

**Minutes of the Standards Committee meeting held on
13 October 2023 via Zoom**

Present

Julia Hughes (Chair)	JH	Independent Member
Sally Ellis (Deputy Chair)	SE	Independent Member
Gareth Pritchard	GP	Independent Member
Gill Murgatroyd	GM	Independent Member
Cllr John Brynmor Hughes	JBM	Gwynedd Council
Gareth Owens	GO	Monitoring Officer/Clerk
Lisa Allington	LJA	Executive Assistant/Member Liaison

Apologies

Cllr Marion Bateman	MB	Flintshire County Council
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Absent

Meeting opened at 14:00.

1 APOLOGIES

- 1.1 Apologies were offered by Gareth Owens on behalf of Cllr Marion Bateman.

2 DECLARATIONS OF INTERESTS

- 2.1 Gill Murgatroyd declared an interest on Item 10 the report for which referred to the Conwy Standards Committee, of which she was a member.

3 NOTICE OF URGENT MATTERS

- 3.1 None.

4 MINUTES OF THE LAST MEETING

- 4.1 The minutes of the meeting held on 9 February 2023 were approved as an accurate record.

5 MATTERS ARISING

- 5.1 An update was given on Item 5.3 of the minutes, and Members were informed that that second meeting of the Chairs and Deputy Chairs had taken place on Wednesday 29 March 2023.

- 5.2 With regards to Item 9.1 in relation to the reappointment of Independent Members Gareth Pritchard and Gill Murgatroyd, it had been raised at the Fire and Rescue Authority meeting that there had been no pen portraits submitted for these Members. The Clerk had confirmed that those pen portraits had been placed before the Authority upon initial appointment; however, some Members of the Authority were relatively new and so they would not have seen those. It was noted that pen portraits would need to be supplied in the future for reappointments.
- 5.3 A discussion was also held around the benefits of providing FRA Members with the endorsement of the Chair for reappointments and it was agreed that this should also take place.
- 5.4 In respect of Item 13.3 which referred to the first meeting of the National Standards Forum for the Chairs of the Standards Committee, the minutes had not been approved for circulation at that meeting; however, approval had been given at the second meeting and so these would now be circulated amongst Committee Members.
- 5.5 **RESOLVED to:**
- i) Provide pen portraits to Authority Members in the instance of re-appointment of Independent Members; and
 - ii) Provide an endorsement from the Chair of the Standards Committee in the instance of re-appointment of Independent Members.

6 REVIEW OF PROTOCOL ON GIFTS AND HOSPITALITY

- 6.1 A paper was presented by the Clerk which aimed to seek Members' approval of the revised gifts and hospitality protocol. The Clerk clarified that this policy applied to non-firefighting members of staff only.
- 6.2 It was noted that the changes to this policy were in format and clarification of points only. There had been no amendments to the content.
- 6.3 It was asked whether there was an issue with consistency of policy between firefighters and non-firefighters, and responded that this was in large due to the fact that they were employed on different terms and conditions and so different considerations applied.
- 6.4 Some grammatical errors and inconsistencies in reporting lines were highlighted throughout the policy and procedure and it was agreed that these should be amended.

- 6.5 One Member asked whether the threshold amount of £25.00 should be reconsidered in light of the cost of living crisis and a discussion was held around this point; however, as this had only been set within the last 12-months, and was consistent with the local authorities within North Wales, it was felt that this was an acceptable amount.
- 6.6 It was asked whether this policy and procedure were scrutinised and whether or not it would be published on the Authority website. The Clerk responded that it would be unusual for this to be published, but that it would be scrutinised by the Authority's internal auditors.
- 6.7 Concern was raised that there may be an avenue to bypass the need to declare a gift by receiving regular gifts of a value less than the threshold on each occasion. It was suggested that a second threshold of £100.00 in any rolling 12-month period be introduced.
- 6.8 **RESOLVED to:**
- i) Carry out checks regarding the consistency between the threshold within this Gifts and Hospitality Policy and that of the firefighter's code and if there is none, that the Chief Fire Officer considers whether or not she would wish to align the firefighter's code with the Gifts and Hospitality policy and procedure.
 - ii) Provide feedback at the next Standards meeting as to who scrutinises the Gifts and Hospitality Policy and how often, and that this be added to the policy;
 - iii) Add a second threshold to the Gifts and Hospitality Policy of £100.00 for gifts received in any rolling 12-month period; and
 - iv) Subject to the above resolutions, approve the Gifts and Hospitality policy and procedure.

7 **MEMBER ATTENDANCE AT AUTHORITY MEETINGS**

- 7.1 The Clerk presented a paper on Member attendance at Authority meetings which sought to consider and address any poor attendance at meetings of the North Wales Fire and Rescue Authority (the Authority).
- 7.2 The importance of Member attendance at Authority meetings in order to achieve good governance was stressed.
- 7.3 Those present were advised that a table of attendance levels was published on the Authority website and that any Members whose attendance dropped near or below the threshold of 50% were written to, as were their Heads of Democratic Services.
- 7.4 It was asked that any improvements in Member attendance following the issue of a letter of concern be noted in covering reports for future meetings.

7.5 The matter of poor attendance across Members of a specific constituent authority was raised and whether there may be a reason for this, such as a clash of meetings. However, it was noted that liaison took place between the Monitoring Officer and the constituent authorities to ensure that council meetings were not scheduled at the same time as full Fire and Rescue Authority meetings.

7.6 **RESOLVED to**

- i) Ask the Monitoring Officer to contact the Head of Democratic Services at Wrexham County Council to establish whether there are regular clashes that prevent Wrexham Members from attending Authority meetings;
- ii) Consider the rates of attendance at meetings of this Authority since February 2023;
- iii) Carry out data comparisons from year end to year end in order to identify if there had been an improvement in Member attendance; and
- iv) Write to constituent authorities and any Members of the Authority where attendance is below 50%.

8 **FEEDBACK FROM INDEPENDENT MEMBER VISITS TO AUTHORITY MEETINGS**

8.1 It was noted that four observations of meetings had been carried out in total and written feedback from those observations had been provided as part of the meeting pack. All agreed that meetings were well run and conducted.

8.2 It was highlighted that there were a number of good structures in place including the support offered by the Monitoring Officer and Deputy Monitoring Officer to the Chairs and the labelling of titles and roles of those present online.

8.3 Concern was expressed that some meetings may be too straightforward and there was little in the way of challenge from Members. There were also reservations around the feasibility of delivering meetings via a hybrid format and a discussion was held around this.

8.4 One Member felt that the proforma used for the recording of an observation was too narrow, but it was clarified that it had been developed in line with the Standards Committee remit to ensure compliance with the Code. Any notes outside of those areas specified should therefore be made in the additional comments section.

8.5 Members agreed that the observation of meetings had been a valuable exercise and that, as there had been no issues identified, a period of a few years should be allowed to pass before observations be carried out again.

8.6 It was suggested that feedback from these meeting observations should be given at a future full Fire and Rescue Authority meeting.

8.7 **RESOLVED to:**

- i) Provide feedback to a future Fire and Rescue Authority meeting with regards to observations of meetings which have taken place; and
- ii) To allow a period of two years to pass and to then conduct further meeting observations of this Fire and Rescue Authority nearer the end of its term.

9 **FEEDBACK FROM NATIONAL FORUM FOR STANDARDS COMMITTEE (VERBAL)**

9.1 The Chair gave feedback on the National Forum for Standards Committees and agreed to circulate the minutes from this meeting around Members of the Committee.

9.2 It was clarified that this forum had arisen from the Penn Review and the meeting had included presentations from Professor Mark Philips, Michelle Morris, the Public Ombudsman for Wales.

9.3 An overview of matters discussed at this meeting was given and these included a presentation on the Standards in Public Life Research Advisory Board; an update from the Public Services Ombudsman for Wales (PSOW); items on the remit and resourcing of Standards Committees and the upholding of high standards of conduct; a Penn Review update; and an item on gifts and hospitality.

9.4 Members thanked the Chair for her feedback and expressed concern over the issues highlighted by the PSOW around safeguarding in relation to the length of time taken to receive a tribunal decision.

9.5 **RESOLVED to:**

- i) Circulate the minutes from the National Forum for Standards Committee to Members of this Standards Committee.

A comfort break took place from 16:01 to 16.06

10 **PUBLIC SERVICES OMBUDSMAN FOR WALES – OUR FINDINGS PUBLICATION**

10.1 The Clerk presented a paper which was intended to inform Members about recent findings made by the Public Services Ombudsman for Wales (the PSOW) to establish if there were any messages that need to be shared with Members of the Authority.

- 10.2 A discussion was held around the findings on the report and it was agreed that there did not appear to be any trends in the findings; however, it was felt that the matter of joining meetings whilst driving should be raised with Members and that this should also be written into the Meetings Policy.
- 10.3 Members were informed of an incident in March 2023 whereby a Wrexham Member had been under investigation for a misuse of office. The Public Ombudsman had not been made aware that the Councillor was also a Member of the Fire Authority and so in turn, this Standards Committee had not been made aware of the suspension.
- 10.4 Investigations were carried out by the Monitoring Officer and the Chair and it was established that an automatic suspension from the Fire and Rescue Authority was not appropriate. Feedback had been given to the Public Ombudsman that it would be in order for them to inform the Authority if Councillors were also Members of another public body during the course of their investigations.
- 10.4 As a result of the above, the PSOW have amended their procedures to ensure that it is established whether a Councillor is also a member of another public body as part of its investigation.
- 10.5 **RESOLVED to:**
- i) Advise Members that it is not appropriate to join meetings whilst driving; and
 - ii) Write into the Meetings Policy that joining meetings whilst driving is not appropriate.

11 **PUBLIC SERVICES OMBUDSMAN FOR WALES – ANNUAL REPORT**

- 11.1 A paper compiled to inform Members about the Public Services Ombudsman for Wales' (the PSOW) Annual Report for 2022/23 was presented by the Clerk.
- 11.2 It was noted that the Public Ombudsman was currently experiencing issues with capacity and that this had resulted in cases not being investigated within the specified timescales.
- 11.3 **RESOLVED to:**
- i) consider and note the report.

12 **ADJUDICATION PANEL FOR WALES - ANNUAL REPORT**

- 12.1 The Clerk presented a paper which aimed to inform Members about the Adjudication Panel for Wales' (the APW) Annual Report for 2022/23.
- 12.2 It was noted that in excess of 90% of referrals to the APW were upheld.

12.3 It was felt that there were no particular trends in the data, although it may be interesting for Councillors to note the extent of the sanction that could be imposed by the APW.

12.4 **RESOLVED to:**

- i) Note the report; and
- ii) Circulate the link for the APW report to Authority Members along with a comment in relation to the extent of the sanction that the APW are able to impose and that there would be automatic referrals of cases to the Authority where a Member has potentially breached the code at their constituent council.

13 FORWARD WORK PLAN

13.1 The Clerk introduced the Forward Work Plan (FWP) to Members and a discussion around its content took place.

13.2 **RESOLVED to:**

- i) Remove observations of Authority meetings from the FWP as per Item 8 of these minutes;
- ii) Remove duplication of feedback on Penn Review from February/March 2024 and add Member attendance at Authority meetings;
- iii) Add review of draft Annual Report to February/March 2024;
- iv) move forward with the FWP as presented to Members with the above amendments; and
- v) Email Members with proposed dates for meetings in line with the FWP.

14 URGENT MATTERS

14.1 There were no urgent matters for discussion.

Next meeting to be confirmed.

Meeting closed at 16:43