

STANDARDS COMMITTEE

19 December 2018

Present: Mrs J Wainwright (Chair)
Mr A Archer, Mr John Daniels, Councillor R Owens, Councillor P Morgan and Mrs V Tomlinson

(NPA Offices, Llanion Park, Pembroke Dock: 10.00am – 11.00am)

1. Apologies for absence

There were no apologies for absence.

2. Disclosures of interest

There was a disclosure of interest from Mr A Archer regarding reports 03/18, 04/18 and 05/18 (*Minutes 5, 6 and 7 below refer*).

3. Minutes

The minutes of the meeting held on 15 May 2018 were presented for confirmation and signature.

It was **RESOLVED** that the minutes of the meeting held on 15 May 2018 be confirmed and signed.

4. Annual Report of the Monitoring Officer 2017/18

The Monitoring Officer reported that there had been no referrals regarding matters of conduct during this period. Members enquired if the matters for which dispensations had been granted to the two Members referred to in his report had been resolved. Officers replied that one of the items was an ongoing matter however it was likely that the other had been concluded.

NOTED.

5. The Adjudication Panel for Wales Annual Report for 2016-2017

It was reported that the Adjudication Panel for Wales (APW) was an independent tribunal that had been set up to determine alleged breaches against an authority's statutory Code of Conduct by elected and co-opted members of Welsh County, County Borough and Community Councils, Fire and National Park Authorities. At the date of the meeting the 2017-18 report had not yet been published and no tribunals appeared to be pending.

In respect of the 2016-17 Annual Report to which a hyperlink had been provided, the Panel had considered four matters – two referrals from the Public Service Ombudsman for Wales and two appeals against the determination of Standards Committees.



NOTED.

6. The Public Service Ombudsman for Wales

It was reported that the Public Service Ombudsman for Wales (PSOW) had two specific roles. The first to consider complaints about public services providers in Wales; the second role was to consider complaints that Members of local authorities had broken the Code of Conduct. It was this latter role that was relevant to the Committee.

The Ombudsman's 2017-18 Annual Report detailed 270 Code of Conduct complaints, over half of which related to Community Councils. However the majority of complaints (213) were closed after "initial consideration". The Monitoring Officer noted that the PSOW used both an evidence and public interest test and only took on the most serious complaints; he would usually only consider those complaints which had exhausted the complaints process of the relevant local authority. While there had been 10 referrals in connection with National Parks in Wales, none related to PCNPA which Members felt was a good reflection on this National Park. However it was noted that all of these referrals were either out of jurisdiction, premature or closed after initial consideration.

The report also noted that the Public Services Ombudsman Bill was currently going through the Welsh Assembly. This would, amongst other things, extend the powers of the PSOW to allow him to initiate investigations of his own volition without a referral, and contained provision for the statutory imposition of a model complaint handling process. However this seemed primarily for cases of maladministration and public dissatisfaction with service delivery rather than the conduct of Members.

NOTED.

7. Standards Conference for Wales

The Monitoring Officer reported that he and another Member of the Committee had attended the conference held in Aberystwyth on the 14th September 2018, and this had proved both interesting and a useful networking opportunity.

The Conference had promoted a new guidance booklet on sanctions and the approach taken by the Adjudication Panel for Wales in a Tribunal. This had been designed as a "living document" which could change if necessary. The Monitoring Officer commended the document as he believed that the approach outlined in it could be applied to any cases which the Standards Committee were required to consider. He circulated copies of the guidance and asked if the Committee would find it helpful if he were to arrange a training session based on one of the case studies in



it and they agreed that such a session could prove a valuable template should they be required to conduct an investigation in future.

NOTED.

8. Social Media Guide for Councillors

It was reported that the Welsh Local Government Association had recently published the above mentioned guidance and this was drawn to the attention of members of the Committee for their information, as it was conceivable that a complaint resulting from action reported on Social Media could come before them for consideration. The Monitoring Officer felt that all Councillors should have sight of this guide and was minded to send a copy to all Members of the National Park Authority.

Members of the Committee felt that while this was a problem in other Authorities, the use of social media was not prevalent among Members of this Authority. However they acknowledged that the platform could be harmful to individuals and institutions and felt that the useful, clear and accessible guidance should be heeded. They therefore recommended that this report should be circulated to Members of the Authority. The Chief Executive added that at induction Members were reminded that they were the voice of the Authority and that public statements should be checked with officers beforehand.

It was **RESOLVED** that the Social Media Guide for Councillors produced by the Welsh Local Government Association be circulated to Members of the National Park Authority.

