

STANDARDS COMMITTEE

FRIDAY, 15TH JUNE, 2018

PRESENT: Mr M.A. Morgan [Chair]

Independent Members:

Mrs D. Evans, Mrs J. James and Mr A. Williams

Councillors:

J.G. Gilasbey, A.S.J. McPherson and G.B. Thomas

Community Member:

Councillor P. Rogers

The following Officers were in attendance:

Ms L.R. Jones	-	Head of Administration and Law
R. Edgecombe	-	Acting Legal Services Manager
Mrs M. Evans Thomas	-	Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 11.25 a.m.

1. APOLOGIES AND OTHER MATTERS

An apology for absence was received from Mrs Mary Dodd, Independent Member.

The Chair welcomed Councillor Andre McPherson to his first meeting as a member of the Committee and expressed thanks to his predecessor, Councillor Louvain Roberts, for her valued contribution to the work of the Committee.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 16TH MARCH, 2018

It was pointed out that reference was made to the WG paper on Reforming Local Government as part of the discussions on the Forward Work Programme (minute 6 refers) when it was decided that the Committee should receive regular updates thereon.

RESOLVED that the minutes of the meeting of the Committee held on the 16th March, 2017 be signed as a correct record, subject to the inclusion of the above-mentioned amendment.

VARIATION OF BUSINESS

The Committee agreed, at the Chair's invitation and in accordance with Council Procedure Rule 2 [3], to vary the order of the remaining business on the agenda.

4. APPLICATION FOR DISPENSATION BY COUNCILLOR M.G. POORE

The Committee considered an application submitted by Councillor Maria Gabriela Poore of Whitland Town Council, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak only in relation to matters regarding the Whitland Memorial Hall.

It was reported that a dispensation was sought as Councillor Poore had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct in that she is the Secretary and Treasurer of the Hall.

Councillor Poore's interest was also prejudicial as a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Poore had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) (g) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Maria Gabriela Poore to SPEAK only at meetings of Whitland Town Council in relation to matters regarding the Whitland Memorial Hall and that the dispensation be valid until the end of her current term of office.

5. APPLICATION FOR DISPENSATION BY COUNCILLOR B. CHAPMAN (WHITLAND TOWN HALL COMMITTEE)

The Committee considered an application submitted by Councillor Barry Chapman of Whitland Town Council, for the grant of dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak only in relation to matters regarding Whitland Town Hall Committee.

It was reported that a dispensation was sought as Councillor Chapman had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is a member and Chair of the Committee.

Councillor Chapman's interest was also prejudicial as a member of the public with full knowledge of the relevant facts would reasonably regard the interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Chapman had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak only.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Barry Chapman to SPEAK only at meetings of Whitland Town Council in relation to matters regarding Whitland Town Hall Committee and that the dispensation be valid until the end of his current term of office.

6. APPLICATION FOR DISPENSATION BY COUNCILLOR B. CHAPMAN (DEMENTIA FRIENDLY COMMUNITY ACTION GROUP)

The Committee considered an application submitted by Councillor Barry Chapman of Whitland Town Council, for the grant of dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding the Laugharne, St. Clears, Whitland and surrounding areas Dementia Friendly Community Action Group.

It was reported that a dispensation was sought as Councillor Chapman had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is a member and Chair of the Group's Committee.

Councillor Chapman's interest was also prejudicial as a member of the public with full knowledge of the relevant facts would reasonably regard the interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Chapman had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

The Legal Services Manger advised the Committee that in considering the application it should note that paragraphs 2 (d) and (h) were the most appropriate grounds should the Committee be minded to approve the request to speak and vote.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulation 2 (d) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Barry Chapman to SPEAK only at meetings of Whitland Town Council in relation to matters regarding the Laugharne, St. Clears, Whitland and surrounding areas Dementia Friendly Community Action Group until the 30th June, 2019.

7. APPLICATION FOR DISPENSATION BY COUNCILLOR B. CHAPMAN (CHAMBER OF TRADE)

The Committee considered an application submitted by Councillor Barry Chapman of Whitland Town Council, for the grant of dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to matters regarding the Chamber of Trade.

It was reported that a dispensation was sought as Councillor Chapman had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is a member and Chair of the Chamber.

Councillor Chapman's interest was also prejudicial as a member of the public with full knowledge of the relevant facts would reasonably regard the interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Chapman had accordingly requested that a dispensation be granted under Regulation 2 (b) (d) (e) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001. In addition, a further ground would appear to apply, namely (f).

Following a detailed discussion it was

RESOLVED that the application submitted by Councillor Barry Chapman for dispensation to speak and vote at meetings of Whitland Town Council in respect of matters relating to the Chamber of Trade be refused.

8. APPLICATION FOR DISPENSATION BY COUNCILLOR B. CHAPMAN (WHITLAND CIVIC WEEK COMMITTEE)

The Committee considered an application submitted by Councillor Barry Chapman of Whitland Town Council, for the grant of dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak only in relation to matters regarding Whitland Civic Week Committee.

It was reported that a dispensation was sought as Councillor Chapman had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is a member of the Committee.

Councillor Chapman's interest was also prejudicial as a member of the public with full knowledge of the relevant facts would reasonably regard the interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Chapman had accordingly requested that a dispensation be granted under Regulation 2 (d) (e) (f) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

Following a detailed discussion it was

RESOLVED that dispensation be granted under Regulation 2 (d) (e) (f) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Barry Chapman to SPEAK only at meetings of Whitland Town Council in relation to matters regarding Whitland Civic Week Committee until the 30th June, 2019.

[NOTE: At 11.00 a.m., following consideration of the above application, Mrs Julie James, Independent Member, had to leave the meeting and in accordance with Article 9 of the Council's Constitution, Councillor Jeanette Gilasbey retired from the meeting.]

9. REVIEW OF CORPORATE WHISTLEBLOWING POLICY

The Committee considered the annual report on the Council's Whistle Blowing Policy with a view to including the relevant information within the Chair's Annual Report to Full Council and setting the policy for the forthcoming year. The policy had been updated to reflect guidance issued by the Welsh Government on ethical employment in supply chains.

It was noted that between 1st April, 2017 and 31st March, 2018 eight new whistle blowing complaints were received by the Council. This compared with nine new complaints in 2016/17. One complaint was carried over from 2016/17 and six complaints were carried over into 2017/18. Of the three complaints concluded during the year, all resulted in no further action being taken. None of the complainants provided any feedback.

The following questions/observations were raised on the report:-

- Concern was expressed that complaints relating to schools are not recorded. The Committee was advised that the Authority has no control over what happens with such complaints as they are a matter for the individual Governing Body and officers suggested that this information could be recorded separately;
- There was a numbering error on the Whistleblowing Policy with two sections being numbered 22. It was felt that the second section 22 was in the wrong position and would be more appropriately placed after section 26. It was also felt that the first two sentences of this section (Whistleblowing is where ... public interest dimension.) were unnecessary, were not "in contrast" and should be removed. It was agreed to suggest the following new section 27 of the Whistleblowing Policy: "It should be noted that a whistleblowing issue could be entangled within a grievance or standards of behaviour, in which case the Council will need to consider the facts, assess the risks and decide how to best deal with the issue (See Appendix A Whistleblowing Flowchart).";

- Concern was expressed that Case Study 3 was a poor example and unacceptable. Officers explained that the case studies did not relate to Carmarthenshire, however, they would feed the comments back to colleagues with a view to including a different case study instead;
- Reference was also made to several typographical errors in the document.

RESOLVED that the policy be amended to take account of the above-mentioned comments and the final document be presented to the Committee for information.

CHAIR

DATE