

# STANDARDS COMMITTEE

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## ANNUAL REPORT 2023-2024

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## **Foreword by Chair of Standards Committee**

It is my pleasure to present to Full Council the annual report for the Standards Committee, covering the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

As Councillors you will know that the law requires every County and County Borough Council in Wales to establish and maintain a Standards Committee. Such committees are responsible for overseeing standards of conduct for elected members of both the principal council and the constituent community and town councils within the principal council's area.

In performing this role, the Committee receives and determines applications for dispensation from elected members in relation to the Code of Conduct and adjudicates upon code complaints referred to the Council by the Public Services Ombudsman for Wales.

In addition, the Committee also receives reports in relation to the operation of the Council's whistle-blowing policy.

This is the second annual report presented by the Standards Committee in accordance with the requirements of the Local Government and Elections (Wales) Act 2021 which placed new duties upon political group leaders to promote compliance with the code by their group members. This Act also placed a requirement upon Standards Committees to report on how well group leaders have complied with those duties and our findings in this regard can be found at section 9 of this report.

Mary Dodd

Chair – Carmarthenshire County Council Standards Committee

### **1. PERIOD COVERED BY THE REPORT**

This report covers the activities of the Standards Committee during the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.

During this period the committee met a total of 6 times.

### **2. TERMS OF REFERENCE**

The role and functions of the committee as set out in the constitution of the Council are:

- To promote and maintain high standards of conduct by councillors and co-opted members.
- To assist councillors and co-opted members to observe the Members' Code of conduct.
- To advise the Council on the adoption or revision of the Members' Code of Conduct
- To monitor operation of the Members' Code of Conduct

- To advise, or arrange training for councillors and co-opted members on matters relating to the Members' Code of Conduct
- To grant dispensations to councillors and co-opted members where they have a personal and prejudicial interest under the Members' Code of Conduct
- To deal with reports from the Adjudication Panel for Wales and reports from the Monitoring Officer or the Public Services Ombudsman for Wales
- The exercise of the above functions in relation to Town and Community Councils in the county
- To receive annual reports on the operation of the Council's Whistleblowing Policy

### **3. MEMBERSHIP OF THE COMMITTEE**

The Panel consists of 9 members, 3 County councillors, 1 Community councillor and 5 co-opted members.

There was one change to the co-opted members of the committee during the period covered by this report as the former Committee Vice-Chair Mrs Julie James left the committee in February 2024. I would like to thank Mrs James for all her hard work over the years.

The co-opted members were.

Mrs Mary Dodd (Chair)

Mrs. Julie James (Vice-chair) (until February 2024)

Mrs. Daphne Evans (Vice-Chair since March 2024)

Mrs. Caryl Davies

Mr. Frank Phillips

A public recruitment exercise is underway to fill the vacancy created by the departure of Mrs James.

The Community Council member of the committee is Councillor Philip Rogers (St. Clears Town Council)

There was also a change to the County Council members during the year with Councillor Rob James leaving the committee in February 2024.

The County Council members of the committee during the period covered by this report were.

Councillor Betsan Jones  
 Councillor. Gareth Thomas  
 Councillor. Rob James (until February 2024)

Councillor Philip Warlow has since been appointed to replace Councillor James.

#### 4. Referrals from The Public Services Ombudsman for Wales

No new referrals were received from the Ombudsman during the year.

As indicated in the 2022-2023 Annual Report the committee met in April 2023 to conclude proceedings in relation to a referral received from the Ombudsman in 2022. This resulted in a period of suspension of the member from their role as a Town Councillor.

#### 5. Notices Received from the Adjudication Panel for Wales

No notices were received from the Adjudication Panel for Wales pursuant to Chapter 4 of Part III of the Local Government Act 2000 during the period covered by this report.

#### 6. Cases closed by the Public Services Ombudsman for Wales

During the period covered by this report the Public Services Ombudsman for Wales considered and closed a total of xx code of conduct complaints against councillors from Carmarthenshire. The breakdown of these cases is shown in the table below.

<b>COUNCIL</b>	<b>Decision not to Investigate</b>	<b>No Action (Following Investigation)</b>	<b>Referred to Standards Committee</b>	<b>Total No. of Complaints Closed</b>
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
Llanseteffan & Llanybri Community Council	2	0	0	2
Pembrey & Burry Port Town Council	3	0	0	3
Total	21	2	0	23

There may however also be complaints currently with the Ombudsman awaiting determination.

The committee continues to be satisfied that most councillors do comply with the code and that where allegations of breach are made, they are usually unfounded or are not considered by the Ombudsman to be sufficiently serious to warrant enforcement action.

## **7. APPLICATIONS FOR DISPENSATION**

The Committee considered 23 applications for dispensation from County and Community and Town Councillors during the year, all of which were either granted or partly granted.

The grounds upon which the Committee may grant a dispensation are set out in the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001.

The Committee continues to approach each application with a presumption in favour of granting a dispensation wherever practicable, particularly in relation to granting a dispensation to speak only.

Details of the applications that have been dealt with can be viewed as part of the minutes of the meetings of the Committee which are accessible on Carmarthenshire County Council's website [www.carmarthenshire.gov.uk](http://www.carmarthenshire.gov.uk).

## **8. CODE OF CONDUCT TRAINING**

Two Code of Conduct Training sessions were held for Town and Community Councillors during the period covered by this report. These were held on the 12<sup>th</sup> June and 24<sup>th</sup> July 2023. The June session was a hybrid event and the July session online only. In total over 80 people attended these sessions.

## 9. WHISTLEBLOWING POLICY

The Committee has oversight of the authority's Whistleblowing Policy. The process is regulated by the Public Interest Disclosure Act 1998, which protects against dismissal and other detriment for workers who disclose information in the public interest in prescribed circumstances to prescribed persons.

The number of whistleblowing complaints recorded during the period of this report are set out below.

New Complaints	Complaints carried over from 2022/23	Cases Concluded	Cases Continuing
2	0	0	2

The number of complaints continues to be consistent with those received by other local authorities.

The Committee also reviewed the Whistleblowing Policy during the period covered by this report.

## 10. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILS

The committee again received a report regarding the extent to which Town and Community Councils within the County are complying with the Code of Conduct. The report contained data relating to:

- Code complaints
- Dispensation requests
- Declaration of interests
- Code Training
- The adoption of Council training plans

No obvious patterns or trends could be discerned from the data. Overall levels of compliance with the code appeared to be good. However the Committee was disappointed

that only half of councils had adopted and published a training plan in accordance with the requirements of the Local Government and Elections (Wales) Act 2021.

## **11. GROUP LEADERS DUTY**

As indicated in the foreword to this report the Local Government and Elections (Wales) Act 2021 places new duties on political group leaders and requires Standards committees to monitor and report on their performance of these duties.

The group leaders' duties are.

- To take reasonable steps to promote and maintain high standards of conduct by the members of their group
- To co-operate with the council's standards committee in the exercise of the standards committee's functions

The Council has 3 political group leaders. These are

- Councillor Darren Price (Plaid Cymru)
- Councillor Deryk Cundy (Labour)
- Councillor Jane Tremlett (Independent Group)

### Summary of steps taken by the Standards Committee

The Council's 3 political group leaders were reminded of these duties during the year and were asked to provide a report setting out how they had complied with those duties by the 5<sup>th</sup> April 2024. All Group Leaders were also provided with a template report for them to use if they wished and given an opportunity to comment upon the assessment criteria that the Committee proposed to utilise.

The Standards Committee also met with 2 of the Group Leaders (Councillors Price and Cundy) on the 22<sup>nd</sup> April 2024. The meeting with Councillor Tremlett has been re-scheduled to the 9<sup>th</sup> September 2024

### Summary of reports received from the Group Leaders

#### **Cllr Darren Price – Plaid Cymru Group**

Cllr Price provided a report which confirmed that 7 complaints had been made to the Ombudsman against members of the Plaid Cymru Group during the period covered by the

report, none of which had been upheld. He also confirmed that one group member had been referred to the local resolution process for low-level complaints between members.

Councillor Price confirmed that 31 out of 38 group members (82%) had now attended the code training since the May 2022 elections and that the remaining 7 members, 6 had attended code training previously.

Councillor Price has himself attended Code of Conduct Training since the May 2022 elections.

#### **CLlr Deryk Cundy – Labour Group**

Councillor Cundy only became leader of the Labour Group in February 2024 and his report was therefore understandably limited in scope. Councillor Cundy confirmed that all members of the Labour Group had received code training and that he had personally emphasised to group members the importance of compliance with the code of conduct. Councillor Cundy confirmed that he was not aware that any complaints had been made to the Ombudsman regarding Labour Group Members since he had come group leader.

Councillor Cundy has attended code of conduct training since the May 2022 elections.

#### **CLlr Jane Tremlett – Independent Group**

Councillor Tremlett provided a report which confirmed that no code of conduct complaints had been made against members of the Independent Group during the period covered by the report.

Councillor Tremlett has attended code of conduct training since the May 2022 elections.

#### **Assessment of the extent to which political group leaders have complied with their duties under the Act.**

Following consideration of the reports submitted by the Group leaders, and the meeting with Councillors Price and Cundy the committee is satisfied that all three group leaders have satisfied their duties under the 2021 Act.



## Summary of any action taken following consideration of the Group Leaders reports

The committee has resolved to take the following actions

- To meet with Group leaders on an annual basis
- To arrange refresher code of conduct training for County Councillors midway through their electoral term.
- To provide Group Leaders with information regarding latest code of conduct cases published by the Ombudsman and the Adjudication Panel for Wales, for dissemination to their group members.

## **12. OTHER ACTIVITIES**

In addition to the above activities the Committee also:

- Received and considered case decisions of the Adjudication Panel for Wales
- Received and considered case decisions made by other Standards Committees in Wales

Where appropriate the Committee has identified points of learning and best practice and has taken them into account in their own decision making and included them in the training referred to in paragraph 5 above.

## **13. CONCLUSION**

The committee had a very busy year, and I am grateful to my fellow committee members for their valuable contributions throughout.

There have been generally good levels of compliance with the Code of Conduct exhibited by Councillors across the County and the levels of complaints remain low. However as the 2 disciplinary cases in 2022-2023 highlighted, councillors cannot afford to be complacent and should be conscious of their duties under the code at all times.