

AWDURDOD TÂN AC ACHUB GOGLEDD CYMRU



NORTH WALES FIRE AND RESCUE AUTHORITY

A meeting of the STANDARDS COMMITTEE will be held TUESDAY 27 FEBRUARY 2018 at the Fire and Rescue Headquarters, St Asaph at 10am.

Yours faithfully

Colin Everett
Clerk

AGENDA

1. Apologies

2. Declaration of Interests

3. Notice of Urgent Matters

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B (4) of the Local Government Act, 1972.

4. Minutes of the meeting held on 1 March 2017

5. Matters arising

6. Appointment of Chair

7. Code of Conduct: Presentation and Review

8. Review of Code of Conduct

9. Review of Constitution

10. Attendance at FRA Meetings

11. Standards Committee Annual Report

12. Urgent Matters

To consider any items which the Chair has decided are urgent (pursuant to Section 100B (4) of the Local Government Act, 1972) and of which substance has been declared under item 3 above.

PART II

It is recommended pursuant to Section 100A (4) of the Local Government Act, 1972 that the Press and Public be excluded from the meeting during consideration of the following item(s) of business because it is likely that there would be disclosed to them exempt information as defined in Paragraph(s) 12 to 18 of Part 4 of Schedule 12A of the Local Government Act 1972.

None

**Minutes of the Standards Committee meeting held on 1 March 2017 at
Fire and Rescue Headquarters, St Asaph Business Park**

Present

Jane A Eyton-Jones (Chair)
Celia Blomeley
Antony P Young
Cllr Brian Dunn, Flintshire County Council

Gareth Owens, Deputy Clerk
Alwen Davies, Member Liaison Officer

Apologies

David Morris (Deputy Chair)
Cllr Jim Evans, Anglesey County Council

1 DECLARATIONS OF INTERESTS

1.1 None.

2 MINUTES OF THE LAST MEETING

2.1 The minutes of the meeting held on 14 January 2016 were approved as a correct record.

3 MATTERS ARISING

3.1 There were no matters arising.

4 REVISED GUIDANCE ON CODE OF CONDUCT

4.1 The Deputy Clerk presented the report which detailed revisions to guidance issued by the Public Services Ombudsman for Wales (The PSOW) following changes to the code of conduct. It was noted that the revised guidance had been circulated to Authority members via their respective county councils.

4.2 Members were reminded that the national model code was amended in 2016 and came into force in July 2016. The PSOW published revised guidance for county councils and fire and rescue authorities and members noted that the principal changes were as follows:

- Introduction – emphasising personal responsibilities to understand the Code
- Greater clarity on the 2 stage test – did a breach take place? Does it warrant action in the public interest?
- Emphasises that reports to Standards Committees or the Adjudication Panel will include an opinion on whether the Code has been breached.

- Guidance on when to report suspected breaches following repeal of the obligation to do this under the Code.
- Clarifies what members can do when they have a personal and prejudicial interest (following the introduction of the right to make written representations where the public can also do so).

4.3 **RESOLVED to note the revised guidance.**

5 THE STANDARDS COMMITTEE'S ANNUAL REPORT TO THE FIRE AND RESCUE AUTHORITY

5.1 As a matter of good corporate governance the Standards Committee provides the Fire and Rescue Authority with an annual report on its activities during each financial year. Members were asked to approve the report for 2016-17.

5.2 As this may be the last Standards meeting for Celia Blomeley and Jane Eyton-Jones due to their terms of office ending in December 2017, Cllr Dunn asked to put on record the Authority's thanks to both for their work on the Committee over the past eight years. It was suggested that there should be a joint recruitment campaign between NWFRA and other county councils in North Wales in order to appoint new independent members.

5.3 **RESOLVED to approve the Standards Committee's annual report to be presented to the Authority at its March meeting.**

6 NORTH WALES STANDARDS FORUM

6.1 The Deputy Clerk led members through minutes of the North Wales Standards Forum meeting held on 17 October 2016. Celia Blomeley had attended the meeting on behalf of NWFRA Standards Committee.

6.2 It was noted that the Standards Committees of Powys and Ceredigion county councils had expressed an interest in joining the Forum and members agreed that would be beneficial to all.

6.3 **RESOLVED to note the minutes of the North Wales Standards Forum meeting.**

Report to	Standards Committee
Date	27/02/18
Lead Officer	Deputy Clerk and Monitoring Officer
Contact Officer	Gareth Owens
Subject	Review of Members Code of Conduct



PURPOSE OF REPORT

- 1 The report is presented in order for members to review the code of conduct.

EXECUTIVE SUMMARY

- 2 The Authority is required to adopt a code of conduct under s.51 Local Government Act 2000. That code must include the provisions within the national model and can include provisions consistent with the model code.
- 3 The national model code is based on the Principles of Standards in Public Life ("the Nolan Principles"). It is laid down in The Local Authorities (Model Code of Conduct) (Wales) Order 2008 as amended by The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016.

RECOMMENDATIONS

- 4 That the Committee recommends to the Authority inclusion of a provision in the members' code of conduct requiring co-operation with the local resolution procedure.

INFORMATION

- 5 The Authority first adopted a code of conduct in 2001. It revised its code in 2008 following changes to the national model. It revised its code again in 2016 following the most recent round of changes.
- 6 The code includes all the provisions of the national model without any changes or additions. As the Authority has adopted a local resolution procedure it is necessary to include an obligation to co-operate with that procedure (at paragraph 6(3)). In all other respects it is up to date and broadly comparable to the codes in other fire authorities.

Wellbeing Objectives	No specific implications
Budget	No specific implications
Legal	Sound processes and ethical decision making are at the heart of good governance
Staffing	No specific implications
Equalities/Human Rights/Welsh Language	No specific implications
Risks	Good governance reduces the risk of damage to the Authority's reputation.

Report to	Standards Committee
Date	27/02/18
Lead Officer	Deputy Clerk and Monitoring Officer
Contact Officer	Gareth Owens
Subject	Review of Constitution



PURPOSE OF REPORT

- 1 The report is presented in order for members to agree to the timetable for reviewing the Authority's constitution.

EXECUTIVE SUMMARY

- 2 The Authority is not legally required to produce a constitution, however, it is regarded as best practice to do so. As with similar documents in local authorities, the constitution contains a number of codes and protocols that give more detailed guidance on how to apply the Code of Conduct in specific situations and create processes for handling issues in an ethical manner
- 3 It is good practice to periodically review the codes and protocols to ensure that they are up to date and remain pertinent. The constitution was introduced during the last authority term and so it is appropriate that it receives its first review over the term of this Authority.

RECOMMENDATIONS

- 4 That the timetable for reviewing the Constitution is adopted.

INFORMATION

- 5 The Constitution contains the following codes and protocols :-
 - Members' Code of Conduct
 - Protocol on Member/officer relations
 - Local resolution procedure on complaints about members
 - Gifts and hospitality – local protocol
 - Social media protocol
 - Process for managing standards complaints

- 6 These codes and protocols have all been introduced at different times and have been subject to periodic review albeit not at regular intervals. It is appropriate that all such codes and protocols shall be reviewed from time to time to ensure that they are both up to date and indeed still required.
- 7 It is timely to review the codes and protocols again, and to set a programme to ensure that they are all addressed during the term of this authority. Paragraph 9 shows the suggested programme of review so that the Standards Committee can be satisfied that all codes and protocols are reviewed as part of a regular cycle.
- 8 Clearly, should there be a need to change any code or protocol outside of the cycle then that can be done and then the cycle can be amended accordingly.
- 9 A proposed timetable for reviewing the codes and protocols is noted below :-

Year	March	September
2018	Members' Code of Conduct	Protocol on Member/officer relations
2019	Local resolution procedure on complaints about members	Gifts and hospitality – local protocol
2020	Social media protocol	Process for managing standards complaints

Wellbeing Objectives	No specific implications
Budget	No specific implications
Legal	Sound processes and ethical decision making are at the heart of good governance
Staffing	No specific implications
Equalities/Human Rights/Welsh Language	No specific implications
Risks	Good governance reduces the risk of damage to the Authority's reputation.

Report to	Standards Committee
Date	27/02/18
Lead Officer	Deputy Clerk/Monitoring Officer
Contact Officer	Gareth Owens
Subject	Attendance at FRA Meetings



PURPOSE OF REPORT

- 1 The report is presented to ask members to note the proposed actions in order to increase attendance levels at Authority meetings.

EXECUTIVE SUMMARY

- 2 The Authority is not a directly elected body and its members are nominated by the 6 local authorities in North Wales instead. Whereas minimum levels for attendance at council meetings are set by legislation no such provision exists for the fire authority.
- 3 Attendance levels have been mixed since the elections in 2017 and the Clerk has recently written to all Authority members highlighting the potential issue and asking them all to prioritise attendance. A further review of attendance will take place in September 2018 at which point a follow up letter will be sent.

RECOMMENDATIONS

- 4 That Members note the proposed actions to increase attendance levels.

BACKGROUND

- 5 Under the Local Government Act 1972 councillors for directly elected bodies must attend at least 1 meeting every six months "as a member" or their seat is declared vacant and a by election is held. The same provision does not apply to members who serve on the fire authority notwithstanding the fact that members receive an additional allowance for serving on the fire authority (unless they are already in receipt of a special responsibility allowance).

INFORMATION

- 6 As a small Authority that meets a limited number of times each year any gaps in attendance represent a loss to the Authority and also a gap in the understanding of members. In effect, every meeting is more important because there are fewer.
- 7 It is inevitable that councillors won't be able to fit in all meetings at the authority, all meetings at their council and juggle their private lives. However, the Clerk has written to all members highlighting attendance levels and inviting them to attend at least the majority of meetings. Attendance levels will be reviewed again in September to see whether there has been any change.

IMPLICATIONS

Wellbeing Objectives	No specific implications
Budget	No specific implications
Legal	No specific implications
Staffing	No specific implications
Equalities/Human Rights/ Welsh Language	No specific implications
Risks	No specific implications

Report to	Standards Committee
Date	27/02/18
Lead Officer	Colin Everett, Clerk to the Authority
Contact Officer	Alwen Davies, Member Liaison Officer
Subject	The Standards Committee's Annual Report to the Fire and Rescue Authority



PURPOSE OF REPORT

- 1 Members are asked to note the attached report.

EXECUTIVE SUMMARY

- 2 As a matter of good corporate governance the Standards Committee provides the Fire and Rescue Authority with an annual report on its activities during each financial year.
- 3 Consequently the Committee's thirteenth annual report is attached for members' consideration.

RECOMMENDATION

- 4 That members note the Standards Committee's annual report and recommend it for approval by the Fire and Rescue Authority.

IMPLICATIONS

Wellbeing Objectives	No specific implications
Budget	No specific implications
Legal	No specific implications
Staffing	No specific implications
Equalities/Human Rights/ Welsh Language	No specific implications
Risks	No specific implications

ANNUAL REPORT OF THE STANDARDS COMMITTEE OF NORTH WALES FIRE AND RESCUE AUTHORITY

Background

This is the Standards Committee's thirteenth annual report to the Fire and Rescue Authority and spans the period from April 2017 to March 2018. Legislation requires that Standards Committees meet at least annually.

The Terms of Reference of the Standards Committee provide a remit to promote and maintain high standards of conduct by members of the Authority and to oversee the whistle-blowing policy for complaints against members of the Authority. Also, where statute permits, to receive reports and complaints about members and to conduct or oversee investigations and to make recommendations to the authority.

Membership

The terms of office of both Celia Blomeley and Jane Eyton-Jones came to an end on 31 December 2017. As it was the end of their second term they were not eligible for re-appointment.

This year, the recruitment campaign was undertaken jointly with Flintshire County Council. Although the Fire and Rescue Authority and the County Council operate in different ways, it was decided to take the unusual step of recruiting jointly. This was done to share cost, and more importantly, because the benefits that could spring from sharing insights between the two bodies are recognised.

The vacancies were advertised in the Daily Post, Flintshire Leader, on the NWFRA and Flintshire CC websites and social media websites during October and early November 2017. Eight applications were received in response to the advertisement, of whom five were short listed. On 29 November the Panel met to interview the short-listed candidates. At the completion of the interview process the Panel deliberated at length on the attributes and strengths of the five candidates and concluded that all candidates were appointable.

At the North Wales Fire and Rescue Authority meeting on 18 December 2017, members accepted the Panel's recommendation that Sally Ellis and Julia Hughes be appointed with effect from 1 January 2018 for a term of four years.

There are also two new representatives from the NWFRA following the council elections in 2017. Therefore the new membership is as follows:

Independent members

David Morris 01/09/14 - 31/08/18

Antony P Young 01/04/16 - 31/03/20

Sally Ellis 01/01/18 – 31/12/2021

Julia Hughes 01/01/18 – 31/12/2021

Fire and Rescue Authority members

Councillor Dylan Rees (19/06/18 onwards)

Councillor Owen Thomas (19/06/18 onwards)

Attendance and Issues

The Standards Committee met on 27 February 2018 and the following members attended:

David Morris

Antony P Young

Sally Ellis

Julia Hughes

Councillor Owen Thomas

At that meeting, members received an induction on the workings of the Authority, received a report on attendance levels and set the committee's work programme.

Complaints against members of the Fire and Rescue Authority

There were no complaints about FRA members during this period.

Financial Implications

The budget for the Standards Committee is part of the committee services heading which covers all Authority costs. Following the approval of the members' remuneration scheme on 18 June 2012, independent members are now entitled to claim remuneration based on meetings and events attended. To date, no such claims have been made.

Conclusion

The Standards Committee recommends that the North Wales Fire and Rescue Authority notes its report.