

Report to	Democratic Services Committee
Date of meeting	9 th June 2023
Lead Member / Officer	Gary Williams, Monitoring Officer.
Report author	Lisa Jones, Interim Head of Legal and Democratic Services and Deputy Monitoring Officer
Title	Duty of Group Leaders to Promote Ethical Behaviour.

1. What is the report about?

The report is about informing the Committee of the new duty placed upon political group leaders to promote ethical behaviour.

2. What is the reason for making this report?

To update Members on the work done to date to enable Group Leaders to be supported in their duty which supports the overall democratic environment.

3. What are the Recommendations?

That Members note the contents of the report providing any observations that would assist in embedding a collective approach to discharging this democratic function.

4. Report details

4.1. Section 62 of the Local Government and Elections (Wales) Act 2021 provides a new duty on the leaders of political groups to take reasonable steps to promote and maintain high standards of conduct of their members. The duty does not make the Group Leader accountable for another members' behaviour, but the role is one of taking reasonable steps. Although oversight of the ethical framework falls to the Council's Standards Committee, this additional duty on Group Leaders is the Welsh Government' approach to a collective culture of high standards requiring local leadership and all members to accept responsibility for their actions, collectively and individually.

4.2. The legislation also provides new duties on the Standards Committee to monitor group leaders' compliance with this duty and to advise and provide training for group leaders on the discharge of the duty. However it is highly appropriate that Democratic Services Committee are informed and consulted as the Council learns how to implement the new duty given its importance to all members. Councils must be places where an open culture thrives and people are welcomed and respected, whatever their background, in order to encourage a more diverse range of people to seek elected office in local government. Standards of behaviour are key to this and all members have a responsibility to act in a manner which respects and values all.

4.3. The Welsh Government produced draft statutory guidance for group leaders and standards committees prior to the election and sought views upon it. The draft guidance can be viewed here: <https://gov.wales/consultation-local-governmentand-elections-wales-act-2021-standards-conduct-statutory-guidance>. At the time of writing this guidance remains as draft.

4.4 By way of summary the draft guidance includes examples of how Group Leaders might perform their duty such as:

- demonstrating personal commitment to and attending relevant development or training around equalities and standards;
- encouraging group members to attend relevant development or training around equalities and standards;
- ensuring nominees to a Committee have received the recommended training for that Committee;
- promoting civility and respect within group communications and meetings and in formal Council meetings;
- promoting informal resolution procedures in the Council, and working with the Standards Committee and monitoring officers to achieve local resolution;
- promoting a culture within the group which supports high standards of conduct and integrity;
- attending a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;

- work to implement any recommendations from the Standards Committee about improving standards;
- work together with other Group Leaders, within reason, to collectively support high standards of conduct within the Council.

4.5. The following steps are being or have been implemented thus far:-

4.5.1 Standards Committee' Chair and Vice Chair attended a Group Leaders meeting in January 2023 and agreed a meeting at least once a year with Group Leaders in the form of an 'Ethical Liaison Group - Standards Committee Chair and Vice Chair will be invited to a Group Leaders' meeting to discuss progress on the duty in an informal and collaborative way.

4.5.2 Group leaders to each provide an annual report to the Standards Committee on their progress in fulfilling their duty. The report should cover demonstrating personal and group commitment to attending relevant training or training around equalities and standards; promoting civility and respect within group communications and setting a good culture; receiving data on the level of complaints; promotion of informal resolution procedures; engaging with standards committee as necessary and working collectively with other Group Leaders. All Group Leaders have been supported by the Monitoring Officer and Deputy in completing their reports and provided with relevant data in respect of their group.

4.5.3 The Standards Committee will be able to discuss these reports with group leaders and make reference to the work carried out in the Standards' Committee annual report.

4.6 Training opportunities will be provided in respect of resolving disputes and working within any local resolution procedures.

4.7 This is a new and evolving duty which Group Leaders are keen to embrace and good practice will be discussed and cascaded within Group Leader and Group meetings and shared with the Standards' Committee.

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

If the duty is being met, then this should contribute to good member/officer relations and member-member relations. Thus a functioning, well governed Council contributes to good local democracy and trust.

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

Costs will be met within existing resources. Some member training is available from the WLGA which the Council is looking into taking up.

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

A well-being impact assessment is not required.

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

Standards Committee have been consulted on the WG Guidance in respect of this item and Group Leaders have been briefed on duties.

9. Chief Finance Officer Statement

The duty should be contained within existing resources.

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

The introduction of this duty and the enhanced role of the Group Leader in supporting the discharge of it, will mitigate against the risk of behaviour occurring which falls short of the expected standards of conduct and complaints to the regulator.

11. Power to make the decision

Section 62 of the Local Government and Elections (Wales) Act 2021