

SOUTH WALES FIRE & RESCUE AUTHORITY

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON MONDAY 1 FEBRUARY 2021 16:30 hours VIRTUALLY VIA STARLEAF

91. PRESENT:

LEFT

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| Mr G Hughes | | Independent Lay Member |
| Mr R Alexander | | Independent Lay Member |
| Mr S Barnes | | Independent Lay Member |
| Dr M Kerbey | | Independent Lay Member |
| Councillor J Williams | 16:42 | South Wales Fire & Rescue Authority |
| Councillor A Roberts | | South Wales Fire & Rescue Authority |

APOLOGIES:

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| Mr D Fussell | Independent Lay Member |
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ABSENT:

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| Councillor J Harries | South Wales Fire & Rescue Authority |
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OFFICERS PRESENT: DCO S Chapman – Monitoring Officer, Ms S Watkins – Deputy Monitoring Officer

The Monitoring Officer advised that, due to the necessity for virtual meetings during the Covid pandemic it was not possible for members of the public to attend. Therefore, all Fire and Rescue Authority meetings, including the Standards Committee meeting, are being recorded. This will enable members of the public to access the meeting should they wish to.

Cllr. Williams queried whether F&RA Members were aware of the Independent Remuneration Panel for Wales (IRPW) Annual Report. The Monitoring Officer confirmed that the IRPW Annual Report was presented to F&RA members at their meeting in December.

92. DECLARATIONS OF INTEREST

No declarations of interest were made.

The Chair queried how practical it is to expect declarations of interest to be made orally and in writing.

The Monitoring Officer explained that in addition to the general declarations of interest made on commencement in role (and reviewed each year for FRA members) declaration of interests must be given orally at the meeting, with written declaration submitted via email. It was noted that declaration of interests

was required only in respect of items relevant to the agenda that were being considered at each meeting.

93. MINUTES OF PREVIOUS MEETING

The minutes of the Standards Committee meeting held on 3 February 2020, were received and accepted as a true record of proceedings.

93.1 MATTERS ARISING

- 93.1.1 With reference to 85.1.2 of the minutes the Monitoring Officer confirmed that all members of the F&RA had received a copy of the 'Social Media Guidance for Councillors'.
- 93.1.2 With reference to 85.1.2 of the minutes the Monitoring Officer confirmed that the clause '*Individuals had 20 working days to raise an appeal to the Ombudsman's Office*' was included but it was noted there was discretion outside of this time period.
- 93.1.3 With reference to 85.1.4 of the minutes the Monitoring Officer confirmed that Committee Members' disappointment in relation to not progressing with the Network of Standard Committee members was relayed to herself as requested. She confirmed that this year's Standards Conference is scheduled to take place in October, it is hoped that this issue may be covered within that Conference as well as other areas identified by Members such as training and development, equalities training, etc.
- 93.1.4 With reference to 86.2 Mr Alexander confirmed that he forwarded his request to the Vale of Glamorgan Council, although he had not received any response. Mr Alexander advised he would chase up.
- 93.1.5 With reference to 87.2 the Monitoring Officer confirmed that there is no requirement for the Standards Committee to produce an annual report.
- 93.1.6 With reference to 90.3 the Monitoring Officer advised that due to the Covid pandemic, consideration has not yet been given to training courses for Members. She confirmed that should there be any areas of training not covered within the Standards Conference consideration will be given to providing training by officers and specialists within the Service such as Equalities Training.

Mr Alexander emphasised the importance of training advising that it is fundamental to the way the Committee works. He acknowledged that the practicalities of providing training during the Covid pandemic would have been difficult, but advised that he is aware of a number of Standards Committees who still received training virtually. He added that he would not wish for training opportunities to be lost as we move out of lockdown.

The Chair agreed with Mr Alexander's comments and queried whether virtual training has been carried out for fire and rescue service staff during the pandemic. The Monitoring Officer confirmed that the Authority has a statutory duty to ensure skills and competency training for operational staff is provided, this has been the main focus during the pandemic. She added that face to face risk critical training has taken place but has taken more resources as groups need to be smaller, also recruits course capacity have been halved due to social distancing restrictions.

The Chair acknowledged the requirement for physical training to take place but queried whether any virtual training has taken place such as diversity training. The Monitoring Officer confirmed that diversity training and other areas of training such as data protection are carried out electronically via a training platform.

The Chair queried whether virtual training for members is being carried out by other organisations. The Monitoring Officer was unaware of any training being provided, but agreed to enquire with partners.

93.1.7 With reference to 90.6 of the minutes, the Monitoring Officer confirmed that the reporting of a complaint by the Monitoring Officer of a Fire & Rescue Authority to a Monitoring Officer of a County Council would depend on the nature of the complaint. The Fire & Rescue Authority would deal with a complaint made against a member specifically in relation to their role as a Fire & Rescue Authority member. There would be a requirement to report the complaint to the Members home authority if there was an overlap and/or it in some way related to their role as a local authority member.

93.1.8 With reference to 90.7 of the minutes the Monitoring Officer confirmed that Committee members will receive notification

of any complaints received, but was pleased to confirm no complaints had been receive this year.

94. ADJUDICATION PANEL FOR WALES ANNUAL REPORT 2019-20

The Monitoring Officer presented the Adjudication Panel for Wales (APW) Annual Report 2019-20.

Members felt that the presentation of data within the APW report was very confusing with the Chair commenting that the number of references and number of appeals did not seem to add up. It appears there have been no appeals since 2016/17, yet there has been five references within the last three years. The Monitoring Officer advised that the Panel have a limited remit, dealing with the most serious of references. It was also highlighted that cases will not always be concluded in the same year as they are referred.

The Monitoring Officer highlighted the case studies as an opportunity for learning.

RESOLVED THAT

Members noted the Adjudication Panel for Wales Annual Report 2019-20.

95. ADJUDICATION PANEL FOR WALES PRACTICE DIRECTION

The Monitoring Officer advised Members of the content of the practice direction in relation to processes of the APW.

The Monitoring Officer noted that the APW are being more proactive in issuing guidance and direction, with this being the first practice direction they have issued.

RESOLVED THAT

Members agreed to note the Adjudication Panel for Wales Practice Direction.

96. ADJUDICATION PANEL FOR WALES PRESIDENTIAL GUIDANCE

The Deputy Monitoring Officer advised Members of the APW Presidential Guidance issued in September 2020.

Mr Barnes was interested to note that the Monitoring Officer can choose to appear and assist tribunals in a neutral role.

The Chair queried whether the Monitoring Officer would in fact be the Prosecuting officer at these tribunals.

The Monitoring Officer confirmed that the Monitoring Officer would not be the Prosecuting Officer in these instances, these are generally references from the Public Services Ombudsman. The only instance where a Monitoring Officer would have difficulty in assisting in a neutral role would be if the Monitoring Officer instigated the complaint and it was in relation to themselves.

RESOLVED THAT

Members noted the Adjudication Panel for Wales Presidential Guidance.

97. INDEPENDENT REMUNERATION PANEL FOR WALES' DRAFT ANNUAL REPORT – FEBRUARY 2021

The Deputy Monitoring Officer brought to Members' attention the relevant sections of the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report that relates to payments to Members of Welsh Fire & Rescue Authorities.

She drew member's attention to the recommendation that increases be made to the basic salary for F&RA members' for 2021/22. Also of note, the Panel has reviewed the contribution allowed to members when providing formal or informal care to members of their household. Clarification has been requested whether this applies to an individual living in the same home.

Mr Alexander advised that the Remuneration Board for Welsh Parliament have determined that costs for informal care arrangements cannot be claimed unless there are invoices to support it, thus, care cannot be provided by a family member through an informal arrangement.

The Monitoring Officer thanked Mr Alexander for this information, advising that when seeking clarification from IRPW on this specific issue they have advised they would provide further information after the consultation period had closed and they had considered the responses.

The Monitoring Officer confirmed that the draft IRPW Annual report is published in November and was reported to F&RA members at their December meeting. She confirmed that the final version of the IRPW annual report has not yet been published.

Mr Kerbey queried whether there is a requirement for members to undergo training prior to being able to attend meetings. The Monitoring Officer confirmed that all members undertake induction training but it is not a statutory requirement that this be undertaken prior to them attending a meeting. She further advised that wherever possible bespoke training relevant to the F&RA is provided to members, also ensuring they are not duplicating training already provided by their home authorities.

Mr Alexander was interested to note that one individual appears to hold membership of the IRPW and the APW, noting this made reference to “cross ticketing”. The Chair commented that he would expect any vacancies to be filled via open competition. The Monitoring Officer agreed to make discreet enquiries as to if this was one and the same person.

RESOLVED THAT

97.1 Members agreed to note the extract of the Remuneration Panel for Wales’ Draft Annual Report, attached at Appendix 1, which provides details of payments to Members of Welsh Fire & Rescue Authorities.

98. PUBLIC SERVICES’ OMBUDSMAN FOR WALES – ANNUAL REPORT AND ACCOUNTS 2019/20

The Deputy Monitoring Officer presented Members with extracts from the Annual Report and Accounts for the Public Services’ Ombudsman for Wales for the year ending 31 March 2020, in respect of Members’ Code of Conduct matters.

RESOLVED THAT

Members noted the content of the report.

99. PUBLIC SERVICES’ OMBUDSMAN FOR WALES – CODE OF CONDUCT CASEBOOK

The Monitoring Officer presented to Members the Public Services’ Ombudsman for Wales Code of Conduct Casebook, issue 23.

The monitoring Officer advised that the Code of Conduct Casebook is published on a quarterly basis, but due to the pandemic she suspects this has been delayed. She will investigate whether there are any due to be published for 2020.

RESOLVED THAT

99.1 Members noted the content of the Ombudsman Code of Conduct Casebook, issue 23, published by the Public Services’ Ombudsman for Wales.

99.2 The Monitoring Officer investigate whether Code of Conduct Casebooks are due to be published for 2020.

100. STANDARDS CONFERENCE WALES: OCTOBER 2021

The Monitoring Officer advised Members that this year's Standards Conference Wales will be held virtually in October 2021, date to be confirmed. Further details to be provided as they are received.

The Monitoring Officer advised that with the Conference being held virtually, it is hoped to accommodate more attendees. Earlier comments regards social media training will be taken on board and fed through as relevant

The Chair commented that holding the Conference virtually negates the need for travelling which is always a benefit but also suggested hybrid groups at certain locations as a way forward to cater for some individuals who prefer some face to face contact.

The Monitoring Officer will raise the option of forming hybrid groups with the organisers.

Mr Alexander agreed with the Chair's suggestion of hybrid groups at a number of locations, requesting that thought be given to actual locations by the organisers, and that early notification of Conference arrangements be received by members.

Mr Alexander added that it is his understanding that the contract of the current Ombudsman has been extended due to the pandemic, adding that the appointment of a new Ombudsman later this year could see opportunities for change for the future.

RESOLVED THAT

100.1 Members noted the revised timing and format of the conference.

100.2 The Monitoring Officer will raise the option of forming hybrid groups with the organisers

100.3 The Monitoring Officer to provide further details once received from the organisers.

101. NOTING OF COMPLAINTS

The Chair noted that previous minutes do not note that no complaints had been received and felt that this should be highlighted within the minutes.

The Monitoring Officer agreed to add to the minutes of this meeting.

RESOLVED:

The Monitoring Officer to note within the previous minutes and the minutes of this meeting that no complaints had been received for the year.

102 TRAINING NEEDS – UPDATE PLAN

Mr Alexander reiterated the importance of training for members, adding that he would not like to attend next year's Committee meeting and there be no progress reported.

The Chair noted Mr Alexander's comments and requested that the Monitoring Officer circulate a proposed training plan to members by the end of April.

RESOLVED:

Monitoring Officer circulate a proposed training plan to members by the end of April.

103. VIRTUAL MEETINGS

Mr Barnes endorsed the virtual format of the meeting adding that he had previously requested his virtual attendance at these meetings. The Monitoring Officer advised that legislation had not been in place to allow virtual attendance, and that emergency legislation was passed to allow virtual attendance due to the Covid pandemic. She advised that the current legislation is due to expire end of May at which time new legislation is due.

The Chair reiterated his preference for a hybrid model which could be utilised for this Committee with the meeting being held at FSHQ for members of the public to attend, with virtual attendance by Committee members should they wish.