

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 27 May 2021
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Local Dispute Resolution Hearing - Appointment of Chairman
Purpose of Report:	To consider the appointments of Chairman for Local Dispute Resolution Hearings
Report Owner:	Ms. Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Mrs. Karen Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not involve any consultation with other parties
Policy Framework:	This report is a matter for consideration by the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> To consider the granting of delegated powers to the three Independent Standards Committee panel members of a hearing under the LDRP procedure to appoint of a Chairman for a hearing. 	

Recommendation

1. That delegated powers be granted to the three members of a Local Dispute Resolution Procedure hearing to appoint a Chairman from amongst themselves prior to a hearing taking place.

Reason for Recommendation

1. To allow for decisions to be made regarding any arrangements or procedural matters that may require to be put in place prior to a hearing.

1. Background

1. On 11th April, 2014, the Standards Committee considered and agreed a Local Dispute Resolution Procedure to address low level complaints and breaches of the Members' Code of Conduct (the Code) and Protocol - Standards of Conduct Expected by Members, in response to Welsh Government and the former Public Services Ombudsman for Wales' concerns. The Public Services Ombudsman guidance on the Code of Conduct for Members of Local Authorities had stated there was an expectation that Local Authorities throughout Wales would implement a Local Dispute Resolution Procedure to deal with low level complaints which were made by a Member against a fellow Member. At the Full Council meeting on 25th June, 2014, a Local Dispute Resolution Procedure ('the Procedure') was duly approved and has been incorporated into the Council's Constitution. As with the Council's Constitution generally, the Procedure is subject to review and changes can be proposed if considered appropriate (either by the Monitoring Officer or the Standards Committee itself).
 - 1.1 Following a review of the procedure a revised procedure was recommended for approval to Full Council by the Standards Committee on 12th July 2018. Full Council subsequently approved the revised procedure on 26th September 2018 and the Council's Constitution was amended accordingly.

2. Key Issues for Consideration

- 2.1 Having regard to the procedure, following discussions at a meeting of the Standards Committee on 26th November 2020 it was agreed that if not all Members of the Standards Committee are attending a hearing, delegated authority be granted to the Monitoring Officer to develop a rota of Members attending each individual Standards Committee hearing, when required.
- 2.2 The rota has therefore been utilised for the appointment of a panel for a hearing to be held on 10th June and following discussions with regard to availability three independent members namely Mrs Hallett, Mr Watkins and Mrs Tinsley have confirmed their availability to attend.
- 2.3 Under the LDRP procedure the Chairman of the hearing is usually agreed on the day of the hearing from amongst the members sitting.

2.4 However, as Monitoring Officer I would suggest that to assist with arrangements and any matters that may require addressing or clarifications required prior to a hearing it would be beneficial that once the availability of the three panel members is confirmed that the Chairman for a panel is appointed from amongst the three members scheduled to sit , prior to the hearing.

2.5 The Standards Committee is therefore recommended to grant delegated powers to the three Independent members of a LDRP hearing to appoint a Chairman from amongst themselves prior to a hearing taking place.

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

3.1 The role of the Standards Committee includes - to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives and to monitor the operation of the Member's Code of Conduct.

4. Resources and Legal Considerations

Financial

4.1 None as a direct result of this report although Members will be remunerated for attendance under the allowance scheme agreed by the Independent Remuneration Panel and the Vale of Glamorgan Council's Constitution. Independent Members are able to claim for a maximum of 10 days per annum as detailed within the Council's Constitution.

4.2 In line with Welsh Government Regulations re social distancing, meetings will be observed, where appropriate, on a virtual basis.

Employment

4.3 None as a direct result of this report.

Legal (Including Equalities)

4.4 None as a direct result of this report.

5. Background Papers

Minutes of previous meetings of the Standards Committee and the Council's LDRP procedure approved 26th September 2018.