

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 15 July 2021
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Ethical Standards Framework Review
Purpose of Report:	To provide Members with an update in respect of a discussion held on 22nd June 2021 to date in respect of the review being undertaken of the Ethical Standards Framework in Wales
Report Owner:	Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Karen Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	The report does not involve consultation with any other parties
Policy Framework:	The report does not affect the Council's policy framework and budget
Executive Summary:	<ul style="list-style-type: none"> To advise Members of the Standards Committee of the review that is being undertaken of the Ethical Standards Framework in Wales and a meeting held with Richard Penn (Independent consultant appointed by Welsh Government) with Debbie Marles, Monitoring Officer / Head of Legal and Democratic Services, Victoria Davidson, Deputy Monitoring Officer and Richard Hendicott, Chairman of the Standards Committee.

Recommendations

1. That the Standards Committee note the contents of the report.
2. That a further update report be presented to the Committee following receipt of a report and or any the findings relating to the review.

Reasons for Recommendations

1. To apprise Members of a recent meeting held with the Monitoring Officer / Head of Legal and Democratic Services, Deputy Monitoring Officer and Chairman of the Standards Committee with the Independent consultant.
2. To apprise Members.

1. Background

- 1.1 The Welsh Government Minister has commissioned a review of the Ethical Standards Framework in Wales.
- 1.2 Ethical Standards are Standards that Members are expected to follow when they are carrying out Council business or representing the Council. These apply to Local Authorities and Town and Community Councils. For the Vale of Glamorgan Council the Code of Conduct for Members can be found at Section 18 of the Council's Constitution.
- 1.3 The Council's Constitution at Section 8 also details the roles and functions of the Standards Committee as follows :
 - (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;
 - (g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman;the exercise of (a) to (g) above in relation to the Community Councils wholly or mainly in its area and the members of those Community Councils;

- (i) overview of complaints handling and Ombudsman investigations.

2. Key Issues for Consideration

2.1 Mr. Richard Penn, who has been appointed by Welsh Government to report on the Ethical Framework Review, met with Debbie Marles, Monitoring Officer / Head of Legal and Democratic Services, Victoria Davidson, Deputy Monitoring Officer and Richard Hendicott, Chairman of the Standards Committee, on 22nd June, 2021 as part of the review process.

2.2 This report is therefore being presented to apprise Members of the discussions that took place during the meeting in respect of a number of aspects which included the following :-

- Consideration for training of the Code of Conduct to be embedded within the Code as mandatory.

Standards Committee Members are advised that the Vale of Glamorgan Council itself made a decision that training for Members on the Code be mandatory and as a result mandatory training has been included in the Council's Member Induction Programme following Local Government elections for some time. The training for Vale of Glamorgan Council Members is provided by the Monitoring Officer and refresher training is also provided as and when deemed appropriate. For Town and Community Councils, again following the Local Government Elections, the Monitoring Officer commissions Code of Conduct training from One Voice Wales (which is co – hosted) for TCCs with any refresher training being the responsibility of the TCCs.

- In noting that the Local Government and Elections (Wales) Act 2021 provides that TCCs produce training plans, it was suggested that mandatory training be also included in the Code for Town and Community Council members.
- To assist the process further it was also suggested that when a Member signs his/her Declaration of Acceptance of Office, at that time, they also sign to confirm that they are willing and able to undertake the training offered.
- Having regard to issues of complaints in respect of Councillors by fellow Councillors, it was also suggested that increased powers be provided to the Public Services Ombudsman for Wales (PSOW), with regard to the Local Dispute Resolution Procedure and referring matters back.
- The Chairman of the Standards Committee took the opportunity to advise Mr. Penn of the initiative agreed by the Standards Committee for Independent Standards Committee Members to undertake observations at Vale of Glamorgan Council and Town and Community Council meetings each year, with the aim to promote and raise standards in public life.
- Having regard to the exercise of powers under s.72 of the LGA 2000, that further consideration be given to greater powers being afforded to the PSOW and Adjudication Panel for Wales to impose interim suspensions on Members where appropriate.

- 2.3** Following the receipt of any report and/or findings as a result of the review, it is the intention that the Standards Committee will be apprised accordingly.

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 is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives.

4. Resources and Legal Considerations

Financial

- 4.1** None as a direct result of this report.

Employment

- 4.2** The Council has a statutory duty to establish and maintain a Standards Committee as defined by legislation as set out in the Standards Committee Rules and Regulations 2001 and the Standards Committee (Wales) Amendment Regulations 2006.

Legal (Including Equalities)

- 4.3** The Council has a statutory duty to establish and maintain a Standards Committee as defined by legislation as set out in the Standards Committee Rules and Regulations 2001 and the Standards Committee (Wales) Amendment Regulations 2006.

5. Background Papers

None.