

No.

STANDARDS COMMITTEE

Minutes of a Remote Meeting held on 23rd November, 2023.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: R. Hendicott (Chair), L. Tinsley (Vice-Chair), R. Alexander, P. Hallett and G. Watkins (Independent Members); Councillor P. Summers (Town and Community Council Representative); Councillors R.M. Birch, J.E. Charles and C.P. Franks.

Also present: Councillor Dr. I.J. Johnson.

536 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Principal Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

537 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 28th September, 2023 be approved as a correct record.

538 DECLARATIONS OF INTEREST –

Councillor Franks sought advice as to whether he should declare an interest in respect of Agenda item 4 – Observations by Independent Members of Town and Community Council Committee Meetings, being a member of Dinas Powys Community Council. The Deputy Monitoring Officer advised that as it was a feedback report for information there was no requirement to declare.

539 OBSERVATIONS BY INDEPENDENT MEMBERS OF TOWN AND COMMUNITY COUNCIL COMMITTEE MEETINGS (MO/HLDS) –

One of the roles of the Standards Committee was to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives of the Council.

Feedback reports in respect of observations of Town and Community Councils (TCCs) undertaken by Independent Members of TCCs were presented to the Standards Committee by Independent Members on a regular basis. Any observations that required specific discussion with the Chair and Clerk of a TCC

No.

were subsequently undertaken by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer and generic observations reported to the Monitoring Officer meetings with Clerks in the Vale of Glamorgan. Mrs. Tinsley advised that she had attended a meeting of Dinas Powys Community Council on 28th September, 2023 which she stated had been an excellent meeting, with full engagement by Members of the Community Council and had been well managed.

Following a query from the Chair as to whether there were any outstanding visits to TCCs to be undertaken, the Principal Democratic Services Officer advised that all TCCs had now been visited, and that where no adverse issues had been raised those TCCs would in future be visited on a biennial basis as had been previously agreed by the Committee. However, for TCCs where some issues had been identified a meeting with the Chair, Clerk of the relevant TCC, Monitoring Officer and / or Principal Democratic Services Officer would be arranged to discuss such matters and / or further observation visits undertaken as deemed appropriate.

RESOLVED –

(1) T H A T the report and the feedback received in respect of the observation visit undertaken by the Independent Member of the Standards Committee of a meeting of the Dinas Powys Community Council be noted.

(2) T H A T where matters following observation visits of Town and Community Council meetings were highlighted by Independent Members as issues requiring further attention or further visits and / or requests made by the Monitoring Officer / Head of Legal and Democratic Services for visits to be undertaken that these be arranged as and when required.

(3) T H A T the Committee noted that a lessons learned report following all Town and Community Council Observations to date would be presented to the January 2024 meeting of the Standards Committee for its consideration.

Reasons for decisions

(1&2) Having regard to the observations undertaken and the role of the Standards Committee.

(3) To maintain a watching brief having regard to the role of the Standards Committee and the Monitoring Officer.

540 DUTY TO CO-OPERATE WITH THE COUNCIL'S STANDARDS COMMITTEE (AND ANY SUB-COMMITTEE) IN THE EXERCISE OF THE STANDARDS COMMITTEE'S FUNCTIONS – THRESHOLD CRITERIA (MO/HLDS) –

Following discussions held between the Standards Committee and Political Group Leaders of the Council at its meeting on 28th September, 2023, Appendix 1 to the report detailed the draft threshold criteria as discussed to be utilised going forward in respect of the Political Group Leader duty under the Local Government Act 2000 as

No.

amended by Section 62 of the Local Government and Elections (Wales) Act 2021 and having regard to the Statutory and Non-Statutory Guidance issued by Welsh Government in June 2023 and updated in July 2023 and August 2023. The Deputy Monitoring Officer also advised that the document had been circulated to all Monitoring Officers in Wales. Mr. Watkins commented that in his view under point 2 the second sentence should include the words “or Group Member” after the words “a Group” with it subsequently being

RESOLVED – T H A T subject to the words “or Group Member” being included in the second sentence of point 2 of the threshold criteria at Appendix 2 to the report the document be approved for use in compliance with the duty of a Standards Committee to establish whether it is content that Political Group Leaders have complied with the duties of the 2021 Act.

Reason for decision

Having regard to the duty under the Local Government Act 2000 and the Local Government and Elections (Wales) Act 2021.

541 RESPONSES TO THE WELSH GOVERNMENT CONSULTATION OF THE RECOMMENDATIONS OF THE PENN REVIEW (MO/HLDS) –

The Deputy Monitoring Officer in presenting the report, advised that in March 2023 Welsh Government published a consultation on its responses to the recommendations of the independent review by Richard Penn of the Ethical Standards Framework (the Framework) for Local Government. A summary of the responses to the consultation on the recommendations had also recently been published on 14th November, 2023 and was attached at Appendix 1 to the report.

Mr. Alexander commented on the length of time that Welsh Government had taken to address the recommendations. The Deputy Monitoring Officer also advised that the matter was due to be considered at the All-Wales Monitoring Officers Group in December.

RESOLVED – T H A T the responses to the Welsh Government consultation be noted.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

542 CIVILITY IN PUBLIC LIFE – PROGRAMME OF WORK (MO/HLDS) –

The report advised Members of the ongoing work associated with the Civility in Public Life Programme being led by the Local Government Association (LGA) in conjunction with the Welsh Local Government Association (WLGA).

No.

The Programme that had been developed by the LGA was attached at Appendix 1 to the report. The LGA had also taken an annual report to their Executive Advisory Board on 7th September, 2023 which summarised the activities of the Civility in Public Life 2022/23 programme and which suggested areas of focus for the programme for 2023/24. Democratic Services would be monitoring the WLGA's progress on the matter and report to the Committee as required.

Councillor Franks commented that he had concerns that some ruling Groups may utilise the Civility in Life programme to curtail the speech of backbench Members. Councillor Birch however, stated that she trusted Monitoring Officers to be fair and professional in their responsibilities in respect of the Code of Conduct. The Deputy Monitoring Officer also advised that the Monitoring Officer and herself as Statutory Officers had a duty to maintain high standards and took their duties seriously.

It was subsequently

RESOLVED – T H A T the work being undertaken by the Local Government Association and Welsh Local Government Association on the programme of work be noted.

Reason for decision

Having regard to the contents of the report and discussions at the meeting.

543 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO / HLS) –

The report outlined that the Monitoring Officer would provide an update to Members of the Committee at the meeting under Part II of the agenda in relation to recent correspondence and matters arising in line with the procedures of the Public Services Ombudsman for Wales which were confidential in nature.

RESOLVED – T H A T the contents of the report be noted having regard to the fact that an update on the correspondence received from the Public Services Ombudsman for Wales and any matters arising under Part II of the report would be considered under Part II of the agenda.

Reason for decision

To apprise Members of the Committee.

544 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined

No.

in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

545 CORRESPONDENCE WITH THE PUBLIC SERVICES OMBUDSMAN FOR WALES (MO/HLDS) (EXEMPT INFORMATION – PARAGRAPHS 12, 13 AND 14) –

As outlined at Part I of the agenda, it had been agreed by the Standards Committee that a standing item appear on the Committee's agenda in order that the Monitoring Officer would be able to apprise Standards Committee Members of correspondence received from the Public Services Ombudsman for Wales (the Ombudsman) on any matters arising, the items being confidential in nature in line with the Ombudsman's procedure.

The Deputy Monitoring Officer, on behalf of the Monitoring Officer, subsequently provided the Committee with a verbal update in respect of recent confidential correspondence with the Ombudsman. There being no questions in relation to the information provided at the meeting, it was

RESOLVED – T H A T the confidential information provided by the Deputy Monitoring Officer at the meeting be noted.

Reason for decision

Having regard to correspondence received from the Ombudsman, noting that it was confidential at this stage.