

Standards Committee

Tuesday, 8 March 2022

PRESENT: M. Dodd (Chair);

Independent Members:

C. Davies, D. Evans, J. James and F. Phillips;

Community Member:-

Town Councillor P. Rogers;

Councillor:

S.J.G. Gilasbey;

The following Officers were in attendance:

L.R. Jones, Head of Administration and Law;

R. Edgecombe, Legal Services Manager;

S. Rees, Simultaneous Translator;

J. Owens, Democratic Services Officer;

M.S. Davies, Democratic Services Officer.

Virtual Meeting: 2.00 pm - 3.30 pm

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. MINUTES - 4TH FEBRUARY, 2022

RESOLVED that the minutes of the meeting of the Standards Committee held on the 4th February, 2022 be signed as a correct record.

4. CODE OF CONDUCT TRAINING FOR TOWN AND COMMUNITY COUNCILLORS

The Committee was reminded that arrangements for the delivery of code of conduct training to town and community councillors within the county was a task that fell within its remit. Whilst annual sessions were, in normal circumstances, usually held in County Hall, in 2020, due to the Coronavirus pandemic, these sessions had been cancelled, and training notes circulated to all town and community councils instead. In 2021 sessions had been held remotely via Zoom. Whilst feedback from attendees at these remote/virtual sessions had generally been positive several Councils had stated that they had not sent any attendees because of inadequate internet connection and/or insufficient IT skills amongst their members. These councils had expressed a preference for a return to physical face to face sessions.

The Committee was advised that whilst the holding of physical training sessions was legally possible under the current Coronavirus restrictions all employers (including the Council) were required to adopt and implement Coronavirus risk

assessments. The risk assessments for the Chamber in County Hall currently restricted its capacity to less than 25 persons. In addition, it was possible that proposed building works that may take place in County Hall later this year could mean the Council Chamber was unavailable in any event. It was noted that One Voice Wales offered similar training.

In light of the current position with regard to finding a suitable venue and ongoing limitations due to coronavirus it was suggested that the possibility of holding a hybrid [physical/virtual] training session in June/July be explored along with the possibility of recording the session for later dissemination to those unable to attend. It was further suggested that following the forthcoming elections an invitation to attend the session be extended to Councillors elected for the first time.

UNANIMOUSLY RESOLVED to endorse the suggestions outlined above in regard to code of conduct training for 2022 together with the circulated draft amended Training Presentation.

5. LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

The Legal Services Manager presented a report detailing the following provisions of the Local Government and Elections (Wales) Act 2021 which directly related to political group leaders and the working of the Standards Committee:

- a duty on the leaders of political groups to take reasonable steps to promote and maintain high standards of conduct by the members of their group;
- a duty on the leaders of political groups to co-operate with the Standards Committee in the exercise of that committee's functions;
- amending the functions of the Standards Committee to include monitoring compliance by group leaders with the above duties and advising and training them in respect of those duties;
- the introduction of a statutory requirement on Standards Committees to produce an annual report as soon as possible after the end of each financial year. The Act also prescribed that certain content be included in those reports, namely:
 - (a) a summary of what has been done to discharge the functions referred to above;
 - (b) a summary of any reports or recommendations received;
 - (c) a summary of any action taken following consideration of any reports or recommendations received;
 - (d) an assessment of the extent to which political group leaders have complied with their duties under the Act.

The report also detailed how these issues might be addressed. It was noted that the current Group Leaders had been made aware of the new duties placed upon them under the above Act.

Following a discussion, it was suggested that an informal meeting be arranged between the Chair and Vice Chair of the Standards Committee and the Group Leaders at the earliest opportunity following the forthcoming elections to discuss the new duties and a report thereon be submitted to the next formal meeting of the Standards Committee.

UNANIMOUSLY RESOLVED to endorse the approach outline above.

6. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILS

The Legal Services Manager presented a report wherein the Committee was reminded that Town and Community Councils were annually requested to provide data regarding code of conduct compliance by their members and the responses received were combined with data held by the Monitoring Officer to provide a comprehensive overview of code compliance by these councillors covering:

1. Declarations of interest
2. Dispensation requests
3. Code of conduct complaints
4. Code of conduct training.

Whilst the majority of Town and Community Councils had consistently provided the requested data, a small minority had failed to do so, some for several years. To date the Committee had simply noted the reported data and had not really utilised it to inform its future work. Accordingly, members were asked, if they wished to continue with this exercise, whether to include a more detailed explanation for doing so in the information request letter and also include a section in this summer's training event on the subject. It was emphasised that no other Standards Committee in Wales requested such data.

Members agreed that the exercise should continue but it was suggested that there could be more focus on those Town and Community Councils which had not previously responded or had responded with a nil return in regards to declarations of interest, including interviews with clerks and perusal of minutes if necessary, to ensure compliance with the code.

UNANIMOUSLY RESOLVED to continue with the current data gathering exercise and to endorse the suggestion outlined above.

7. ADJUDICATION PANEL FOR WALES DECISIONS

The Committee considered a report recently published by the Adjudication Panel for Wales detailing its findings in two cases referred directly from the Public Services Ombudsman for Wales and two appeals from decisions of local Standards Committees.

Arising from the aforementioned cases the Legal Services Manager agreed to follow up a suggestion that members of the Committee should receive training on the process for dealing with alleged breaches of the Code of Conduct.

UNANIMOUSLY RESOLVED that the report be received.

8. ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT 1972

There were no items of urgent business.

CHAIR

DATE