



RHONDDA CYNON TAF COUNCIL STANDARDS COMMITTEE

Minutes of the meeting of the Standards Committee meeting held on Monday, 22 October 2018 at 10.30 am at the Council Chamber, The Pavilions, Cambrian Park. Clydach Vale, Tonypany, CF40 2XX.

Present:

Independent Members:

Mr M Jehu (Chairman)

Mr D. Bowen

Mr J. Thomas

County Borough Councillors - Standards Committee Members in attendance:-

Councillor M Forey Councillor E Webster

Community Councillor:

Mr R. Butler

Officers in attendance

Mr A Wilkins, Head of Legal - Corporate & Democratic Services

Non-Committee Members in attendance:-

Councillor P. Jarman Councillor R. Yeo
Councillor L. Walker Councillor E. Stephens
Councillor L. Jones Councillor J. Williams
Councillor G. Thomas Councillor J. Davies

17 DECLARATION OF INTEREST

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

18 COMPLAINT BY A MEMBER UNDER THE LOCAL PROTOCOL – STANDARD OF CONDUCT EXPECTED BY MEMBERS

The Chair opened the meeting by outlining its purpose and how it was to be conducted following the agreement of the Committee to adopt the proposed procedures set out in the report of the Monitoring Officer. In accordance with the adopted procedures, the Committee would hear the evidence of the Complainant, the Respondent and the witnesses in attendance. Only the Standards Committee could ask questions of any party and the Complainant and the Respondent would both be given an opportunity to provide closing remarks.

At this juncture in the meeting Cllr Yeo clarified the position in respect of the number of witnesses Members were able to call, due to potential misinformation

he had received. The Deputy Monitoring Officer advised that the protocol did not stipulate a number and the Chair ascertained whether Cllr Yeo was still happy to proceed in light of any previous miscommunication, to which the Cllr confirmed he was.

In accordance with the adopted procedures the Chair invited County Borough Cllr P. Jarman to address the Committee on her complaint which related to alleged remarks made by Cllr Yeo at the meeting of the Overview and Scrutiny Committee held on the 30th April, 2018.

Cllr Jarman referenced the witnesses that she was intending to call and speak on the matter. For the benefit of the Committee Cllr Jarman advised that she and her witnesses would run through the chronological order of events leading up to the Overview & Scrutiny Committee on the 30th April and advised Members that both her and her Members in attendance at that meeting were shocked over the remarks made by Cllr Yeo which she believed were made in a threatening and bullying manner. Cllr Jarman advised that following this meeting she contacted her Members who were in attendance to advise that she would make a complaint in respect of the conduct of Cllr Yeo at the meeting.

Cllr Jarman referenced the letter of apology provided to her by Cllr Yeo and the fact that he admitted to partaking in the debate as this was not reflected in the Minutes of the Overview & Scrutiny Committee and reiterated that his outburst at the meeting was out of order. She also referenced the minutes of the Health & Well Being Scrutiny Committee Meeting held on 16th April and again the Overview and Scrutiny Committee which did not reflect any hint of discord or challenge. Cllr Jarman informed the Committee that she did not accept the apology issued by Cllr Yeo and appended to the Monitoring Officer's report as it did not address the particular reason for the complaint.

Cllr Jarman referred to the comments of Cllr Yeo at the meeting, admitting that there was no official record of the comments made. She noted that some of the words used during his 'outburst' were non coherent but that his alleged conduct was captured by social media with Cllr Yeo commenting that he 'regretted the politicking and hijacking that occurred in the Health & Well Being Committee' to which she added that the Committee Members had every right to hold the Cabinet to account. Cllr Jarman continued by advising that Cllr Yeo also commented within his outburst that 'they will not get away with a decision like that again in my Committee'.

Cllr Jarman continued by adding that the comments made were bullying and discriminating against Members and also put their reputations into disrepute. The Member continued by advising that Members on scrutiny committees have a duty to scrutinise cabinet decisions and this was the Council's checks and balances. Cllr Jarman commented upon the apology received adding that she did not believe it was sincere and had no alternative other to proceed with the complaint to the Standards Committee.

Committee Members proceeded to question Cllr Jarman in respect of her complaint with Members seeking clarification on the point of time during the Overview & Scrutiny Committee meeting the alleged comments were made. Cllr Jarman advised that the Chair of Overview & Scrutiny invited Cllr Yeo to speak during the meeting, which was when the comments were made. Cllr Yeo was the last speaker prior to Cllr Jarman summing up as the Lead Member of the Call In.

Members also sought clarification on what was exactly said by Cllr Yeo during the meeting and Cllr Jarman informed that the words 'hijacking of the meeting' and also 'assure you that they won't get away with that in my committee again' were used. Following further questions Cllr Jarman advised that the comments were audible as they were picked up by the press and reported on social media through twitter and via the website, WalesOnline.

Members queried the tone and manner that Cllr Yeo spoke to which Cllr Jarman responded 'angrily' although it was confirmed that no indecent language was used although the terminology in respect of 'hijacking' was insulting to her and her colleagues.

Members queried whether Cllr Jarman made any notes of the alleged comments made at the meeting, to which Cllr Jarman advised that she did and that the complaint to the Council's Monitoring Officer was made the same day, whilst it was still fresh in her mind.

The Chair then invited County Borough Cllr Yeo to respond to the allegations made against him.

Cllr Yeo advised that he had not prepared a statement for today's meeting and would be recalling from memory, and advised that two of his witnesses were not in attendance.

Cllr Yeo advised the Committee that he had only been Chair of the Health & Wellbeing Committee for a year and his aim was to drive the agenda of his Committee, looking at items of interest and making sure scrutiny brought accountability, enhancing the work of the Council and value for money. By way of background to the issues in discussion the Cllr referenced the Communities First programme, the proposed changes being taken forward with Community Hubs and his request for further information on this area be presented to a meeting of the Health & Wellbeing Scrutiny Committee for information purposes. Cllr Yeo was unaware that the report on Community Hubs presented to the Health and Wellbeing Scrutiny meeting held in April was also on the Cabinet Work Programme for consideration. Cllr Yeo continued by describing a series of events which led to the delay in the matter coming before the Health & Wellbeing Scrutiny Committee and when it was presented, Cllr Yeo as Chair was unaware that the item was also on the Cabinet meeting agenda scheduled a couple of days later. Cllr Yeo commented that he had intended for the Committee to receive an information report on the item and did not intend for the two reports to be conflated.

Cllr Yeo continued to advise of the proceedings as they transpired at the relevant Health and Wellbeing Scrutiny meeting and the report on of Community Hubs commenting that some Members had little knowledge of the subject area as the programme previously did not run within certain wards. He advised that Cllr J. Williams subsequently moved a motion in relation to the report, which at the time he was unaware could be done and sought clarification from the legal officer in attendance. Cllr Yeo commented that he believed this killed the debate and the fact finding that many Members wanted to pursue. Cllr Yeo advised that he was disappointed in himself at the time as he didn't intend for the report to be confused with the report being considered by Cabinet. He was disappointed with himself that he had not recognised that it was on the Cabinet Work Programme and that it was by accident that the items had somehow clashed.

Cllr Yeo explained that he attended the Overview & Scrutiny Committee Call in meeting out of courtesy and to show an interest. He added that he didn't think he would be speaking at the meeting. He commented that he does respect the rights of all individual members and the decisions that they make. Cllr Yeo continued by advising that he spoke at the meeting, not in an angry way but again added that he was disappointed in the circumstances that led to the events previously described and was being self critical about himself. He added that he sees scrutiny as an important part of the democratic process and the need for Members to scrutinise policy decisions.

Cllr Yeo spoke of the Health and Wellbeing Committee being a good committee that avoided parochialism of issues and politicisation of issues. He added that all Members brought critical challenge and analysis of items on the agenda.

He again reiterated that the comments he made at the Overview and Scrutiny Committee meeting were self critical, and he made comments about himself that he had failed, with his failure to adequately understand the process in time and that in the future 'it' would not happen again within his Committee, not 'they' wouldn't happen.

Committee Members proceeded to question Cllr Yeo regarding his statements.

Members questioned Cllr Yeo on whether he felt the meeting on the 16th April was political in nature and his discussions with the Monitoring Officer over what he believed to be the nature of the complaint. Cllr Yeo commented that he felt the item was on the agenda for information finding and not for pre-scrutiny and reiterated that it was an accident that the reports in respect of Community Hubs to the Health & Wellbeing Committee and Cabinet coincided. He added that Members had a right to act in the way that they did at the meeting in respect of moving the motion. The Member advised of his brief discussions with the Monitoring Officer and added that the Monitoring Officer explained the complaint that had been made and the wording and he stated that this was not what he meant at the meeting and the Monitoring Officer advised that he could write a letter of apology. The Member reiterated his disappointment with the process that had taken place and his disappointment with himself as Chair. He added that during his comments at Overview & Scrutiny he did not use any derogatory terms, nor name anyone but aired his personal disappointment and frustrations with himself. He added that as a Chair he now has greater understanding of the scrutiny process and again commented that he respected all the contributions made by Members of his Committee

Members asked for clarification on the wording that Cllr Yeo during the meeting and the Member informed the Committee that he did not use the term 'hijack' and that he was saying to himself it would not happen rather than he would not let 'them'. He added that he was telling everyone, telling people generally that he would do a better job in future and that 'I would make sure it wouldn't happen again'. He reiterated that it was a series of unfortunate events that had led to the events at the Health & Well Being meeting. The Member added that the comments could be down to interpretation and again stressed of his disappointment in himself. He advised that he didn't shout but just spoke.

The Chair queried whether Cllr Yeo's demeanour could have been seen as being angry due to his own self criticism and frustration. Cllr Yeo responded by advising that he was unable to comment on other people's perception but felt that the Overview & Scrutiny meeting was more political in nature and such

meetings could be politically charged. He agreed that his demeanour and comments could have been taken out of context although stressed this was not his intention.

The Chair asked whether in hindsight the Member would act in the same way again. Cllr Yeo responded by advising that he would change the chain of events, with better communications in respect of the agenda planning, his knowledge and experience of scrutiny would have better informed of the process and he would have made sure that any comments made, if any, could not have been taken out of context. He added that in hindsight he should not have said anything at the meeting although he wasn't expecting to say anything when he attended.

Cllr Jarman's witnesses were then invited to address the Committee as follows:

Cllr J. Williams commented upon the Health & Well Being Scrutiny Committee and the role she was able to play as a Member due to her professional background, adding that due to the comments of Cllr Yeo it was felt her conduct had been brought into question during the Overview & Scrutiny Committee meeting due to the events at Health & Well Being. The Member continued by advising of the events at the meeting following consideration of the report and the motion that was put and carried and the rationale behind the decision, advising of the chance for scrutiny to undertake pre-scrutiny on the Community Hubs programme. She advised that Cabinet did not accede to the request of scrutiny which resulted in the Call In of the Cabinet decision by Scrutiny Members. Cllr Williams commented upon the outburst by Cllr Yeo at this meeting which she felt questioned her conduct and those of her colleagues. She advised that she could not say verbatim but words such as 'never allow such behaviour again' the word 'hijack' and people 'playing politics' were referenced. She also commented on the aggressive manner that it was said and the Member's body language, to which she felt was a threat and unprofessional. The Member added that she was quite taken aback and felt intimidated, although added that it was quite out of character for the Member concerned. She concluded by adding that her version of events did not tally with those of Cllr Yeo.

Members proceeded to question Cllr Williams on her account for clarity of the sequence of events leading up to the incident.

Members again asked the Member to reiterate Cllr Yeo's comments, to which Cllr Williams responded 'I will never allow things like that to happen again in my Committee, people hijacking and people playing politics'. She again expressed her concerns about the comments and reaffirmed that her actions at the Health & Wellbeing Scrutiny Committee were appropriate and confirmed that she was aware that the item was on the forthcoming Cabinet Committee agenda.

Members queried why the Member didn't address her concerns about the comments at the Overview & Scrutiny Committee meeting. Cllr Williams advised that she was taken aback by the outburst at the time and did comment to Cllr Jarman although felt it wasn't her place to address a point of order at the Committee meeting itself.

The Member was queried as to whether she thought she might have misinterpreted what was said by the Cllr, to which Cllr Williams responded, by saying she didn't believe his statement could be misunderstood. She confirmed that she believed the outburst was not about his personal frustration but to the

people who had made the decision at the Health & Wellbeing Committee meeting.

The Chair concluded the questions by asking whether the Member felt that Cllr Yeo had learnt from the experience to which the Member said that she had hoped he had learnt from the experience and his own conduct at future meetings.

The Committee called upon Cllr Jarman's next witness – Cllr J. Davies.

Cllr Davies provided Members with details of the Health & Wellbeing Committee meeting, advising that he was not present at the Overview and Scrutiny Committee meeting where the incident occurred. Cllr Davies advised that he seconded Cllr Williams motion to undertake pre-scrutiny on the report that was presented to Committee. He commented that the Chair was uneasy with the decision that was taken by the Committee and that he had sought advice from the legal officer at the time.

The Chair confirmed that in relation to the allegation made against Cllr Yeo, Cllr Davies had not been a witness, to which the Member agreed.

The Committee called upon Cllr Jarman's next witness – Cllr L. Jones.

The Member commenced by commenting that she appreciated the difficulties new and inexperienced Chairs had on occasions during meetings and continued by referring to the scrutiny process of questions and debate. She added that Cllr Yeo looked angry and frustrated when the decision was taken by the Health & Wellbeing Committee. She remarked that his comments at the Overview & Scrutiny Committee were inappropriate and unprofessional and as Chair of a Committee he should sit as an impartial observer.

The Member confirmed that she was present at the Overview & Scrutiny Committee meeting although this wasn't reflected in the minutes. She advised that she was shocked at the comments made and advised the Committee of her and her colleagues reaction as they all looked at each other in disbelief.

She confirmed that it was both what Cllr Yeo said and the way which it was said that caused the upset; 'This won't happen again in my Committee'. Following a question Cllr Jones advised that she found that remark disappointing. She added that scrutiny was an opportunity for all parties to work together and politics should be set aside. She added that the Health & Wellbeing Committee are a very good committee which in general wasn't political in nature.

Members asked why Cllr Jones hadn't brought forward the complaint herself and she advised that she was aware that Cllr Jarman had put forward a complaint on behalf of all Members affected by Cllr Yeo's statement.

The Committee called upon Cllr Jarman's next witness – Cllr E. Stephens.

Cllr Stephens advised Members that she was present at the Overview & Scrutiny Committee meeting that she had contributed to the debate although this was not reflected in the minutes. She added that during the meeting Cllr Walker asked the Chair of Overview & Scrutiny if Members of the public in attendance could be afforded the opportunity to speak at the meeting and the request was denied, however he asked Cllr Yeo towards the close of the meeting whether he would

like to speak as the Chair of the Health & Wellbeing Committee. She added that Cllr Yeo started to speak and stated that he hadn't expected to speak and had done no preparation in advance. He spoke about the Health & Wellbeing meeting and the intention for the report on Community Hubs to be different to that presented to Cabinet. She added that Cllr Yeo made a comment that 'the politicking gone on here is disgusting'. She continued by advising the Committee that two things said by Cllr Yeo had made her feel uncomfortable. She commented that his accusation of the Committee playing politics was questioning Members ability to scrutinise, adding that one of the goals of scrutiny was understanding without bias. She again reiterated the rationale behind the decision taken at the Health & Wellbeing Committee. She added that the comments blackened the character and good names of those Members at the Health & Wellbeing Scrutiny Committee, especially as two of the Members of the Committee were not at the Overview and Scrutiny Committee to defend themselves. Cllr Stephens added that the second thing that made her feel uncomfortable was the comment made by Cllr Yeo namely 'I can assure you Chair that I won't allow them to get away with this behaviour in my Committee again'. The Member added that taking Cllr Yeo comments about politics and his statement together, it was clear who he was talking to. She commented upon the expression and tone of voice used by Cllr Yeo. She added his words were intimidating and threatening.

Committee Members then proceeded to ask questions of Cllr Stephens for clarity. Members commented that each Member had so far given a different version of the statement alleged to have been said by Cllr Yeo. Committee Members queried who Cllr Stephens believed Cllr Yeo was talking to with his statement and the Member responded by advising that she believed the statement was directed to the Members that voted at the Health & Wellbeing and those that called in the Cabinet decision and not about himself.

The Member was asked whether she could have misinterpreted the statement and although she added that everything could be possibly misinterpreted, Cllr Yeo's manner and demeanour at the meeting was such that she was taken aback. She added that she was glad that she did not sit on the Health & Wellbeing committee if this was his approach and added that lessons had to be learnt.

The Chair concluded by asking the Member whether she made a note of the comments made at the meeting and if so when. The Member added that on the day in question she had to attend a funeral so felt her senses were all heightened and therefore remembers the meeting very well.

The Committee called upon Cllr Jarman's next witness – Cllr L. Walker.

Cllr Walker explained to the Committee that he was also one of the signatory's to the Call In of the Cabinet Decision. He commented on Cllr Yeo's seating arrangements in the meeting which he felt could have been intimidating to Members and his disrespect at the Committee by talking to a fellow Cllr during the meeting whilst Members were debating the item. He added that at the meeting he asked the Chair if Members of the public could address the committee, with this request being denied and he added that he was quite shocked when Cllr Yeo then spoke. He added in his mind Cllr Yeo's comments were not threatening but that it could have come across as slightly intimidating, adding that his demeanour could have been softer. The Member commented that it was obvious that Cllr Yeo was proud to be the Chair of the Health & Well

Being Committee although the things said were not suitable and the way in which they were said was not suitable. In respect of Cllr Yeo's actual comments the Member advised that he was unable to recall exactly as it did not make sense to him. He again added that his demeanour was possibly intimidating to some, although it wasn't to him. He added that it was out of character for Cllr Yeo.

The Chair confirmed that Cllr Walker had not heard the statement by Cllr Yeo, to which the Member agreed. He added however that the demeanour of Cllr Yeo at the meeting was inappropriate. He felt that the nature of the meeting and his passion as Chair had got the better of him. He added that he could see that other members in the Chamber were shocked by Cllr Yeo's conduct.

The Committee called upon Cllr Yeo's witness – Cllr G. Thomas.

Cllr Thomas explained to the Committee that he was sitting in the Chair on the day of the Overview and Scrutiny meeting, noting that everyone's perception of the meeting that had taken place over six months ago were all different. Cllr Thomas clarified that at the meeting he did not ask Cllr Yeo to speak but instead asked if 'there is anyone else who wishes to speak', commenting that this was different to asking. The Member continued by commenting on Cllr Yeo's position at the meeting refuting the descriptions used in respect of his demeanour and manner adding that the Member looked focused and that in his opinion his comments alluded to Cllr Yeo feeling that he should have intervened in the events. He added that as Chair of the Overview and Scrutiny Committee at the meeting he didn't feel it necessary to intervene following Cllr Yeo's comments. Cllr Thomas commented on the various versions of the words alleged to have been used by Cllr Yeo at the meeting and explained that his recollection of the statement made was "this would not happen again on my watch". He added the matter of what could actually be interpreted by those words was open to interpretation, but from a Chair's perception he did not deem them out of order. He added that Cllr Yeo was not angry in his delivery, frustrated possibly, frustrated due to his own role in the events that had occurred and that he hadn't done all that he possibly could have. He added that his perception was that he would do better in the future. The Member also referenced the letter of apology which again he commented that the wording used was open to interpretation, adding that different people have different views. He added that in his view the letter of apology was appropriate and should have been sufficient to have settled the matter.

The Member commented that during this meeting his integrity as Chair had been called into question and added that experienced Members were present at the Overview & Scrutiny Committee meeting and if they had felt that the comments were untoward and directed at them then they should have raised a point of order so the matter could have been addressed at the time, not six months down the line, when the Member could have potentially retracted any comments or issued an immediate apology.

Members of the Committee questioned Cllr Thomas on the evidence provided. One of the Members commented that if Cllr Thomas did not believe the comments to be unacceptable why did he think there was a need for an apology to be provided? The Member explained that if Committee Members felt it was a personal remark towards them and felt aggrieved by the comments then it was acceptable to ask for an apology and it would have been for Cllr Yeo to decide whether to provide one or not. Following further questions he confirmed that he

wasn't offended by Cllr Yeo's comments.

The Member was asked about the reactions of the Committee Members at the end of the meeting and Cllr Thomas explained that he was not aware of any particular reaction. Cllr Jarman had made no reference to it specifically during the meeting.

The Member was queried on his version of the wording used 'not on my watch'. The Member commented that he felt this was what was said although whilst the words used may be slightly different the substance did not vary. He added there was a variety of explanations and recollections made by people in attendance at the meeting.

Cllr Yeo explained that his next witness, Cllr M. Webber had not been able to attend the meeting and instead had provided a written statement. The Chair of the Committee agreed to accept the written statement which was read out to all Members by the Deputy Monitoring Officer.

At this juncture of the meeting, following submissions from both Members witnesses the Chair called upon Cllr Jarman to provide her closing remarks.

Cllr Jarman reflected on Cllr Thomas' comments as Chair of the Overview & Scrutiny Committee meeting and also reiterated her surprise that the minutes of that meeting did not reflect that Cllr Yeo had spoken at the meeting.

She advised Members that she had made her complaint to the Monitoring Officer the same day as the meeting which noted that the complaint was on behalf of the three Members in attendance at the meeting and not just taken forward by herself. She added that the words 'hijacked' had definitely been uttered by Cllr Yeo at the meeting, and this was supported by the by a Wales Online article. She added that his comments were unnecessary and that neither he nor her colleagues were content with the letter of apology provided. She added that she would have preferred to have settled the complaint informally if Cllr Yeo had amended his letter to offer a more sincere apology.

The Members called upon Cllr Yeo to provide his closing remarks.

Cllr Yeo advised that he never uses or used disgusting words, he added that he didn't think his demeanour was angry at the meeting as he respected all Members. He noted the comments made by Cllr Walker in respect of the discussions that were taking place during the meeting by Cllr Yeo and another colleague.

He continued by adding that he did not recall using the words hijack and again added that in hindsight he should not have spoken at the meeting. He commented that the letter of apology was provided not through guilt but an acknowledgement that his words could have possibly been misinterpreted. He again added that he respected all Members, their rights to provide their beliefs and the value that this brings to debates

He reiterated the events of the Health & Well Being Scrutiny committee meeting and his lack of knowledge in the proceedings that were taken forward with the moving of the motion. He again commented on the confusion with the report and the timing and his disappointment in himself with the events that had unfolded. He added that his comments at the Overview & Scrutiny Committee were not

addressed to anyone in particular but an admission of his own fault.

The Chair thanked everyone for their submissions and at this juncture in the meeting and the Committee Members returned to undertake their deliberations.

On the Committees return the Chair reminded Members it was their responsibility to provide in advance any supporting evidence they seek to rely on to present their case. The Chair stressed the importance of Committee Members being provided with all available relevant evidence to assist them in their deliberations particularly if it was going to be referred to in any hearing.

The Chair concluded by advising Members of the decision taken by the Committee in respect of the complaint brought forward by Cllr Jarman, advising that following consideration of all the evidence provided and the statements by all the witnesses the Committee found that whilst there was a basis to the complaint against Cllr Yeo no further action was required.

This meeting closed at 1.45 pm

**M Jehu
Chairman**