

Report To: Standards Committee

Date of Meeting: 30th November 2018

Lead Member / Officer: Gary Williams – Monitoring Officer

Report Author: Gary Williams – Monitoring Officer

Title: Standards Committee Hearing Procedure

1. What is the report about?

This report is about the procedure adopted by the Council for the conduct of hearings by the Standards Committee of allegations of a breach of the Code of Conduct

2. What is the reason for making this report?

To ensure that the procedure adopted by the Council is consistent with the Sanctions Guidance introduced by the Adjudication Panel for Wales

3. What are the Recommendations?

That the Committee considers the suggested amendments to the procedure as set out in Appendix 1 to this report and recommends any amendments it considers appropriate to Council for incorporation into the Constitution.

4. Report details

The Committee received at its meeting on 21st September 2018 a report on the Sanctions Guidance introduced and published by the Adjudication Panel for Wales to assist Panel Members in their determination of appropriate sanctions.

The Council has adopted a procedure for dealing with allegations made that Councillors have breached the Code of Conduct and are referred to the Standards Committee.

The Council's procedure is attached as Appendix 1.

In considering the Sanctions Guidance the Committee asked that the Monitoring Officer review the procedure in light of the Sanctions Guidance and report back on any suggested changes as a result of that review.

The copy of the procedure attached at Appendix 1 contains some suggested amendments highlighted in red. These amendments include a statement of underlying principles to be applied by the Committee in its consideration of any matters brought before it for a hearing. These underlying principles are consistent with those set out for the Adjudication Panel for Wales in its Sanctions Guidance. These principles fall under the headings of Fairness, Public Interest, Proportionality, Consistency, Equality and Impartiality and Human Rights.

In addition, there has been inserted at paragraph 46 specific reference to the Committee having regard to the Sanctions Guidance in its deliberations and a requirement for the Committee to use a five step process in determining sanction.

The Committee is asked to debate these and any other amendments that they consider appropriate to the procedure.

5. How does the decision contribute to the Corporate Priorities?

The decision has no direct impact on the Corporate Priorities

6. What will it cost and how will it affect other services?

There are no costs directly associated with this report.

7. What are the main conclusions of the Well-being Impact Assessment?

There is no requirement for an assessment in respect of this report

8. What consultations have been carried out with Scrutiny and others?

There has been no consultation with Scrutiny or others.

9. Chief Finance Officer Statement

There are no significant financial implications arising from the report.

10. What risks are there and is there anything we can do to reduce them?

There are no risks associated with this report.

11. Power to make the Decision

Section 8 Council Constitution