

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 06 October 2022
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Political Group Leaders Duty Under Section 62 of the Local Government and Elections (Wales) Act 2021 in Relation to Standards of Conduct
Purpose of Report:	To provide the Committee with an update on progress regarding the duty of Political Group Leaders in relation to standards of conduct
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:	This report does not require consultation to be undertaken
Policy Framework:	This is a matter for the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> To provide the Committee with an update on the progress to date regarding the duty of political group leaders in relation to standards of conduct under section 62 of the Local Government and Elections (Wales) Act 2021. 	

Recommendation

1. That the report be noted.
2. That Members have the opportunity to discuss and approve the contents of the proforma attached at Appendix 1 and the reporting arrangements by Political Group Leaders.

Reason for Recommendation

1. To apprise Committee.
2. To afford the opportunity to Committee to shape the reporting arrangements which will inform the Committee's Annual Report in respect of the Political Group Leaders compliance with their statutory duty.

1. Background

- 1.1 Under section 62 of the Local Government and Elections (Wales) Act 2021 ("The Act ") political group leaders have duties in relation to standards of conduct.
- 1.2 The Act states that a Leader of a political group must take reasonable steps to promote and maintain high standards of conduct by the members of the group and must cooperate with the Council's Standards Committee (any sub committee of the committee) in the exercise of the standards committee functions.
- 1.3 The section also provides that the Standards Committee must also monitor compliance of leaders of political groups with their duties under Section 52A(1) of the 2000 Act and advise, train, or arrange to train leaders of political groups about matters relating to those duties.
- 1.4 In addition, Section 63 of " The Act " places a duty on Standards Committees' to make an annual report as soon as reasonably practicable after the end of each financial year, to the authority in respect of that year. The report must describe how the committee's functions have been discharged during the financial year and a summary of what has been done to discharge the general and specific functions conferred on the committee by section 54 or 56; reports and recommendations made or referred to the committee under Chapter 3 of this Part and action taken by the committee following its consideration of such reports and recommendations together with notices given to the committee under Chapter 4 of this Part of the Act
- 1.5 The annual report must also include the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties under section 52A(1) during the financial year, and may also include

recommendations to the Authority about any matter in respect of which the Committee has functions and .

- 1.1 The Standards Committee's Annual report must be considered by the relevant Authority before the end of 3 months beginning with the day on which the Authority receives the report.

2. Key Issues for Consideration

2.1 Having regard to the requirements of section 62 of the Local Government and Elections (Wales) Act 2021 the Monitoring Officer held a meeting with the political group leaders to discuss the process to ensure compliance with the Act.

The meeting with Political Group Leaders took place on the 27th July 2022 which included discussion on a number of areas as below ;-

- Promoting and maintaining high standards of conduct,
- Provision of advice and training on the current relevant statutory provisions draft statutory guidance and various reports submitted to Cabinet and Scrutiny Committee (Corporate Performance and Resources) regarding the consultation on the draft statutory guidance
- An example Proforma to assist Group Leaders in exercising their duty, as attached at Appendix 1 to this report, which once completed will be forwarded to the Monitoring Officer for reporting to Standards Committee as appropriate,
- Arrangements to be discussed with the Chair of Standards Committee and Standards Committee as to how and when matters are to be reported to Committee, it being noted that some of the background data will not be in the public domain. It being agreed that the first submission of the completed proforma takes place in December 2022
- Group Leaders to receive information from Democratic Services regarding which Members had completed the mandatory training sessions undertaken by Members,
- It was noted that a leader of a political group who fails to comply with the duty, may potentially be regarded as bringing their office into disrepute and likely to be in breach of the Code of Conduct,
- The Monitoring Officer, in consultation with the Chair of Standards Committee and Standards Committee, to give consideration to ensuring that Independent Members are briefed similarly to Political Group Leaders on matters to ensure that standards of conduct are achieved to a high standard.

2.2 Committee will continue to be updated on progress, as and when appropriate and is therefore requested to note the contents of this report and the work being undertaken to comply with the duties required under the legislation.

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. It is intended that the process adopted within this report will aim to promote that role with the sharing of good practice.

4. Climate Change and Nature Implications

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

5. Resources and Legal Considerations

Financial

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

Employment

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

Legal (Including Equalities)

- 5.3** 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.

6. Background Papers

Local Government and Elections (Wales) Act 2021 (Section 62)

<u>Promoting Compliance With the Code of Conduct</u>					
Report by:					
Political Group:					
No. of members:		No. trained on Code:	X (Y%)		
For the period:					
<u>Number, Source and Level of Complaints</u>					
	Informal	Local Resolution (Stage)			PSOW
		1	2	3	
Public					
Officers					
Councillors					
<u>Steps taken to Promote Compliance (To Be Completed by Group Leader)</u>					
Include matters such as:					
<ul style="list-style-type: none"> - demonstrating personal commitment to and attending relevant development or training around equalities and standards; - encouraging group members to attend relevant development or training around equalities and standards; - ensuring nominees to a Committee have received the recommended training for that Committee; 					

<ul style="list-style-type: none">- promoting civility and respect within group communications and meetings and in formal Council meetings;- promoting informal resolution procedures in the Council, and working with the Standards Committee and Monitoring Officer to achieve local resolution;- promoting a culture within the group which supports high standards of conduct and integrity;- attend a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;
<ul style="list-style-type: none">- work to implement any recommendations from the Standards Committee about improving standards;- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council.

Dated: