

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held via video conference on Friday, 3 December 2021 at 10.00 am.

PRESENT

Ian Trigger (Chair), Julia Hughes (Vice-Chair) and Peter Lamb together with Councillor Gordon Hughes.

Observer – Councillor Gwyneth Ellis.

ALSO PRESENT

Monitoring officer (GW), Committee Administrators (SW Host) (RTJ)

1 APOLOGIES

Apologies for absence were received from Councillors Andrew Thomas, Paul Penlington and the independent member of the Standard Committee Anne Mellor.

2 DECLARATION OF INTERESTS

No declarations of interests were raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised with the Chair prior to the meeting.

4 MINUTES OF THE LAST MEETING

The minutes of the Standards Committee meeting held on 17 September 2021 were presented for consideration.

Matters Arising –

- The chair thanked the Committee Administration staff for their coincidentally high standards of minutes, which have been produced while he had been chairing the committee.
- Page 7 –Minutes of the last meeting - The committee raised the Standards Committee Terms of Reference and if the Governance and Audit Committee had discussed them. The Monitoring officer (MO) informed the committee that the matter had not been presented to the Governance and Audit Committee, however, it would be discussed at the January Governance and Audit Committee meeting.
- Page 7 – Minutes of the last meeting – The MO was asked if any more thought had been given to pre-meeting briefings. The MO responded, stating a report could be brought to the Committee at the March 2022 meeting.

***RESOLVED** that the minutes of the Standards Committee meeting held on 17 September 2021 be confirmed as a correct record.*

5 ATTENDANCE AT MEETINGS

The Chair invited members to update the committee on any attendance at meetings.

The Committee members who were present at the meeting had nothing to share. It was a shared consensus amongst the members that the current climate with the pandemic had made attending other meetings difficult.

***RESOLVED** that the above observations and discussion be noted.*

6 STANDARDS CONFERENCE

The Monitoring officer (MO) introduced the update regarding the Standards Conference. The event was biannual, with representatives from every local authority in Wales alongside community councillors, independent members, and the Welsh Local Government Association.

The MO stated that the conference had been postponed due to the pandemic. The new date for the event would be the 9th February 2022 and would be held virtually. The benefit of a virtual event was that there would be no limit on the number of attendees. The new Ethical Framework would be the main point discussed.

Closing the update, the MO informed the committee that the Conference would last roughly 6 hours and if any members wished to be in attendance at the meeting they could notify the MO, who would then send the details to the organiser.

***RESOLVED** that members note the information regarding the Standards Conference.*

7 PENN REVIEW OF THE ETHICAL STANDARDS FRAMEWORK

The Monitoring Officer (MO) presented members with a report regarding the Penn Review of the Ethical Standards Framework (previously circulated).

The Review has made several recommendations in respect of the ethical framework. It was not clear which of these would be taken forward by the Welsh Government. The report's purpose was to seek the committee's views on the review in anticipation of any future consultation conducted by the Welsh Government regarding any of the recommendations.

The MO gave the committee background on the review. In March 2021, the Welsh Government announced an intention to commission an independent review of the ethical standards framework for local government in Wales. The current ethical framework was established by the Local Government Act 2000 and had remained largely unchanged apart from some minor amendments to the Code of Conduct.

The purpose of the Review was to ensure that the framework remains fit for its purpose, was open and transparent, and that it commands the confidence of all involved with it.

The Welsh Government commissioned Mr. Richard Penn, a former local authority chief executive, to undertake the Review with the aim to report to Welsh Government Ministers by the end of June 2021. The intention was to make any agreed changes ahead of the local government elections in May 2022.

The Review was to include:

- an audit of the Codes of Conduct adopted by authorities;
- an analysis of the effectiveness of the framework in fostering high standards of conduct in local government and public confidence in those arrangements;
- whether the framework was still fit for purpose;
- the role of Standards Committees;
- an analysis of the arrangements and protocols in place to support members and staff;
- Consideration of the current sanctions and whether they were still appropriate.

The overall finding of the Review was that the framework was fit for its purpose and did not need significant alteration. The Review suggests that some minor adjustments and amendments to the current framework could result in fewer low-level complaints and the need for formal investigations being significantly reduced.

The review outcomes were a mixture of recommendations and statements made under separate headings. These headings were:

- An audit of the Codes of Conduct adopted by all the required authorities against the Model Code to identify any local variances.
- An analysis of the effectiveness of the framework in fostering high standards of conduct in local government in Wales and public confidence in those arrangements’.
- Consideration of whether the framework was still fit for purpose, including whether the ten principles of conduct were still relevant and whether the Model Code of Conduct needs updating. This would include identification of areas where improvements could/should be made to the current arrangements
- Changes to the powers and processes of the Adjudication Panel for Wales
- Consideration of the role of Standards Committees, including their role concerning Town and Community Councils and whether the establishment of sub-committees has impacted the process of supporting Community Councils and dealing with complaints.

The committee discussed the following points in further detail –

- The committee sought clarity regarding mandatory training and whether this only related to County Councillors, or did the framework mean that City,

Town, and Community Councillors also receive the mandatory training. The MO clarified that all elected representatives would have training.

- Local resolution was outlined by the committee, responding the MO stated that if more matters were directed towards local resolution, there would likely be an issue with resources, i.e., monitoring officer workloads.
- The MO informed the committee that the Adjudication Panel for Wales felt that it would be beneficial if they had more sanctions available to them when determining whether alleged breached had been made against the code of conduct.
- The committee highlighted social media; and agreed that no insensitive information should be posted or otherwise shared by elected members.
- The committee suggested that more training could mitigate complaints as people were less likely to breach the code of conduct. The MO agreed with additional training; however, he felt that when people were discussing contentious items, emotion would be at the forefront. The MO suggested that further discussions could be carried out with political group leaders regarding conduct, and then the message would permeate through the political parties.

The MO informed the committee that the Ombudsman praised the committee on recent hearings and how all parties conducted themselves.

RESOLVED that the Standards Committee consider the Penn Review of the Ethical Standards Framework and agree to the suggested recommendations contained therein.

8 STANDARDS COMMITTEE FORWARD WORK PROGRAMME

The Monitoring Officer (MO) introduced the Standards Committee Forward Work Programme (previously circulated).

- March 2022 – a report following the Standards Conference held on the 9th February 2022.
- March 2022 – Code of Conduct of employees report being brought to the committee. However, the MO stated the report could be delayed until the June 2022 meeting.
- June 2022 - Appointment of Chair and vice-chair to be included.
- September 2022 – Standards Annual Report to Council.

The MO raised the matter of pre-meetings and suggested that a pre-meeting forward work programme be kept alongside the pre-existing programme. To ensure that no work would be missed, the committee would be aware of any pre-meeting briefing/training sessions. The committee agreed to the suggestion.

RESOLVED that subject to the above, the Standards Committee's forward work programme be approved.

9 DATE OF NEXT MEETING

The date of the next Standards Committee meeting was confirmed for Friday 4th March 2022 at 10:00am.

***RESOLVED** that under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraphs 12 and 13 of Part 4 of Schedule 12A of the Act.*

10 CODE OF CONDUCT - PART 3 LOCAL GOVERNMENT ACT 2000

The Monitoring Officer (MO) presented the confidential report (previously circulated) to provide Members with an overview of complaints lodged with the Public Services Ombudsman for Wales since 1st January 2018.

The MO reported on the ongoing complaints submitted, giving outline details of the nature of the complaints made and the actions taken by the Public Services Ombudsman for Wales.

***RESOLVED** that the Standards Committee notes the contents of the report.*

The meeting concluded at 12.10 p.m.