

<b>Report to</b>	Standards Committee
<b>Date of meeting</b>	5 <sup>th</sup> March 2021
<b>Lead Member / Officer</b>	Gary Williams, Monitoring Officer
<b>Report author</b>	Gary Williams, Monitoring Officer
<b>Title</b>	Draft Annual Report of the Standards Committee.

## **1. What is the report about?**

1.1. The draft annual report of the Committee.

## **2. What is the reason for making this report?**

2.1. To seek the Committee's views on the content of the draft annual report to be presented to the Council's Annual General Meeting on 18<sup>th</sup> May 2021. Due to the suspension of meetings during the earlier period of the pandemic, the report will cover the period from the last annual report presented in July 2019 and the end of the current municipal year.

## **3. What are the Recommendations?**

3.1. That the Committee considers and the matters to be included within the draft annual report.

## **4. Report details**

4.1. It was agreed by Standards Committee some years ago that an Annual Report should be presented on the work of the committee and its findings and observations, to all Council Members as part of the Committee's drive to increase standards of ethical behaviour and compliance with the Members Code of Conduct. This will become a statutory requirement upon the commencement of the relevant provisions of the Local Government and Elections (Wales) Act 2021.

4.2. Standards Committee's main role is to monitor adherence to the Members Code of Conduct. All members are aware that their Code is founded on principles by

which Members should conduct themselves based upon the 7 Nolan Principles of Public Life. In Wales there are ten principles which are set out in the Conduct of Members (Principles) (Wales) Order 2001.

- 4.3. Standards Committee consists of the following Member types – 2 County Councillors, 4 Independent (co-opted) Members, and 1 Community Council Member (who is not also a twin hatted Member). The majority of the Members are therefore not elected, but are recruited from members of the public as per the requirements of the standards legislation in Wales. The Committee can also only be quorate when at least half of those Members present are the Independent members.
- 4.4. Independent members are recruited via a public advert, which is open to all save for strict criteria in respect of not previously being an Officer or Member of the Council within certain time frames, being of good standing and having certain attributes as laid down in the legislation. Other than this the opportunity is open to persons from all walks of life, in order to represent the views of the public with regard to the standards they expect of their elected members.
- 4.5. During the period covered by this report the Committee met on 6 occasions. There are a number of standing items received by the Committee:

(a) Attendance at Meetings

Reports from Standards Members in respect of their attendance and observations at Committee and Council meetings whether at County or Community level. Denbighshire County Council Standards Committee has a proactive approach to raising standards and awareness of the Code of Conduct. Committee Members attend to observe conduct and general effectiveness of the meetings; will then feed back to the Committee, who may make recommendations in respect of any training needs or trends or patterns of conduct. The Committee is keen to make it clear that their approach in attending in person at meetings is to provide support and education, in order to target resources to improve standards and the public's confidence in the vital work being done at community level, on a voluntary basis, and not from any enforcement or critical angle. The Committee fully recognises the value such councils and their members add to local communities.

(b) Overview of Complaints lodged against Members with the Public Services Ombudsman for Wales (the Ombudsman). The report is presented in a closed session and members are provided with a limited amount of detail in respect of ongoing complaints as well as those that have been turned down by the Ombudsman for investigation. Sufficient detail is provided to enable members to consider if training or other actions can be recommended to particular town, city and community councils which are experiencing issues or an increase in complaints. The majority of complaints relate to complaints against members of Town, City and Community Councils and are very often brought by other members of the same council. The vast majority of these complaints have not been investigated by the Ombudsman who applies a two stage test, firstly whether there is any evidence to suggest that a breach of the Code has occurred, and secondly, whether it is in the public interest for his office to commit resources to an investigation.

(c) Code of Conduct Casebook. The Ombudsman produces a quarterly summary of complaints that have been considered by his office setting out what action has been taken in respect of the complaints, and where relevant, the sanction imposed. Any members who are interested in the contents of the casebook may access it via the Ombudsman's website.

- 4.6 The Committee has considered a number of other matters during this period. In July 2019 the Committee conducted a hearing to consider a complaint of a breach of the Code of Conduct by a member of a Town Council that was referred to the Committee by the Ombudsman. Following a two day hearing the Committee found that the member concerned had breached the Code of Conduct and imposed a suspension of three months on that member.
- 4.7 The Committee has considered the LGA's campaign regarding civility in public life and in particular how it relates to the use of social media. The Committee has requested further work be done by officers to prepare guidance for elected members on the problem of intimidation on social media etc., building upon materials to be developed by the LGA.
- 4.8 The annual report will also need to cover the matters to be considered at this meeting of the Committee including the revised Code of Conduct guidance document being consulted upon by the Ombudsman, the terms of reference of the Committee and the new duties to be introduced by the Local Government

and Elections (Wales) Act 2021. The report will also need to include reference to any matters which are or have been referred to the Committee by the Ombudsman and are dealt with by the date of the Council meeting.

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

5.1. The report has no direct impact upon the Corporate Priorities, however, the ethical framework and the role played by the Committee play an important part in maintaining public confidence in the integrity of local government and those who serve within it.

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

6.1. There are no costs directly associated with this report.

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

7.1. An impact assessment is not required for this report.

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

8.1. There have been no consultations with Scrutiny or anyone else before presenting this report to the Committee.

## **9. Chief Finance Officer Statement**

9.1. There are no direct resource implications of this report.

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

10.1. There are no risks associated with this report.

## **11. Power to make the decision**

11.1. The Committee has the power to make the report under the terms of the Council's Constitution.