

CYNGOR SIR POWYS COUNTY COUNCIL.

**Standards Committee
3 October 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

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

A2 Mandatory Training

At the Treasury Management Development Session held on 20th July, 2018 there were a number of Members who did not complete the required training for 2017-18. During 2017-18 three sessions were held and Members were required to attend one of those sessions to complete the Mandatory Training for the year. The sessions were held on 14th July, 2017, 31st January, 2018 and 20th July, 2018.

Prior to the July, 2018 session 13 Members had not completed the required training. Following the July 2018 session 4 members had not completed the training. Of those 1 member (Councillor Jonathan Wilkinson) has been granted a leave of absence of 6 months by the Council and is therefore exempt from undertaking this development currently.

As required by the Council's policy relating to Mandatory Development, the Head of Democratic Services has written to those 3 remaining Members who did not complete their Mandatory Sessions and asked them for a written explanation or offered them the ability to make a verbal presentation to the Committee at its meeting on 3rd October, 2018. All three Councillors have responded (County Councillors Myfanwy Alexander, Mark Barnes and Neil Morrison).

The responses from Members are attached as **Appendix A**

A copy of the Council decision of 15th July, 2016 and the process is attached as **Appendix B**

RECOMMENDATION:	REASON FOR RECOMMENDATION:
That the Committee provides its response to the comments of Members and determines what further action is to be taken in accordance with the Council's policy.	To ensure compliance with the Council's policy regarding Mandatory Training as approved on 15th July, 2015.

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
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

One claim for late payment of expenses has been received from County Councillor Phil Pritchard 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:

- April – June 2018

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

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

G Adjudication Panel for Wales 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 E**.

H Standards Conference – 14 September 2018

To receive a verbal feedback from Members and Officers who attended the Conference.

I. Correspondence.

To receive a letter from the President of the Adjudication Panel for Wales regarding Legal Member Recruitment. **Appendix F**

J. Meeting Dates

The Council diary will be agreed at the Council meeting on 18 October, 2018 after which the dates will be circulated to the Committee.

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