



RHONDDA CYNON TAF COUNCIL STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee meeting held on Friday, 29 November 2019 at 10.00 am at the Committee Room 1, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

County Borough Councillors - Standards Committee Members in attendance:-

Mr M Jehu Councillor E Webster
Mr R. Butler Mr J. Thomas
Mr. C. Pallant

Officers in attendance

Mr A Wilkins, Director of Legal Services
Mr P Nicholls, Service Director, Legal Services

14 Apologies

Apologies for absence were received from County Borough Councillor M. Forey and Mr D. Bowen (Independent Member).

15 Declaration of Interest

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

16 Appointment of Vice-Chair

It was **RESOLVED** to appoint Mr D. Bowen as Vice-Chair of the Standards Committee.

17 Minutes

It was **RESOLVED** to approve the minutes of the 20th September 2019 as an accurate reflection of the meeting.

18 Matters Arising

Minute 49 – Following the decision at the previous meeting, the Monitoring Officer confirmed that the letter had been sent to the Chairs of the Community Councils, which highlighted the emerging issue from the Ombudsman's Annual Report and reiterated the importance of all Town and Community Councillors attending future Code of Conduct training sessions.

19 Application for Dispensation - County Borough Councillor R. Bevan

The Monitoring Officer outlined an application that had been received from County Borough Councillor Bevan for dispensation to speak and vote on all

matters relating to the Community and Children's Services Group, save for any specific matters that directly affect his daughter who is employed by the Council in the Community and Children's Services Group as the Service Manager for Access and Enablement.

Following consideration of the report, it was **RESOLVED** to grant County Borough Councillor R. Bevan a dispensation to speak and vote on all matters relating to the Community and Children's Services Group, save for any specific matters that directly affect his daughter, who is employed by the Council in the Community and Children's Services Group as the Service Manager for Access and Enablement, with such dispensation being reviewed by the Standards Committee on an annual basis.

20 Application for Dispensation - County Borough Councillor P. Jarman

The Monitoring Officer referred Members to his report, which sought the Committee's endorsement to grant dispensation to County Borough Councillor P. Jarman to speak and vote on all matters for the duration and adoption of the 2019-20 Budget process in her capacity as Leader of the Opposition.

It was explained that County Borough Councillor P. Jarman's son works in the Streetcare Department and lives with her at her home address and therefore, Councillor Jarman sought a dispensation to speak and vote on all services affected by the Budget. In her application for dispensation, Councillor Jarman stated that by virtue of being Leader of the Opposition Group, her participation in the Budget process is justified.

The Monitoring Officer continued and advised that one of the grounds for granting dispensation is:

"(f) the participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise"

Following consideration of the report, it was **RESOLVED**:

1. To grant County Borough Councillor P. Jarman a dispensation to speak and vote on all matters for the duration and adoption of the 2019-20 budget process in her capacity as Leader of an Opposition Group;
2. To acknowledge that Councillor Jarman's son works in the Streetcare Department and lives with her at her home address and she therefore be granted dispensation to speak and vote on all services affected by the 2019-2020 Budget.

21 Review of Gifts and Hospitality Policy and associated Register

The Monitoring Officer presented the report, which provided the Standards Committee with the opportunity to review the declarations made by Elected Members in respect of the acceptance and refusal of gifts and hospitality.

Members were referred to the Council's policy in relation to Members acceptance and refusal of gifts and hospitality, which was attached as Appendix 1 to the report and were reminded that the policy had been revised on 25th March 2014, following a review undertaken by the Standards Committee.

It was noted that the current policy sets out a threshold of £25 under which Members/Officers can accept gifts and hospitality. In respect of any acceptance

or refusal of gifts or hospitality over £25, a Member must provide written notification to the Monitoring Officer of the existence and nature of that gift, hospitality, material benefit or advantage.

Members acknowledged the importance of such a policy, which aids transparency and alleviates situations where the donor may take offence if a Member were to refuse the acceptance of gift. The Chair noted that there were few declarations made by Members in respect of gifts and hospitality and proposed that the Monitoring Officer send an email on behalf of the Committee, for the attention of all Members, reminding them of the policy and what is required of them. In addition, the Community Councillor proposed that the Monitoring Officer send an email, for the attention of all Community Clerks, to state the requirements of Community Councillors in relation to their separate Gifts and Hospitality Policy.

One Member questioned whether the Gift Register was in the public domain and if it complied with GDPR. The Monitoring Officer informed Members that although the register was not published on the Council's website, it is made available if a person were to ask to see it. To date, the register had only been viewed by the Wales Audit Office and one other person. Members felt it would be beneficial if the register were to be reviewed to ensure its compliance with GDPR.

It was **RESOLVED:**

1. To note the content of the Council's Gifts and Hospitality Policy;
2. To note the form used for registering acceptance or refusal of a gift or hospitality;
3. To note the declarations contained in the elected Members' gifts and hospitality register;
4. To review the register's compliance with GDPR
5. That the Monitoring Officer send an email, for the attention of all Members, reminding them of the policy and what is required of them; and
6. That the Monitoring Officer send an email, for the attention of all Community Council Clerks, reminding them of the policy and what is required of the Community Councillors.

22 Public Services Ombudsman for Wales - Code of Conduct Casebook

In his report, the Monitoring Officer provided the Committee with Code of Conduct Casebooks (Issues 21 - 22) produced by the Public Services Ombudsman for Wales and following consideration thereof, it was **RESOLVED:**

1. To note the information contained within the report.

23 Urgent Business

- The Chair informed Members that Merthyr Tydfil County Borough Council had extended an invitation to Members of the Standards Committee to attend and observe a future Disciplinary Hearing of their Standards Committee. The Chair felt it would be beneficial for the Standards Committee to cross reference and potentially, learn from the neighbouring authority. Once confirmed, the date would be circulated to Members.
- Following a query from the Chair, the Monitoring Officer confirmed that

the next conference would take place in 2021 and that Members would be notified.

- The Monitoring Officer advised that the Local Government and Elections (Wales) Bill, had been published by Welsh Government on 18th November 2019, and included aspects in relation to the Standards Committee. The Committee would have the opportunity to discuss the Bill at a future meeting, whether that be at the meeting in March 2020 or an additional meeting in the early New Year.
- The Community Councillor requested for the Local Protocol to be circulated to Community Councils, in the hope that issues can be resolved prior to reaching investigation by the Public Services Ombudsman for Wales.
- The Members took the opportunity to praise the paperless approach to the Committee and commented on its effectiveness.

This meeting closed at 10.25 am

**M Jehu
Chairman**