanctions Guidance**

The Adjudication Panel for Wales have published Sanctions Guidance setting out the approach to be taken in case, appeal and interim tribunals by the Adjudication Panel of Wales. This Sanctions Guidance is attached at **Appendix C**.

## **J Standards Conference**

To receive a verbal update from the Monitoring Officer

## **K Meeting Dates**

To note dates of future meetings as follows:

Friday 14<sup>th</sup> September 2018 – Standards Conference Aberystwyth University

Wednesday 3<sup>rd</sup> October 2018 – Standards Committee

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