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| Meeting of: | Standards Committee |
| Date of Meeting: | Thursday, 17 March 2022 |
| Relevant Scrutiny Committee: | No Relevant Scrutiny Committee |
| Report Title: | Amendments to the Council's Constitution and Standards Committee Terms of Reference |
| Purpose of Report: | To apprise Standards Committee of amendments to the Council's Constitution and amendments to the Standards Committee Terms of Reference as a result of the Local Government and Elections (Wales) Act 2021 which come into force on 5 th May 2022. |
| Report Owner: | Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services |
| Responsible Officer: | Karen Bowen, Principal Democratic and Scrutiny Services Officer |
| Elected Member and Officer Consultation: | As a matter relating to the business organisation, no specific ward member consultation is necessary. |
| Policy Framework: | This is a matter for consideration by Standards Committee |
| Executive Summary: | |
| <ul style="list-style-type: none"> The report provides the Standards Committee with an update of amendments to the Council's Constitution in respect of provisions and due to come in to force on 5th May 2022; and particularly amendments to the Standards Committee Terms of Reference as a result of provisions of the Local Government and Elections (Wales) Act 2021 which come into force on 5^h May 2022. | |

Recommendation

1. T H A T the Standards Committee note the amendments to the Council's Constitution and the Standards Committee Terms of Reference to be effective from 5th May, 2022 as a result of the provisions of the Local Government and Elections (Wales) Act 2021.
2. T H A T the meeting outlined in paragraphs 2.3 and 2.4 of this Report with Richard Hendicott, Lorna Tinsley, the Monitoring Officer and newly appointed Group Leaders following the Local Government Elections to take place prior to the 23rd June 2022 Standards Committee be approved.

Reason for Recommendations

1&2 Having regard to current and pending statutory provisions.

1. Background

- 1.1 Committee is advised that a report detailing in the main the provisions of the Local Government Elections (Wales) Act 21 (Act)(coming into force from 5th May, 2022 together with provisions introduced in the Act from 2021 was presented to a Full Council meeting of the Vale of Glamorgan on 7th March, 2022. A copy of the full report can be found via the following link :
<https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Council/2022/22-03-07/Deputising-Arrangements-for-CX.pdf>

2. Key Issues for Consideration

- 2.1 At its meeting on 7th March 2022 the Full Council approved (in part) the proposed revisions to be made to the Council's Constitution in respect of housekeeping matters ,legislative changes including changes pursuant to the Act to come into force on 5th May 2022.
- 2.2 The following paragraphs detail some of the requirements of the Act relevant to the Standards Committee which are to take effect from 5th May, 2022 with Member's attention being drawn in particular to Sections 62 and 63 being the provisions relating to the Terms of Reference and Role and Function of the Standards Committee -
 - Amend the term of office for Elected Members' from four to five years (Section 14 – LGEW Act) and amend reference to 47 Councillors to 54 Councillors
 - Broadcasting of meetings – The Council's current remote attendance at meetings policy introduced in April 2021 is to be revised following the receipt of Welsh Government's Statutory Interim guidance on Multi-Location Meetings. A revised policy is to be reported for consideration by Full Council

on 25th April 2022. Further Welsh Government Guidance is however, awaited as to which meetings the Council should consider broadcasting from May 2022. The section under the Act requires that where meetings are broadcast speakers must be able to speak to and be heard by each other and to see and be seen by each other. (Sections 46 and 47)

- Leaders of Political Groups in relation to standards of conduct – duty to promote and maintain high standards of conduct and must co-operate with the Standards Committee in the exercise of the Standards Committee’s functions (Section 62)
- Standards Committee – Terms of Reference and Role and Function (respectively) to include -
 - duty to monitor compliance by Political Leaders of the above duties and provide advice, training or arrange to train Leaders of political groups (Section 62)
 - duty to produce an Annual Report as soon as reasonably practicable at the end of the financial year (i.e. 31st March) to the Authority in respect of the year which must describe how the Committee’s functions have been discharged during the financial year (Section 63)
- Functions of the Full Council – the following to be added at paragraph 4.6 of the Council’s Constitution:
 - considering annual reports received from the Standards Committee within 3 months of them being made and keeping under review the extent to which a) it is exercising its functions effectively, b) using its resources economically, efficiently and effectively and c) its Governance arrangements are effective for securing matters set out in a) and b) above (Section 63),

2.3 Having regard to Section 62 of the Act – Duty to Monitor Compliance by Political Leaders in relation to standards of conduct. Notwithstanding the fact that Code of Conduct and Ethical Framework Training will be provided to Elected Member’s by the Monitoring Officer following the Local Government Elections in May it is also recommended to Committee that following the Local Government Elections in May 2022 arrangements be made for the current Chair and Vice Chair of the Standards Committee and the Monitoring Officer to meet with the newly appointed Group Leaders of the Council as soon as possible following the elections.

2.4 The purpose of the meeting with Group Leaders being to provide further training with regard to section 62 of the Act prior to the Standards Committee meeting on 23rd June 2023.

2.5 Section 63 of the Local Government and Elections (Wales) Act 2021 also places a duty on the Standards Committee to produce an annual report to the Council as soon as reasonably practicable at the end of a financial year this will apply for the 2022/ 23 Municipal year . The provision in the Act states that the annual report must describe how the Committee’s functions have been discharged during the

financial year (a period of 12 months ending with 31st March). In particular the report must include a summary of

- What has been done to discharge the general and specific functions conferred on the Committee
- Reports and recommendations made or referred to the Committee
- Action taken by the Committee following its consideration of such reports and recommendations
- The Committee's assessment of the extent to which Leaders of political groups have complied with their duties under the Act during the financial year
- Any recommendations the Standards Committee wish to make to the Authority about any matter which the Committee has functions.

2.6 The Committee is requested to consider and note the provisions as outlined above.

2.7 It is intended that the first Annual report under the provisions of the Act be reported to the Standards Committee at its June meeting in 2023 with the intention that the report is presented to Full Council in July 2023.

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 None as a direct result of this report.

Legal (Including Equalities)

4.3 The Council is required to comply with relevant legislation requirements.

5. Background Papers