

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 26 November 2020
Relevant Scrutiny Committee:	All Scrutiny Committees
Report Title:	Standards Committee Hearing Panel Membership re Allegations of Failure to Observe the Members' Code of Conduct
Purpose of Report:	To request that the Committee consider that if not all Members are attending a Standards Committee hearing that delegated authority be granted to the Monitoring officer to develop a rota of Members attending each individual hearing, when required.
Report Owner:	Monitoring Officer / Head of Legal and Democratic
Responsible Officer:	Karen Bowen, Principal Democratic Services Officer
Elected Member and Officer Consultation:	This report does not involve any consultation with other parties
Policy Framework:	This is a matter for the Standards Committee
Executive Summary:	<p>The Standards Committee is requested to consider that if not all Members are attending a Standards Committee hearing the Monitoring officer is granted delegated authority to develop a rota of members attending each individual hearing, when required. This is being requested to ensure that, if not all Members are attending a hearing, that every member of the Standards Committee is afforded an opportunity to sit on a Standards Committee hearing, if required.</p>

Recommendation

1. T H A T if not all Members of the Standards Committee are attending a hearing, that delegated authority be granted to the Monitoring Officer to develop a rota of members attending each individual Standards Committee hearing, when required.

Reasons for Recommendation

1. In order that a rota can be devised in the interests of fairness and transparency and to ensure that every member of the Committee is afforded an opportunity to sit on a hearing when required.

1. Background

- 1.1 The procedure for dealing with allegations made against Councillors and referred to the Standards Committee sets out the procedure that the Council's Standards Committee will follow where it is required to make decisions about the conduct of Councillors following investigations by the Public Services Ombudsman for Wales or the Council's Monitoring Officer under Part III of the Local Government Act 2000 and related regulations. If there is any conflict between the document and any statutory requirements then those statutory requirements will prevail.
- 1.2 Following a report relating to a complaint against a Councillor in respect of a Community Council, the Standards Committee in March 2020, considered that the hearing to consider the investigation report of the Public Services Ombudsman comprise of five Members as opposed to the full membership of the Standards Committee. It being considered that the Full Membership of the Standards Committee at a hearing was not appropriate in the circumstances.
- 1.3 The membership of the hearing was subsequently agreed to consist of the Chairman and Vice-Chairman of the Standards Committee, the Town and Community Council representative, an Independent Member of the Standards Committee and a Vale of Glamorgan Council Elected Member.

2. Key Issues for Consideration

- 2.1 To ensure that all Members of the Standards Committee are able to take part in future Standards Committee hearings when required, and have an opportunity to sit on a hearing it is recommended that, if not all Members of the Committee are attending a hearing that delegated authority be granted to the Monitoring Officer to develop a rota of Members attending each individual Standards Committee hearing, when required.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

3.1 The Standards Committee's Terms of Reference include the following roles and functions:

- (a) promoting and maintaining high standards of conduct by Councillors, Co-Opted Members and Church and Parent Governor representatives.
- (b) assisting Councillors, Co-Opted Members and Church and Parent Governor representatives to observe the Members' Code of Conduct.
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct.
- (d) monitoring the operation of the Members' Code of Conduct.
- (e) advising, training or arranging to train Councillors, Co-Opted Members and Church and Parent Governor representatives on matters relating to the Members' Code of Conduct.
- (f) granting dispensations to Councillors, Co-Opted Members and Church and Parent Governor representatives from requirements relating to interests set out in the Members' Code of Conduct.

4. Resources and Legal Considerations

Financial

4.1 None as a direct result of this report.

Employment

4.2 None as a direct result of this report.

Legal (Including Equalities)

4.3 None as a direct result of this report.

5. Background Papers

None.