

Report to	County Council
Date of meeting	to be confirmed
Lead Member / Officer	Gary Williams, Monitoring Officer
Report author	Lisa Jones, Legal Services Manager
Title	Standards Committee Annual Report D R A F T

1. What is the report about?

This is Annual Report of Standards Committee to the Full Council and covers the calendar year January to December 2023. It was agreed that the Chair will present their report on this basis annually to the Full Council, in order to keep Members informed of trends; issues in respect of compliance with the Members' Code of Conduct generally across the County and the work of the Committee in driving up standards of behaviour at the County level, but also at Town, City and Community levels.

2. What is the reason for making this report?

It was agreed by Members of this Committee that an Annual Report should be presented on the work of the committee each year 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. The obligation to deliver a report is now enshrined in legislation and a copy of the report is then lodged with the PSOW.

3. What are the Recommendations?

That Members note the contents of the report.

4. Report details

- 4.1 Standards Committee main role is to monitor adherence to the Members' Code of Conduct. All members are aware that their Code is founded (and should be read in conjunction with) the 7 Nolan Principles of Public Life. In Wales there are ten principles namely Selflessness, Honesty, Integrity and Propriety, Duty to uphold the law, Stewardship, Objectivity in decision making, Equality and Respect, Openness, Accountability and Leadership.

4.2 Standards Committee regulations stipulate that the size of the Committee shall not be less than 5 but no more than 9 Members with the Committee suggesting that this should be reviewed in the future. In Denbighshire 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), therefore 7 members. 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 lay members.

4.3 When the Committee receives a reference from the Public Services Ombudsman for Wales (PSOW) following her investigation into a complaint, they will then sit in a quasi-judicial capacity whilst they hear the matter. They have powers to suspend a Member from Office for a maximum of 6 months, during which time they will not be able to act in their capacity as an elected member and will not receive any member salary. The Committee has discretion to impose lesser sanctions such as a partial suspension from duties or a 'public censure' and to impose other conditions such as attendance at training. At the time of writing the Monitoring Officer has been made aware of [insert number] of complaints lodged against members with the PSOW; of which [insert number / describe outcome]

4.4 There is also the option where the PSOW seeks the views of the Monitoring Officer and Standards Committee on whether in those circumstances where the Ombudsman decides not to investigate, that the Monitoring Officer may wish to investigate locally. In these circumstances, the Monitoring Officer consults the Chair and/or the Committee and each case is considered on its merits. The Standards Committee wrote to the PSOW in the Autumn of 2023 to communicate their observations that the number of complaints were not taken any further. [what does the Committee wish to add here?]

4.5 Group Leaders are now required by law to promote compliance within their Group in respect of adherence to the Code. An 'Ethical Liaison Group' has been established and Standards Committee met with the Group Leaders collectively for the second time on the 18th December 2023[insert details following GL meeting]

4.5 Members also carried out [insert final number following December Standards Committee] of visits as observers at Town, City and Community Councils. Feedback is now provided to the relevant Council and a form of anonymous generic feedback is provided to all Town, City and Community Councils on observations found and to enable the sharing of good practice.

4.6 During the past year the Committee met on 4 occasions. The table attached as Appendix 1 sets out a summary of the items under discussion.

Standing Items

The standing items in 2023 the Committee received were:

- (a) 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 is proactive in its' 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 in particular communities or at County level. Accessibility of meetings is also noted.

In respect of the 2023 period, the general ethical framework functions were at [Standards Committee to provide comments on levels of compliance etc]

As emphasised last year, the Committee is keen to make it clear that their approach in attending in person at meetings is from a support and collaborative angle; 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. The Committee believes that the Code is there to give public confidence, but to also protect members and any efforts to raise this awareness for all serving members is a key theme they continually endorse.

- (b) Overview of Complaints lodged against Members with the Public Services Ombudsman for Wales. The report is presented in a closed session and members are provided with a limited amount of detail in respect of the complaint but with sufficient detail 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.
- (c) Forward Work Programme. This aligns the approach of other council committees and encourages a more strategic approach to the role of the Committee as a proactive one not just reactive to complaints.
- (d) Dispensation requests. It is of note that at the time of writing no requests for dispensations have been received. A communication has been sent out to all clerks to remind them of the ability to obtain a dispensation but this has not generated any requests.
- (e) Public Services Ombudsman for Wales' – Our Findings. These are shared at each Committee so that a national picture of complaints is understood and the level of sanctions.

4.3 During this year there was also two meetings of the National Standards Forum – [standards committee to agree which areas they want to highlight]

4.4 During this year there was no meeting in respect of a Determination as to whether there had been a breach of the Code of Conduct at County or Community level.

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

A fully functioning and representative Standards Committee which upholds the high standards expected of members helps underpin the Council's exercise of its democratic functions.

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

There are no additional costs associated with this report and there are no implications for other services as a result of this report.

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?

No other consultations are considered required; this report has been for consultation to Standards Committee and that they are content the report reflects the Committee and Chair' perspective in respect of adherence to the Members' Code of Conduct in the County and observations in respect of probity and ethics generally.

9. Chief Finance Officer Statement

Not required.

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

There are no identified risks.

11. Power to make the decision

The Local Government Act 2000; the Standards Committee (Wales) Regulations 2001 and the Standards Committee (Wales) (Amendment) Regulations 2006.

Appendix 1

Date of Meeting	Report Items/Area s
6/4/23	<ul style="list-style-type: none"> • Standards Committee Annual Report • National Standards Forum feedback • WG consultation on the Penn Review Standing Item: Attendance at meetings • PSOW 'Our Findings' • Standing item: Dispensation requests • Standing Item: Overview of Complaints against Members • Forward Work Programme
16/6/23	<ul style="list-style-type: none"> • Code of Conduct Training update • Standards Committee Recruitment Panel • Group Leaders Duty and Reports • Response to the Penn Review • Standing Item: Attendance at meetings • PSOW 'Our Findings' • Standing item: Dispensation requests • Standing Item: Overview of Complaints against Members • Forward Work Programme
8/9/23	<ul style="list-style-type: none"> • National Standards Forum feedback • Group Leaders' Duty • Corporate Joint Committee update • Chairs Training Event for Town, City and Community Councils – confirmation of event. • Standing Item: Attendance at meetings • PSOW 'Our Findings' • Standing item: Dispensation requests • Standing Item: Overview of Complaints against Members • Forward Work Programme.
8/12/23	<ul style="list-style-type: none"> • Draft Standard Committee's Annual Report • Feedback from the Chair's training event held on the 24th November 2023 • Standing Item: Attendance at meetings • PSOW 'Our Findings' • Standing item: Dispensation requests • Standing Item: Overview of Complaints against Members • Forward Work Programme

