

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 26 January 2023
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Update on National Standards Committee Forum
Purpose of Report:	To provide the Committee with an update on progress regarding the establishment of a National Standards Committee Forum for Independent Standards Committee Members
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
Executive Summary:	<ul style="list-style-type: none"> To apprise Committee on progress being made in respect of establishing a National Standards Committee Forum for Independent Standards Committee Members. It being noted that the first meeting of the National Standards Committee Forum has been re-arranged for 27th January, 2023. To seek Committees views prior to the re-arranged meeting on 27th January 2023 of the proposal for the harmonisation of the threshold for the declaring of gifts/hospitality, within the Vale of Glamorgan Council, to be harmonised with the Local Authorities in Wales.

Recommendation

1. That the report be noted together with the Terms of Reference of the National Standards Committee Forum as outlined at Appendix 2 to this report.
2. To seek the Committees views as referred to in paragraphs 2.11 and 2.12 of the report in respect of the harmonisation of the threshold for declaring gifts/hospitality with other Local Authorities in Wales at £25.00.

Reason for Recommendation

1. To apprise Committee.
2. To seek the Committees views in order to advise the meeting of the National Standards Committee Forum on 27th January 2023.

1. Background

- 1.1 In September 2019 Committee were apprised of the Terms of Reference and overview of the work of the North Wales Standards Forum and the feedback received regarding establishing a Standards Forum in South and East Wales.
- 1.2 Lack of resources and capacity were raised as barriers to establishing a similar Forum in South and South East Wales at that time. However, since then discussions have been ongoing for the establishment of a National Forum.
- 1.3 In March 2021 the then Minister for Housing and Local Government announced her intention to commission an independent review of the Ethical Standards Framework for Local Government (ESF) in Wales that was established by the Local Government Act 2000. Mr Richard Penn, an independent consultant, was subsequently commissioned to undertake the review.
- 1.4 The Standards Committee considered at its meeting on 25th November, 2021 a report on the first phase of Richard Penn's review of the Ethical Standards Framework in Wales. In the first phase review Richard Penn suggested that an all-Wales Forum for Chairs of Standards Committees be established and that the Annual Conference for Independent Chairs and Independent Members of Standards Committees across Wales be re-established.

2. Key Issues for Consideration

- 2.1 The All-Wales Monitoring Officers Group have therefore been discussing the establishment of a National Forum for Wales with the Welsh Local Government Association who have kindly agreed to provide the secretariat support for the body. The Forum will be a body for the sharing of good practice and the co-ordination of activity. The Forum is not a formal decision making body and will not have delegated powers to act on behalf of the Standards Committees in Wales.
- 2.2 Members will recall that Committee was keen to be part of an all-Wales Forum.

- 2.3 Committee was advised at its meeting on 6th October that the Monitoring Officer had received a further report on the role, purpose, etc. of the Forum which was to be presented to the Monitoring Officers Group for consideration as follows -
- 2.4 Membership - in order to keep the size of meetings manageable, it is suggested that membership will be Chairs with the Vice-Chairs as substitutes.
- 2.5 One representative from each Local Authority attending.
- 2.6 WLGA to send out the agendas, prepare minutes and prepare basic reports analysing practice across Wales.
- 2.7 The agenda for the meetings to be prepared by the Monitoring Officers Group with Members of the Forum being able to suggest items of future business.
- 2.8 Meetings to be held once or twice per year – commencing 1 month or so after meetings of the Monitoring Officers Group in order that agendas can be agreed.
- 2.9 Following the meeting of the Monitoring Officers Group in October 2022, a meeting of the National Standards Committee Forum had been arranged to take place on Thursday, 8th December, 2022 via the software platform ZOOM. However, due to unforeseen circumstances this meeting was postponed and has been re-arranged for Friday 27th January, 2023.
- 2.10 The Agenda for the meeting on 27th January, 2023 together with the Terms of Reference to be considered can be found at Appendices 1 and 2 to this report.
- 2.11 At the meeting on 27th January the Monitoring Officer has also recently been advised that an extra item for the agenda has been requested to be considered in relation to seeking views in respect of the harmonisation of the threshold for the declaring of gifts/hospitality with all Local Authorities in Wales.
- 2.12 It is suggested that the gifts / hospitality threshold be £25.00 and this be harmonised throughout all the Welsh Local Authorities. The current threshold for the Vale being £50 for gifts and £25.00 for hospitality. Committees views in respect of the proposal to harmonise are therefore sought.
- 2.13 Committee is also asked to note this report, the agenda for the Forum meeting and the Terms of Reference.
- 2.14 Following the meeting on 27th January a further update on the work of the Forum will be presented to a future meeting of the Standards Committee.

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 Members are able to 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.

Employment

5.2 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.

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

National Forum for Standards Committees

Via Zoom

14:00-16:00

Friday, 27th January 2023

Agenda

1. Election of Chair
2. Election of Vice-Chair
3. Role and Terms of Reference
4. Update on the Penn Report
5. Discussion on implementation of the new duty on group leaders and how this will be reported as part of the Standards Committee annual report
6. Guest Speaker: Michelle Morris, Public Services Ombudsman for Wales

National Standards Committee Forum
Terms of Reference (2022)

The purpose of the Forum is to share best practice and provide a forum for problem solving across the

- 1) 22 Principal Councils
- 2) 3 Fire and Rescue Authorities
- 3) 3 National Park Authorities

in relation to the work of Standards Committees.

The role of the Forum is to share information and so any decisions will have to be made by the individual Standards Committees. There will be times when the Forum would need to make a decision about administrative matters relating to its own practices and administration of meetings.

- Membership – Chair, with the Vice-Chair to attend in the absence of the Chair
- Decision making will typically be by consensus but where a formal decision is required then there will be one vote per Authority with the Chair of the Forum having the casting vote
- Election of Chair and Vice-Chair – every two years to provide consistency
- Secretariat Support – the WLGA will send out agendas, prepare minutes and can prepare basic reports analysing practice across Wales. Officer support to prepare more extensive reports is dependent upon a Monitoring Officer from a Council volunteering / agreeing to undertake the work
- Frequency of Meetings – 2 meetings per year following a meeting of the Monitoring Officers Group of Lawyers in Local Government
- Agendas items will be suggested by Monitoring Officers based on discussions with their Standards Committees and the Forum will also have a forward work pan to which members could contribute
- Each region will be asked to send 1 Monitoring Officer to represent the Local Authorities in that area, with 1 additional Monitoring Officer each for Fire and Rescue Authorities and National Park Authorities (making 6 Monitoring Officers in total)

*Each meeting could have a small agenda followed by a Training Session
Speakers from the Ombudsman's Office, Adjudication Panel for Wales and Welsh Government could address the Forum on their work*

Fforwm Pwyllgorau Safonau Cenedlaethol
Cylch Gorchwyl (2022)

Diben y Fforwm yw rhannu arfer gorau a darparu fforwm i ddatrys problemau ar draws y

- 1) 22 prif gyngor
- 2) 3 awdurdod tân ac achub
- 3) 3 awdurdod parc cenedlaethol

mewn perthynas â gwaith Pwyllgorau Safonau.

Swyddogaeth y fforwm yw rhannu gwybodaeth ac felly bydd yn rhaid i unrhyw benderfyniadau gael eu gwneud gan y Pwyllgorau Safonau unigol. Ar adegau, bydd y Fforwm angen gwneud penderfyniadau am faterion gweinyddol sy'n ymwneud â'i arferion ei hun a'i weinyddiaeth o gyfarfodydd.

- Aelodaeth - Cadeirydd, gyda'r Is-gadeirydd i fynychu yn absenoldeb y Cadeirydd.
- Fel arfer, gwneir penderfyniadau drwy gonsensws ond lle mae angen penderfyniad ffurfiol, yna bydd un bleidlais fesul awdurdod, a Chadeirydd y Fforwm fydd â'r bleidlais fwrw.
- Ethol Cadeirydd ac Is-gadeirydd - bob dwy flynedd er mwyn cael cysondeb.
- Cefnogaeth Ysgrifenyddol - bydd CLILC yn anfon rhaglenni, yn paratoi cofnodion ac fe all baratoi adroddiadau sylfaenol yn dadansoddi'r ymarfer ledled Cymru. Mae'r gefnogaeth a ddarperir gan swyddogion i baratoi adroddiadau mwy estynedig yn ddibynnol ar swyddog monitro o gyngor yn gwirfoddoli/cytuno i wneud y gwaith.
- Amllder Cyfarfodydd - 2 gyfarfod y flwyddyn ar ôl cyfarfod y Grŵp Swyddogion Monitro - Cyfreithwyr mewn Llywodraeth Leol.
- Bydd eitemau ar gyfer y rhaglen yn cael eu hawgrymu gan Swyddogion Monitro, yn seiliedig ar drafodaethau â'u Pwyllgorau Safonau ac yn ogystal, bydd gan y Fforwm flaengynllun gwaith ac fe all aelodau gyfrannu ato.
- Gofynnir i bob rhanbarth anfon 1 swyddog monitro i gynrychioli'r awdurdodau lleol yn yr ardal honno, gydag 1 swyddog monitro ychwanegol yr un ar gyfer awdurdodau tân ac achub ac awdurdodau parc cenedlaethol (gan roi cyfanswm o 6 swyddog monitro).

*Dylid cael rhaglen fer ar gyfer pob cyfarfod, a Sesiwn Hyfforddi ar ei ôl.
Gallai siaradwyr o Swyddfa'r Ombwdsmon, Panel Dyfarnu Cymru a Llywodraeth Cymru annerch y Fforwm ar eu gwaith.*