

Report

Council



Part 1

Date: 22 November 2022

Subject Standards Committee Annual Report 2021/2022

Purpose To present the Standards Committee Annual Report for 2021/2022

Author Head of Law and Standards
Chair of Standards Committee

Ward General

Summary In accordance with the Local Government & Elections (Wales) Act 2021, Standards Committee are required to make an annual report after the end of each financial year and Council is required to consider that report within 3 months.

The statutory annual report must describe how the Committee's functions have been discharged during the previous year and, in particular, must include a summary of any reports, actions or recommendations made or referred to the Committee. In addition, the annual report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups.

This Annual Report covers the period from November 2021 to November 2022 and follows-on from the last report presented to Council in November 2021.

Proposal To receive the Standards Committee Annual Report for 2021/22 and to note the forward work programme

Action by Head of Law and Standards

Timetable Immediate

This report was prepared after consultation with:

- Standards Committee
- Head of Finance
- Head of People, Policy & Transformation

Background

1. The Local Government Act 2000 Part III requires the Council to establish a Standards Committee to promote and maintain high standards of ethical conduct by Councillors, co-opted members and Community Councillors. This role involves advising and training Members on the Code of Conduct, determining any complaints of misconduct, the imposition of sanctions, where appropriate, and considering any applications for dispensation under the Code.
2. The composition and membership of the Standards Committee is prescribed by the Standards Committees (Wales) Regulations 2001 (as amended) and comprises:-
 - 5 independent members (including an independent chair and vice-Chair)
 - 3 Councillors
 - 1 community council representative
3. The Standards Committee is required to meet at least once annually in accordance with the Local Government Act 2000. In practice, the Committee meets on a scheduled quarterly basis and additional special meetings are arranged, as necessary, to deal with specific matters such as misconduct hearings and requests for dispensation
4. Standards Committee have presented an Annual Report to the Council on a voluntary basis over the past 9 years, which provides information about the work carried out by the Committee during the previous 12 months, identifies particular issues that have arisen and sets out the forward work programme for the forthcoming year. The previous annual report was presented to Council on 26th November 2021, and covered the 12 month period from November 2020 to November 2021.
5. As from May 2022, there is now a statutory requirement under the Local Government & Elections (Wales) Act 2021 for Standards Committee to make an annual report after the end of each financial year and for full Council to consider that report within 3 months. The statutory report must describe how the Committee's functions have been discharged during the previous year and, in particular, must include a summary of any reports, actions or recommendations made or referred to the Committee. In addition the Annual Report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups. Copies of the Standards Committee Annual Report must also be provided to the Ombudsman and all of the local community councils.
6. This Annual Report provides information to the Council about the work carried out by the Committee during the last 12 months, identifies any specific issues that have arisen and sets out the forward work programme for the forthcoming year. This is the ninth Annual Report of the Standards Committee and covers the period from November 2021 to November 2022, following-on from the last report presented to Council in November 2021.
7. The Report confirms that, once again, no serious complaints of misconduct were referred to the Standards Committee by the Ombudsman during the past 12 months and no complaints were referred for determination by the Committee under Stage 3 of the Local Resolution Protocol.
8. The Report also confirms that 6 complaints were referred to the Ombudsman about City Councillors during the last 12 months between November 2021 and November 2022 and 5 complaints were made during this period about community councillors. At the time of presenting this annual report to Council, only 1 complaint remains outstanding and that relates to an on-going Ombudsman investigation into a complaint against a former City Councillor involving a criminal conviction and whether he brought his office and the Council into disrepute. All of the other 10 complaints have not been accepted for investigation.

9. Standards Committee met with leaders of the political groups on the Council in November 2022, to agree how their new ethical standards duty should be monitored and the nature and frequency of the information that should be submitted to the Committee. The Committee was pleased with the level of commitment demonstrated by the group leaders and the general levels of training undertaken by the members of their groups in relation to the Code of Conduct and also other compulsory training for Planning and Licensing Committees and Equalities. However, further Code of Conduct training sessions would be beneficial for those Councillors who were unable to attend the induction training in 16th May. There did not appear to be any significant issues in terms of standards of behaviour or complaints that needed to be addressed
10. The training requirements for City Councillors, community councils and their clerks will continued to be monitored as part of the Committee's forward work programme. The Committee will also be undertaking a review to ensure that all mandatory training has been completed and that all declarations of acceptance of office and registers of members' interests have been completed properly, following the May elections
11. The Annual Report also contains a draft forward work programme for the forthcoming 12 months.

Financial Summary

12. There are no financial implications as the costs of operating and supporting the Standards Committee are covered within existing budgets. Independent members of Standards Committee receive a fixed fee for attendance at and preparation for meetings in accordance with the half daily rates prescribed by the IRP for Wales.

Risks

13

Risk Title / Description	Risk Impact score of Risk if it occurs* (1-5)	Risk Probability of risk occurring (1-5)	Risk Mitigation Action(s) What is the Council doing or what has it done to avoid the risk or reduce its effect?	Risk Owner Officer(s) responsible for dealing with the risk?
An ineffective Standards Committee would undermine public confidence in local government and would lead to poor quality decision making, with the risk of legal challenge, reputational harm to the Council and sanctions imposed on individual Members	4	1	By proactively promoting high standards of ethical conduct among elected Members and officers and delivering effective training, there have been no findings of misconduct and no serious complaints of breaches of the Code.	Standards Committee Monitoring Officer Deputy Monitoring Officer
Failure to agree key priorities and a structured forward work programme could lead to a reduction in standards and behaviour and undermine the	3	1	The forward work programme sets out a structured basis for reviewing all ethical standards policies and procedures and	Standards Committee Monitoring Officer Deputy Monitoring Officer

effectiveness of the Committee			reviewing training needs and development	
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Links to Council Policies and Priorities

- 14 The Nolan principles, which underpin the ethical standards framework, and principles of good governance, are all enshrined in the Council's corporate and well-being objectives

Options Available

- (a) To receive the Standards Committee Annual Report and note the forward work Programme.
- (b) To reject the report and/or ask for further work to be undertaken

Proposed Action

- (a) To receive the Standards Committee Annual Report and note the forward work Programme

Comments of Chief Financial Officer

There are no financial implications.

Comments of Monitoring Officer

Included in the Report.

Comments of Head of People Policy & Transformation

It is important the Council is able to maintain high standards in the conduct of Elected Members in all Council business and decision making undertaken. This report reflects the transparency and effectiveness of the Standards Committee in 2021/22, including the importance of member training.

There are no specific staffing implications or policy implications

Fairness and Equality Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The principles of fairness and equality are embodied within the Members Code of Conduct and the Ethical Framework. No FEIA is required, as the Annual Report is for information purposes only.

- There are no negative impacts in terms of equalities or social disadvantage.
- In terms of the sustainable development principle and 5 ways of working

Long-term – The Annual Report will assist Standards Committee and the Council in taking a long-term view about improving ethical standards

Prevention – The Annual Report guide will help to prevent future complaints of misconduct

Integration – The Annual Report has been produced in consultation with key stakeholders

Collaboration – The Annual Report will assist people in interacting with councils and elected members, in a more collaborative way. It will also facilitate collaboration between Standards Committees in discussing matters of common interest.

Involvement – The Annual Report will encourage greater involvement in reporting and resolving complaints

Background Papers

None

Dated: 14 November 2022