

CODE OF CONDUCT DATA GATHERING EXERCISE

2023-2024

Response Rate

A total of 66 responses were received to the survey, out of 72 councils (a response rate of 91%).

This compares with 58 responses in 2023 and 67 in 2022.

As in previous years reminders were sent to all councils and targeted follow ups undertaken with those councils that had not responded.

There is no obvious pattern emerging regarding those councils that do not respond to the survey.

Code of Conduct Complaints

Data provided by the Public Services Ombudsman for Wales (PSOW) shows that in 2023-2024 there was an increase in concluded code of conduct complaints against Town and Community Councillors to 10 (out of a total of 23 concluded complaints). None of these complaints resulted in action being taken against the Councillors in question. The detailed breakdown of the complaints is as follows.

COUNCIL	Decision not to Investigate	No Action (Following Investigation)	Referred to Standards Committee	Total No. of Complaints Closed
Carmarthenshire County Council	12	1	0	13
Ammanford Town Council	1	0	0	1
Llanelli Town Council	1	0	0	1
Llanelli Rural Council	0	1	0	1
Llangennech Community Council	1	0	0	1
Llannon Community Council	1	0	0	1
Llansetteffan & Llanybri Community Council	2	0	0	2
Pembrey & Burry Port Town Council	3	0	0	3
Total	21	2	0	23

In comparison for the period 2022-2023 data provided by the PSOW showed that a total of 4 Code of Conduct complaints were concluded against Town and Community Councillors from Carmarthenshire. This is the same number as in 2021-2022. As the committee is aware however the 2022-2023 figures include 2 cases referred to the committee for determination and which ultimately resulted in the suspension of the 2 councillors in question. A breakdown of the 2022-2023 complaints is set out below.

COUNCIL	Decision not to Investigate	No Action (Following Investigation)	Referred to Standards Committee	Total No. of Complaints Closed
Carmarthenshire County Council	10	1	0	11
Kidwelly Town Council	1	0	0	1
Llandovery Town Council	0	0	1	1
Llanelli Rural Council	0	0	1	1
Pembrey and Burry Port Town Council	1	0	0	1
Total	12	1	2	15

Overall, however it must be acknowledged that

- The number of concluded complaints remains very low when considered against the overall number of Town and Community Councillors in the County.
- The overwhelming majority of concluded complaints do not result in formal action against the councillor.

Section 2 – Dispensation Applications

During the year 2023-2024 the committee received 21 dispensation applications from Town and Community Councillors (including twin-hatted members). All were granted, at least to speak and make written representations.

In comparison during the year 2022-2023 the committee received 14 dispensation applications from Town and Community Councillors (including twin-hatted members). All but 1 of which were granted.

This again represents a significant increase over 2021-2022 when the committee received 3 dispensation applications from Town and Community Councillors. Again, all but one was granted during that year.

Whilst initially the increase in the number of applications was likely to have been driven by the May 2022 elections and the lapse of dispensations granted prior to that date, it seems

more recently the further 50% increase is largely due to the GreenGen/Bute Energy Scheme in the Tywi/Teifi valleys.

Even so, the proportion of dispensation applications received compared to the overall number of councillors continues to be extremely low.

Section 3 – Declarations of Interest

During 2023-2024 of the 66 Councils that responded only 3 recorded no declarations of interest. During that period 16 councils recorded 20 or more declarations of interest with 4 councils recording 50 or more. One council recorded over 100 declarations.

During 2022-2023 of the 58 Councils that responded only four recorded no declarations of interest. During that period thirteen councils recorded 20 or more declarations, with 3 Councils recording 50 or more.

During 2021-2022 of the 67 councils that responded, nine councils recorded no declarations of interest and eleven councils recorded twenty or more declarations. Again, three councils recorded 50 or more declarations.

Therefore, during the last 3 years of the councils that have responded to the survey 86% recorded at least 1 declaration in 2021-2022 and 93% did so in 2022-2023. For the year 2023-2024 this increased again to 95%.

When considering these figures it needs to be recognised that the fact a declaration of interest has been made does not necessarily mean the councillor in question has been unable to participate in the relevant council business.

These figures do however suggest that councillors and their clerks are very mindful of their obligations under the code regarding declarations of interest.

Section 4 – Code of Conduct Training

During the 2023-2024 period 44 councils (67% of those who responded) reported that their members and/or clerk had received code training during the year.

This represents a significant increase over 2022-2023 when only 21 councils (36%) reported that code training had been obtained.

By comparison 31 out of the 67 Councils that responded (46%) in 2021-2022 reported that their members had received code training during the year.

It is likely that the statutory requirement upon Town and Community Councils to adopt and implement training plans has driven an increased awareness of the need for code training

Section 5 – Training Plans

For 2023-2024, of the Councils that responded, 51 (77%) confirmed that they had adopted a training plan. Of those who had not yet adopted one, all confirmed that they were in the process of doing so. Responses also showed

- 90% of respondents confirmed that their training plans included a requirement to undertake code training.
- 70% of respondents confirmed that their members had begun receiving training in accordance with their training plans
- 52% of respondents confirmed that their plans had already been reviewed.

In comparison, of the Councils that responded in 2022-2023, 37 (64%) confirmed that they had formally adopted a training plan in line with the Local Government and Elections (Wales) Act 2021.

Therefore, whilst progress has been made in relation to the adoption of training plans, it should be remembered that this is a statutory requirement upon councils and therefore 100% compliance should be expected.

Conclusion

Overall, the available data suggests that Town and Community councillors in the County have a good awareness of the code of conduct and generally comply with it.