

**Minutes of the Standards Committee held on 18th February 2010 at  
North Wales Fire and Rescue Service Headquarters, St Asaph**

Present

Simon Fysh  
Celia Blomeley  
Jane A Eyton-Jones  
Cllr Merfyn Thomas

Colin Everett, Clerk  
Alwen Davies, Member Liaison Officer

Apologies

Samindre Soysa  
Cllr Glyn Williams

1 APPOINTMENT OF CHAIR AND VICE-CHAIR

1.1 Sam Soysa had submitted a letter nominating Simon Fysh as Chair and himself as Vice-Chair.

1.2 It was agreed to appoint Simon Fysh as Chair and Sam Soysa as Vice-Chair. Simon Fysh asked for clarification about a suitable time to step down as Chair when his period of office drew to a close. The Clerk advised that the re-appointment of memberships and roles occurred at the Annual Meeting each June. Mr Fysh committed that he would therefore be standing down in June 2011.

2 WELCOME

2.1 The Chair welcomed everyone to the meeting and extended a warm welcome to Celia Blomeley and Jane A Eyton-Jones who had been appointed as independent members.

3 URGENT ITEM – LETTER AND REPORT SUBMITTED BY SIMON FYSH, SAM SOYSA AND JOHN POLLARD (without the knowledge of and in the absence of any advice from the Clerk)

3.1 Simon Fysh had informed the Clerk via email the previous day that he had a number of issues to raise at the meeting. The Clerk had not seen this email prior to the meeting. Sam Soysa and John Pollard, who had stood down in September 2009, had approached Mr Fysh with their concerns. The letter and report had been signed by Mr Fysh on behalf of Sam Soysa and John Pollard. Mr Fysh apologised to the Clerk for not giving him a copy of the report before the meeting.

3.2 The letter and paper tabled at the meeting raised concerns about communication, good practice and the relationship between the Authority, the Committee and those whose responsibility it is to support them in their

assigned roles. The report questioned the recent appointments of independent members to the Committee. The report also shared concerns over decision-making within the Authority and the role of the Standards Committee.

- 3.3.1 **Concern:** the Clerk had informed the Authority in December that an Appointments Panel had appointed two new independent members to serve for a term of five years following a recruitment process. The Advisory Panel's role was to make recommendations; it had no authority to appoint and therefore new members' term of office should be pro tem. The report challenged why the serving independent members had not been invited to be re-appointed. Also there was concern that the appointments should be for four years not five years.
- 3.3.2 **Clerk's initial response:** the Panel had been given full delegated authority to make the appointments. The process had been conducted entirely properly. Despite having full delegated authority the Clerk had still reported the appointments to the full Authority prior to making them permanent and the Authority had supported those appointments. The two new members confirmed that this had been explained to them. Therefore the Clerk did not accept that the appointments should be pro-tem. The full Authority had been invited, earlier in 2009, to consider the options of re-appointment and the recruitment of new members; the members of the Authority had chosen the latter option and the Clerk was following their wishes in overseeing the recruitment. He agreed to check the term of office as the five year not four year wording in the minutes and the report might have been an administrative oversight.
- 3.4.1 **Concern:** John Pollard had emailed the Clerk, in March 2009, regarding remuneration matters and not received a response.
- 3.4.2 **Clerk's initial response:** the Clerk had no recollection of receiving the email or whether he had made a response some eleven months later. He would check his e-mail records and would apologise to Mr John Pollard if there had been any oversight in replying. The Clerk gave his opinion that there was also a responsibility on the sender of an e-mail to make contact to chase a reply if one had not been received. He was surprised that a query was being made some eleven months on if the issue had been of importance to Mr Pollard.
- 3.5.1 **Concern:** the Authority decided not to pay an allowance to independent members. What was the advice of the Clerk to the Authority?
- 3.5.2 **Clerk's initial response:** The Clerk had made a full report to the Authority and had supported a proposal to remunerate independent members having met with the Clerks of the other two fire and rescue authorities to make a consistent recommendation to all three authorities. The full Authority had chosen not to award remuneration. Cllr Merfyn Thomas confirmed that the Clerk's account was accurate and that he had also supported the recommendation to remunerate independent members.
- 3.6.1 **Concern:** the infrequency of meetings of the Committee.
- 3.6.2 **Clerk's initial response:** the need for more frequent meetings had been discussed at the last annual meeting of the Committee. It was the responsibility of both members and officers to convene meetings with

worthwhile business and the Clerk was about to make positive suggestions to extend the role of the Committee in this meeting. Since the last meeting there had been no requests for further meetings from members, or specific suggestions for an extended role which would warrant further meetings, that he recall.

- 3.7 The Clerk expressed his disappointment at not having received prior notification of the letter and report and at the content and tone of the documents as read out by the Chair. He agreed to respond to the concerns in full within two weeks or so, with the response being copied to all past and present members of the Standards Committee as well as to the Chair of the Authority and the Chief Fire Officer.
- 3.8 The Committee then went on to discuss how to extend the role of the Standards Committee.

#### 4 ROLE OF THE STANDARDS COMMITTEE IN FUTURE

- 4.1 The Clerk and members discussed the role of independent members and the Standards Committee's duties. New members were provided with the members' handbook which included information about the Fire and Rescue Authority and its procedures.
- 4.2 Members discussed the terms of reference (circulated at the meeting) and the committee's role in ensuring that the Authority is aware of the code of conduct and that it is being operated. It was noted that the Standards Committee could extend its terms of reference if considered necessary and if of value to the Authority.
- 4.3 It was agreed that the Authority members should receive annual refresher training on the code of conduct (also circulated at the meeting). All members had received training on the code of conduct when they first joined the Authority and members asked whether it was possible to ascertain what level of training Authority Members had received from their constituent authorities.
- 4.4 The Clerk and members discussed how the committee could be proactive as well as reactive.
- 4.5 The Clerk suggested that the committee could review the complaints policy of the Authority. The Clerk informed members that the Public Ombudsman was drawing up a model complaints policy to be used by public services across Wales and that the committee may like to discuss the first draft and provide feedback to the Ombudsman.
- 4.6 Up until now, no complaints had reached the stage 3 process which required the involvement of the Authority, however, two had now been received and it has become apparent that the stage 3 complaint policy needs to be updated.

- 4.7 Although Members agreed that the Authority is to be congratulated on not having received complaints about members and possible breaches of the code of conduct, they considered that it could not be assumed that this was because people were aware that they could complain.
- 4.8 The committee could take a proactive role in corporate governance and the committee's terms of reference could be extended.
- 4.9 Again, in a proactive role, the committee could discuss whistle blowing procedures in more detail and consider whether members want to meet with the Chief Fire Officer to discuss the current procedure and whether there have been any whistle blowing cases. It is important that the Service has supportive procedures in place for such cases.
- 4.10 On the reactive side of the committee's work, it was noted that any conduct issues referred to the committee would require members to have more specific, intense training before any hearing.
- 4.11 The Clerk agreed that the committee should meet more than once during the year and had previously stated this at the December Authority meeting. It was agreed that at least three Standards Committee meetings would be held during the year.
- 4.12 At the meeting, members were provided with the Complaints Management Policy and Model Complaints Handling Procedure.
- 4.13 It was agreed that another meeting would be convened within two months once members had had the opportunity to study the information provided at the meeting. Alwen to organise meeting.
- 4.14 It was noted that Authority meetings were public and therefore independent members were welcome to attend all meetings. Alwen to provide dates and times of meetings.

## 5 DECLARATIONS OF INTEREST

- 5.1 None.

## 6 MINUTES OF MEETING HELD ON 2ND FEBRUARY 2009

- 6.1 The minutes of the meeting held on 2nd February were approved as a correct record.

## 7 MATTERS ARISING

- 7.1.1 2.2 - The Independent Remuneration Panel for Wales had published its annual report in December 2009, however a separate supplementary report identifying the Panel's longer-term intention for the Framework for Members' Remuneration was due to be published. The Clerk reminded members that the Fire and Rescue Authorities were not bound by the recommendations of the Panel.

7.1.2 As previously discussed the Authority had decided not to remunerate independent members but if members felt that the Standards committee's work should be financially recognised, then a report could be submitted to the Authority. The Chair felt that further consideration should be given to the matter and that if there was monetary consideration it would encourage people from all sections of the community to apply for the role of an independent member.

7.1.3 In light of the MPs expenses issue, the Chair asked whether the Committee had any role in monitoring expenses of Fire and Rescue Authority Members. The Clerk advised that the committee could ask for information if members wanted reassurance about the process of claiming travel and subsistence.

7.2 2.6 – the Authority had now established an Audit committee and the next meeting is scheduled for 1st March.

7.3 2.7 - the Authority had gained its Wales Charter for Member Support and Development award.

## 8 STANDARDS COMMITTEE'S ANNUAL REPORT

8.1 A draft annual report had been submitted which would be extended to reflect the discussion at this meeting.

8.2 The Chair asked that a paragraph be included noting that the Committee's costs are nominal and demonstrating the time spent by members and officers in preparing for and attending the meeting.