



**Dinas a Sir Abertawe**

**Hysbysiad o Gyfarfod**

Fe'ch gwahoddir i gyfarfod

## **Pwyllgor Safonau**

**Lleoliad:** Cyfarfod Aml-Leoliad - Ystafell Gloucester, Neuadd y Ddinas / MS Teams

**Dyddiad:** Dydd Mercher, 22 Mawrth 2023

**Amser:** 2.30 pm

**Cadeirydd:** Mike Lewis

**Aelodaeth:**

Cynghorwyr: O G James, M B Lewis a/ac L G Thomas

Cynghorydd Cymuned: C Rabaiotti

Aelodau Cyfetholedig: Michaela Jones, Janet Pardue-Wood, Mark Rees a/ac Margaret Williams

**Gwyllo ar-lein:** <http://bit.ly/41LozVx>

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### **Agenda**

**Rhif y Dudalen.**

- |          |  |                |
|----------|--|----------------|
| <b>1</b> | <b>Ymddiheuriadau am absenoldeb.</b>   |                |
| <b>2</b> | <b>Datgeliadau o fuddiannau personol a rhagfarnol.</b><br><a href="http://www.abertawe.gov.uk/DatgeluCysylltiadau">www.abertawe.gov.uk/DatgeluCysylltiadau</a> |                |
| <b>3</b> | <b>Cofnodion.</b><br>Cymeradwyo a llofnodi, fel cofnod cywir, gofnodion y cyfarfod blaenorol.  | <b>1 - 9</b>   |
| <b>4</b> | <b>Dyletswydd Arweinwyr y Grwpiau.</b>   | <b>10 - 32</b> |
| <b>5</b> | <b>Cynlluniau Hyfforddi Cynghorau Cymuned a Thref.</b>   | <b>33 - 35</b> |
| <b>6</b> | <b>Rhoddion a Lletygarwch.</b>   | <b>36 - 39</b> |
| <b>7</b> | <b>Torri Cod Ymddygiad - Cwynion a wnaed i Ombwdsmon Gwasanaethau Cyhoeddus Cymru. (Er gwybodaeth)</b>   | <b>40</b>      |
| <b>8</b> | <b>Cynllun Gwaith 2022-2023.</b>   | <b>41</b>      |

Huw Evans

**Huw Evans**  
**Pennaeth y Gwasanaethau Democrataidd**  
**Dydd Mercher, 15 Mawrth 2023**

**Cyswllt: Gwasanaethau Democrataidd – 01792 636923**

**Cynghorwyr Llafur: 2**

Oliver G James	Mike B Lewis
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**Cynghorydd y Democrataid Rhyddfrydol 1**

L Graham Thomas
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**Aelodau annibynnol**

Enw	Cyfnod y Swydd	Enw	Cyfnod y Swydd
Michaela Jones	01.10.2017 i 30.09.2023	Mike Lewis	01.10.2017 i 30.09.2023
Janet Pardue-Wood	24.05.2022 i 23.05.2028	Mark Rees	19.10.2022 i 18.10.2028
Margaret Williams*	01.04.2015 i 31.03.2021 Ail-benodwyd i 31.03.2025		

**Cynghorydd Cymuned:**

Name	Term of Office
Carlo Rabaiotti	06.10.2022 tan Etholiadau Llywodraeth Leol nesaf 2027

**SYLWER:**

1. \* Mae'n dynodi na all **cyfnod y swydd gael ei ymestyn ymhellach**.
2. Gall **cyfnod Aelod Annibynnol yn ei swydd** fod o leiaf 4 blynedd ac nid mwy na 6 blynedd. Gall gael ei ailbenodi am un cyfnod olynol arall ond ni all y cyfnod hwnnw fod am fwy na 4 blynedd.
3. Bydd gan **Aelodau'r Awdurdod Lleol/Cynghorwyr Cymuned/ Tref** sy'n aelodau o'r Pwyllgor Safonau gyfnod swydd nad yw'n fwy na 4 blynedd neu bydd yn dod i ben yn ystod etholiad cyffredinol nesaf y llywodraeth leol yn dilyn eu hetholiad, p'un bynnag sy'n fyrrach.
4. Ni fydd y Pwyllgor Safonau **yn mynd rhagddo os bydd nifer yr Aelodau Annibynnol yn llai na nifer y Cynghorwyr**. Bydd Cynghorydd yn gadael y cyfarfod er mwyn trafod y busnes.
5. Dim ond un Aelod Gweithredol (ac eithrio'r Arweinydd) sy'n gallu eistedd ar Bwyllgor Safonau.

# Agenda Item 3



City and County of Swansea

## Minutes of the **Standards Committee**

Remotely via Microsoft Teams

Friday, 20 January 2023 at 10.00 am

**Present:** Mike Lewis (Chair) Presided

**Councillor(s)**

M B Lewis

**Councillor(s)**

L G Thomas

**Community / Town Council Representative:** Carlo Rabaiotti

**Co-opted Member(s)**

Michaela Jones

Janet Pardue-Wood

**Co-opted Member(s)**

Mark Rees

Margaret Williams

**Officer(s)**

Tracey Meredith

Huw Evans

Allison Lowe

Chief Legal Officer / Monitoring Officer

Head of Democratic Services

Democratic Services Officer

**Apologies for Absence**

Councillor(s): O G James

Independent Member(s): N/A

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**27 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City & County of Swansea, the following interests were declared:

Councillor L G Thomas declared a personal and prejudicial interest in minute 34 “Unreasonable Customer Behaviour Policy Appeal” and left the meeting prior to the item being discussed.

**28 Minutes.**

**Resolved** that the Minutes of the Standards Committee held on 5 October, 7 October and 25 November 2022 be approved and signed as a correct record.

**29 Public Service Ombudsman for Wales Letter.**

The Monitoring Officer presented a report to consider the Public Services Ombudsman for Wales (PSOW) letter regarding minor changes to the Code of Complaints Guidance and process. The main points being:

- a. A standalone decision notice outlining the complaint and decision would be shared with Monitoring Officers so they could share with Standards Committees (when appropriate);
- b. A new approach had been trialled in relation to how accused members and Monitoring Officers were notified of a complaint;
- c. The PSOW intended to engage with Chairs via a National Forum for Standards Committees.

**Resolved** that the Standards Committee notes the letter dated 10 November attached at Appendix A outlining the minor changes to the procedure.

### **30 Update on Community / Town Council Training Plans. (Verbal)**

The Monitoring Officer reminded the Committee of the new duty under s 67 of the Local Government and Elections (Wales) Act 2021 which provides that Community Councils must make and publish a training plan setting out its proposals in relation to the provision of training for its community councillors and staff no later than 6 months after the date the duty came into force ie 5 November 2022.

She stated that 19 of the 24 Town / Community Councils had responded to her request for a copy of their training plans. The remaining Councils would be contacted to chase up their responses and a report outlining the details would be presented to a future Standards Committee for consideration.

### **31 Breach of Code of Conduct - Complaints made to the Public Services Ombudsman for Wales (PSOW). (For Information)**

The Monitoring Officer provided a "For Information" report to update the Standards Committee on decisions made by the PSOW in relation to allegations that Local Authority and Community / Town Councillors had breached the Code of Conduct.

### **32 Workplan 2022-2023.**

The Monitoring Officer presented the Work Plan for 2022-2023.

**Resolved** that:

- 1) A special meeting be arranged in February 2023 to meet with Group Leaders in relation to their new duty;
- 2) Review of Gifts & Hospitality (standardisation of process) be added to the Work Plan.

### **33 Exclusion of the Public.**

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

**Resolved** that the public be excluded for the following items of business.

**(Closed Session)**

**34 Unreasonable Customer Behaviour Policy Appeal.**

The Monitoring Officer presented a report to consider whether to allow personal attendance on an appeal under the Unreasonable Customer Behaviour Policy.

**Resolved** that the request for a personal attendance on an appeal under the Unreasonable Customer Behaviour Policy be refused.

The meeting ended at 10.40 am

**Chair**



City and County of Swansea

## Minutes of the **Standards Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Friday, 17 February 2023 at 10.00 am

**Present:** Mike Lewis (Chair) Presided

### **Councillor(s)**

M B Lewis

### **Co-opted Member(s)**

Michaela Jones

Janet Pardue-Wood

### **Co-opted Member(s)**

Mark Rees

Margaret Williams

### **Community / Town Council Representative**

Councillor Carlo Rabaiotti

### **Officer(s)**

Tracey Meredith

Huw Evans

Allison Lowe

Chief Legal Officer / Monitoring Officer

Head of Democratic Services

Democratic Services Officer

### **Also present**

Councillor C A Holley

Councillor R C Stewart

### **Apologies for Absence**

Councillor(s): L G Thomas

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## **35 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City & County of Swansea, no interests were declared.

## **36 Group Leaders Duty.**

As part of the new duties for Group Leaders as part of the Local Government & Elections (Wales) Act 2021, the Standards Committee agreed to meet with political Group Leaders to discuss how they maintain high standards of behaviour within their group.

Group Leaders were requested to submit a completed template to the Standards Committee in advance of discussions (see Appendix A).

In addition to the completed templates, the Committee invited Councillors Rob Stewart (Labour) and Chris Holley (Liberal Democrat & Independent Group) to the meeting scheduled for 20 February.

Unfortunately Councillor Lyndon Jones was unable to attend on this occasion and an alternative date for him and Councillor Peter May would be arranged.

Councillors Stewart and Holley provided the following supporting information during discussions:

#### Councillor Rob Stewart

- Training

Councillor Stewart stated that in terms of the new duty, it was not a new way of working for Swansea Council as it had been operating this system for quite some time, however he welcomed the formalisation of the process.

The Labour Group provided training to its group members, which ran in parallel to the Councillor Training Programme delivered by the Authority. Regular sessions were arranged within the Group including refresher training sessions.

Whilst the template indicated that not all Councillors had completed Code of Conduct training, he explained that recordings of the training had been forwarded to those who had not attended the physical training sessions, however updating their on-line records relied on those Councillors informing Democratic Services of the information. Therefore, the list might not be 100% accurate, however he was addressing this with the Monitoring Officer and Democratic Services. Recordings of training sessions were available for any Councillor to access as and when required. He also stated that some Councillors had to complete mandatory training to sit and vote on certain Committees such as Licensing and Planning.

Councillor Stewart indicated that feedback on training was also provided to the Monitoring Officer and Head of Democratic Services in order to improve the process for future training / induction programmes.

- Code of Conduct Issues

Councillor Stewart stated that the number of code of conduct issues raised was very rare, with the number of referrals to the Public Services Ombudsman for Wales (PSOW) extremely low. There was currently a very good working relationship with the other Group Leaders. Should any issues arise within the group, he would work with the 2 Deputy Group Leaders and Group Whips to provide support, guidance and training if and when required.

He went on to say that the Local Internal Dispute Resolution Protocol had worked extremely well and had been used successfully in the past to avoid the escalation of reporting to the PSOW.

The Chair thanked Councillor Stewart for meeting with the Committee and looked forward to meeting informally after the summer period.

#### Councillor Chris Holley

- Training

Councillor Holley commenced by stating that it was only just over 8 months since the Local Government Elections and the new members were very much still in the learning phase. Being a Councillor was a unique experience and not something that could be learned quickly. He did however feel that maybe more could be done to provide Councillors with additional details on the role of the Standards Committee.

Whilst the template provided by Councillor Holley only outlined the training undertaken by the Liberal Democrats, the training records of all Councillors could be found by accessing each of the individual Councillors profiles on the Council website [www.swansea.gov.uk/councillors](http://www.swansea.gov.uk/councillors).

Councillor Holley stated that he would welcome meeting with the whole Committee, not just with the Chair and Vice Chair.

- Code of Conduct Issues

Councillor Holley stated that the main Code of Conduct issues centred on family connections, procedural matters and the difficulty that some Councillors experienced with declaration of interests at Council meetings, particularly in relation to budget meetings and when redundancies of staff were being considered. However, he stated that the general behaviour of Councillors had improved immensely over recent years.

In terms of the Local Dispute Resolution Protocol, Councillor Holley wished that the protocol had been introduced a long time ago. Since its introduction, there had not been many occasions to utilise it as the behaviour of Councillors had improved over the years.

Councillor Holley admitted that being the Group Leader of a group that included Independent Members could be challenging on times, however he had to be diplomatic and aware of sensitivities regardless of political affiliation.

The Chair thanked Councillor Holley for meeting with the Committee and looked forward to meeting informally after the summer period.

### **37 Dispensation Form & Guidance.**

The Monitoring Officer presented a report to review the Councillor Dispensation form.

**Resolved** that the amended Dispensation form and associated guidance outlined at Appendix 2 be approved.



The meeting ended at 10.48 am

**Chair**



City and County of Swansea

## Minutes of the Special **Standards Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

### Teams

Thursday, 2 March 2023 at 11.00 am

**Present:** Mike Lewis (Chair) Presided

**Councillor(s)**  
O G James

**Councillor(s)**  
M B Lewis

**Councillor(s)**  
L G Thomas

**Community / Town Council Representative**  
C Rabaiotti

**Co-opted Member(s)**  
Janet Pardue-Wood

**Co-opted Member(s)**  
Mark Rees

**Officer(s)**  
Allison Lowe  
Debbie Smith

Democratic Services Officer  
Deputy Chief Legal Officer

### **Apologies for Absence**

Independent Member(s): Margaret Williams

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### **38 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City & County of Swansea, the following interests were declared:

Councillors O G James & L G Thomas declared a personal and prejudicial interest in Minute 40 "Unreasonable Customer Behaviour Policy Appeal" and left the meeting prior to the item being discussed.

### **39 Exclusion of the Public.**

The Committee was requested to exclude the public from the meeting during the consideration of the item(s) of business identified in the recommendation to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exemption paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the item(s) of business where the Public Interest Test was relevant as set out in the report.

**Resolved** that the public be excluded for the following items of business.

**(Closed Session)**

**40 Unreasonable Customer Behaviour Policy Appeal.**

The Deputy Monitoring Officer presented a report on behalf of the Monitoring Officer to consider an appeal under the Unreasonable Customer Behaviour Policy.

The Committee raised several questions relating to the information provided within the reports before the Committee. The details necessary to answer the questions were not included in the agenda pack. As a result, the Committee felt it could not make a decision until that written information was received.

**Resolved** that:

- 1) The Committee request further written details from the relevant Officers;
- 2) The meeting be re-scheduled to a date in the near future.

The meeting ended at 11.32 am

**Chair**

# Agenda Item 4



## Report of the Monitoring Officer

Standards Committee – 22 March 2023

### Group Leader Duty

<b>Purpose:</b>	To meet with political Group Leaders and discuss how they maintain high standards of behaviour within their group.
<b>Policy Framework:</b>	Standards Committee Terms of Reference – Council Constitution.
<b>Consultation:</b>	Legal, Access to Services and Finance.
<b>Recommendation(s):</b>	It is recommended that the Standards Committee:  1) Consider the templates received by political Group Leaders and discuss with them how they consider that they have complied with their new duty to maintain high standards of behaviour within their Group.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Background

1.1 At the Standards Committee meeting on 24 June 2022 the Committee resolved that:

- The Committee meets formally with the Group Leaders on an annual basis
- The Chair and Vice Chair of the Committee meet with the Group Leaders on an informal basis to monitor their compliance with the duty
- That a template report is drafted to be sent to Group Leaders to complete in terms of members of their group who have attended training (mandatory and recommended) and any steps they have taken during the year to promote high standards within their group.

1.2 A template was circulated to Group Leaders and responses are attached at Appendix A.

## **2. Duty of Group Leaders**

- 2.1 The new duty of group leaders is to take reasonable steps to promote and maintain high standards of conduct by the members of the group. This could include leading by example, using their influence to create a positive culture, being proactive in promoting high standards of behaviour within group and addressing issues as soon as they arise. Also working with the Monitoring Officer for early advice and guidance.
- 2.2 Attached at Appendix B is the draft Guidance on Group Leader duties from Welsh Government. A final version of the Guidance is awaited following the close of consultation on the Guidance in June of 2022.

## **3. Integrated Impact Assessment**

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.4 An IIA Screening Form has been completed with the agreed outcome that a full IIA report is not required as there are no integrated impact implications.

#### **4. Financial Implications**

4.1 There are no financial implications associated with the report.

#### **5. Legal Implications**

5.1 There are no legal implications associated with this report.

#### **Background Papers:**

None

#### **Appendices:**

Appendix A – Group Leader Templates.

Appendix B – Draft Guidance.



## GROUP LEADERS REPORT ON LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021 DUTIES

**Group Leader: Cllr. Lyndon Jones MBE**

**Political Group: Welsh Conservative Group**

**Number of Members: 7**

**Date completed: 9<sup>th</sup> February, 2023**

### 1. Training

- Number of new members in group trained on Code of Conduct
- Number of existing members in group trained on Code of Conduct
- Number of members in group who have undertaken induction training
- Any other training which members have undertaken

#### **Answer/response:**

- All new members (2) of the group have been trained on the code of conduct.
- All existing members (5) of the group have been trained on the code of conduct.
- All members of the group have taken most of the induction training. Omissions have been as follows, but will be encouraging members to complete this training as soon as possible.
  1. Lyndon Jones: e-voting
  2. Paxton Hood Williams: Local Government Finance & e-voting
  3. Richard Lewis: Understanding Local Area Co-ordination & e-voting
  4. Will Thomas: Understanding Local Area Co-ordination & e-voting
  5. Francesca O'Brien: e-voting
  6. Angela O'Conner: Understanding Local Area Co-ordination

As Group Leader, I encourage members to take training in all aspects of our work, including training provided by the Welsh Conservative Party.

2. What actions have you undertaken within your group to promote compliance with the duty to promote and maintain high standards of conduct by members of your group. Examples could include:

- Demonstrating personal commitment to and attending relevant development and training
- Encouraging group members to attend relevant training around equalities, safeguarding and standards
- Ensuring nominees to Committees have received the recommended training
- Promoting civility and respect within group communications and meetings
- Promoting informal resolution procedures in the Council and working with the Monitoring Officer/ Standards Committee to achieve local resolution
- Promoting a culture within the group which supports high standards of conduct and integrity
- Attending meetings of the Standards Committee if requested to discuss Code of Conduct issues
- Working together with other group leaders to collectively support high standards of conduct within the Council

**Answer/Response:**

- As Group Leader, I encourage attending training courses, because I take the view that however experienced, you can always learn.
- All members of the Group have attended courses around equalities, safeguarding and standards.
- The Council offers training for the relevant committees, which members are encouraged to take up. As Chair of Education Scrutiny in Swansea, I arranged for the first meeting to be a training briefing for members, particularly new members of the panel.
- In the event of any Group Leader contacting me about an issue surrounding one of my Councillors, this is something I would treat very seriously and deal with urgently.
- Respect should be the watchword between Councillors across the Council and also I think equally between Councillors and Officers and Staff. You should treat others in a respectful way, you would like to be treated yourself.
- I expect the highest standards in my group with regard to respect, conduct and integrity, especially as a former Chair of the Welsh Conservative Party and Member of the UK Board of the Conservative Party, I now sit on the Disciplinary Committee for the UK Conservative Party.
- I also insist on the same standards when it comes to Social Media.
- I am fortunate that all members of my group have the highest integrity and sign up to my “respect” agenda.



3. Are there any specific issues which you wish to bring to the Chair's attention in relation to your new duty. (This would include any sensitive issues which have arisen, any use of the member/officer code of conduct, PSOW investigations).

**Answer/Response:**

I believe that you should treat and deal with Officers and Staff as you would like to be dealt with yourself. I am therefore pleased that all Councillors in my group agree. Courtesy and Respect are key to this.

4. Are there any matters upon which the Standards committee could assist ie training, higher profile etc

**Answer/response:**

In this time, it is vital that everyone is mindful of the "Courtesy and Respect" agenda that I adopt when dealing with Social Media and I think training across Council would be useful, so that the highest standards happen.



## GROUP LEADERS REPORT ON LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021 DUTIES

**Group Leader: Peter May**

**Political Group: Uplands**

**Number of Members: 4**

**Date completed: 29<sup>th</sup> January 2023**

- **Training**
- Number of new members in group trained on Code of Conduct
- **Sandra Joy 16<sup>th</sup> May 2022**
- **Allan Jeffery 20<sup>th</sup> June 2022**
- **Stuart Rice 16<sup>th</sup> May 2022**
- Number of existing members in group trained on Code of Conduct
- **Peter May 20<sup>th</sup> June 2022**
- Number of members in group who have undertaken induction training
- **3 New Members. Peter May November 2014 (2<sup>nd</sup> term)**
- Any other training which members have undertaken
- **Stuart Rice**
- 21/08/2022 - Corporate Parenting (e-Learning)
- 14/08/2022 - Communications and Social Media (& its safe use)(e-Learning)
- 14/08/2022 - Data Protection Training, Cyber Security, FOI Training & Cllrs as Data Controllers (ICO)(e-Learning)
- 04/07/2022 - Understanding Local Area Coordination
- 23/05/2022 - Cllrs Allowances and Independent Remuneration Panel for Wales (IRPW), Cllrs Self-Serve - Claims for Travel, Subsistence Allowances & Councillors Handbook
- 18/05/2022 - Bias / Pre-determination & Rules of Natural Justice
- 17/05/2022 - Local Government Finance

- **Sandra Joy**
- 23/09/2022 - Licensing Committee – HMO Training
- 23/09/2022 - Recruitment & Selection (e-Learning)
- 23/09/2022 - Disciplinary (e-Learning)
- 08/09/2022 - Safeguarding Adults and Protection of Children
- 26/07/2022 - Understanding Local Area Coordination
- 21/07/2022 - Safeguarding Adults and Protection of Children
- 04/07/2022 - Understanding Local Area Coordination
- 30/06/2022 - Well-being of Future Generations Act
- 29/06/2022 - Planning
- 28/06/2022 - Violence Against Women, Domestic Abuse and Sexual Violence
- 27/06/2022 - Scrutiny Work Planning Conference
- 16/06/2022 - Introduction to Scrutiny (e-Learning)
- 06/06/2022 - Communications and Social Media (& its safe use)
- 06/06/2022 - Data Protection Training, Cyber Security, FOI Training & Cllrs as Data Controllers (ICO)
- 06/06/2022 - Corporate Parenting
- 31/05/2022 - Governance and Audit Committee - Induction
- 27/05/2022 - Planning Committee, Rights of Way and Commons & Village Green Status
- 26/05/2022 - Licensing Committee
- 18/05/2022 - Bias / Pre-determination & Rules of Natural Justice
- 17/05/2022 - Local Government Finance
- **Allan Jeffery**
- 24/01/2023 - Governance and Audit Committee (Corporate Complaints Update / Cyber Security)
- 23/01/2023 - Member Seminar - Crimestoppers
- 13/12/2022 - Governance and Audit Committee (Counter Fraud)
- 12/08/2022 - Bias / Pre-determination & Rules of Natural Justice (e-Learning)
- 26/07/2022 - Governance and Audit Committee (Corporate Complaints, Governance, Performance Management, Whistleblowing)
- 26/07/2022 - Understanding Local Area Coordination
- 21/07/2022 - Safeguarding Adults and Protection of Children
- 04/07/2022 - Understanding Local Area Coordination
- 29/06/2022 - Planning
- 08/09/2022 - Safeguarding Adults and Protection of Children
- 26/07/2022 - Understanding Local Area Coordination
- 27/06/2022 - Scrutiny Work Planning Conference
- 20/06/2022 - Introduction to Interests, Gifts, Hospitality, Code of Conduct & Standards Committee

- 09/06/2022 - Data Protection Training, Cyber Security, FOI Training & Cllrs as Data Controllers (ICO)
- 09/06/2022 - Communications and Social Media (& its safe use)
- 08/06/2022 - Introduction to Scrutiny
- 27/06/2022 - Scrutiny Work Planning Conference
- 20/06/2022 - Introduction to Interests, Gifts, Hospitality, Code of Conduct & Standards Committee
- 09/06/2022 - Violence Against Women, Domestic Abuse and Sexual Violence
- 08/06/2022 - Introduction to Scrutiny
- 07/06/2022 - Planning Committee, Rights of Way Commons and Village Green
- 07/06/2022 - Recruitment & Selection
- 07/06/2022 - Disciplinary
- 06/06/2022 - Communications and Social Media (& its safe use)
- 06/06/2022 - Data Protection Training, Cyber Security, FOI Training & Cllrs as Data Controllers (ICO)
- 06/06/2022 - Corporate Parenting
- 31/05/2022 - Governance and Audit Committee - Induction
- 27/05/2022 - Planning Committee & Rights of Way
- **Peter May**
- 08/09/2022 - Safeguarding Adults and Protection of Children
- 26/07/2022 - Understanding Local Area Coordination
- 27/06/2022 - Scrutiny Work Planning Conference
- 20/06/2022 - Introduction to Interests, Gifts, Hospitality, Code of Conduct & Standards Committee
- 09/06/2022 - Data Protection Training, Cyber Security, FOI Training & Cllrs as Data Controllers (ICO)
- 09/06/2022 - Communications and Social Media (& its safe use)
- 08/06/2022 - Introduction to Scrutiny

1. What actions have you undertaken within your group to promote compliance with the duty to promote and maintain high standards of conduct by members of your group. Examples could include:
  - Demonstrating personal commitment to and attending relevant development and training
  - **Evidence stated above**
  - Encouraging group members to attend relevant training around equalities, safeguarding and standards
  - **Evidence stated above**
  - Ensuring nominees to Committees have received the recommended training
  - **Evidence stated above**
  - Promoting civility and respect within group communications and meetings
  - **We meet regularly as a group and have always display the utmost courtesy. We like each other as human beings too which helps.**

- Promoting informal resolution procedures in the Council and working with the Monitoring Officer/ Standards Committee to achieve local resolution
- **We are all familiar of the merits in diffusing situations rather than escalation. We talk as a group if there are potential issues on the horizon.**
- Promoting a culture within the group which supports high standards of conduct and integrity
- **We promote a culture of respect and courtesy to constituents and fellow members outside our group. We mutually communicate with each other for support and guidance as needed on individual cases.**
- Attending meetings of the Standards Committee if requested to discuss Code of Conduct issues
- **Attendance as requested by the committee**
- Working together with other group leaders to collectively support high standards of conduct within the Council
- **There are ongoing meetings as needed as well as committing to pledges to maintain standards of respect and conduct. Group leader meetings themselves are always cordial and respectful**

2. Are there any specific issues which you wish to bring to the Chair's attention in relation to your new duty. (This would include any sensitive issues which have arisen, any use of the member/officer code of conduct, PSOW investigations).

**No**

3. Are there any matters upon which the Standards committee could assist ie training, higher profile etc

**No**

## **Statutory guidance for leaders of political groups in principal councils made under section 52A(2) of the Local Government Act 2000, inserted by section 62, of the Local Government and Elections (Wales) Act 2021**

### **Overview**

This document provides statutory guidance for leaders of political groups in principal councils about the exercise of their duties under section 52A of the Local Government Act 2000, inserted by section 62, of the Local Government and Elections (Wales) Act 2021.

This guidance is intended to constitute guidance under section 52A(2) of the Local Government Act 2000, inserted by section 62(2) of the Local Government and Elections (Wales) Act 2021 once commenced.

### **Action required**

The duties in section 52A apply from 5 May 2022. Leaders of political groups in principal councils must have regard to the guidance once the relevant powers and duties come into force.

### **Further information**

Enquiries about this document should be directed to:

Local Government Democracy Division  
Local Government Directorate  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

Email: [LGDTMailbox@gov.wales](mailto:LGDTMailbox@gov.wales)

This document may be accessed from the Welsh Government's website [insert link](#).

**Foreword**

**Rebecca Evans, MS  
Minister for Finance and Local Government**

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## Summary

The Local Government and Elections (Wales) Act 2021 provides a new and reformed legislative framework for local government elections, democracy, governance and performance.

This guidance sets out how leaders of political groups in principal councils should meet their duties contained in section 52A of the Local Government Act 2000 (“the 2000 Act”), inserted by section 62, of the Local Government and Elections Wales Act 2021 (“the 2021 Act”), which relates to the promotion and maintenance of high standards of conduct by the members of the group.

Leaders of political groups must have regard to guidance issued by Welsh Ministers in relation to the exercise of their functions under section 52A(2) of the 2000 Act.

The guidance is designed to support leaders of political groups understand and discharge their duties in relation to high standards of conduct, whilst recognising that they will wish to and should be encouraged to develop their own approach in line with their wider statutory obligations, local circumstances, and best practice.

This guidance specifically addresses the following duties:-

### **Duty to take reasonable steps to promote and maintain high standards of conduct by the members of the group**

Section 52A(1)(a) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must take reasonable steps to promote and maintain high standards of conduct by the members of the group.

### **Duty to co-operate with the council’s standards committee (and any sub-committee) in the exercise of the standards committee’s functions**

Section 52A(1)(b) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must co-operate with the council’s standards committee (and any sub-committee of the committee) in the exercise of the standards committee’s functions.

This guidance refers specifically to these duties on a leader of a political group, and sets out the expectations on how they will perform these duties. All of the duties apply from 5 May 2022. Leaders of a political group will be required to have regard to the guidance once the relevant duties come into force.

There are other provisions within Part 3 of the 2000 Act relating to standards committees, inserted by sections 62 and 63 of the Local Government and Elections Wales Act 2021. These aspects of the Act are also described in this guidance.

The guidance is set out as follows:-

**Chapter 1** - describes the policy context within which the duties are set and the purpose of the duties.

**Chapter 2** - explains the duty to take reasonable steps to promote and maintain high standards of conduct by the members of the group.

**Chapter 3** - provides guidance on the duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions

**Chapter 4** - describes the functions of standards committees in relation to the new duties.

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## **Chapter 1 - Policy context and purpose of the duties set out in section 52A of the Local Government Act 2000**

### **Policy context**

- 1.1 Part 3 of the Local Government Act 2000 established a statutory framework to promote and maintain high standards of ethical conduct by members and employees of relevant authorities in Wales. A 'relevant authority' is a county or county borough council ("a principal council"), community council, fire and rescue authority and a national park authority.
- 1.2 The framework consists of the ten general principles of conduct for members (derived from Lord Nolan's 'Seven Principles of Public Life'), set out below:
- Selflessness
  - Honesty
  - Integrity and propriety
  - Duty to uphold the law
  - Stewardship
  - Objectivity in decision-making
  - Equality and respect
  - Openness
  - Accountability
  - Leadership
- 1.3 These are included in the statutory Model Code of Conduct (as required under section 50 of the 2000 Act), which lays down a set of enforceable minimum standards for the way in which members should conduct themselves, both in terms of their official capacity and (in some instances) in their personal capacity as well. It also guides members on the declaration and registration of interests. All elected members must give a written undertaking to observe the Code before they can take up office.
- 1.4 Building on the existing arrangements, section 62 of the Local Government and Elections (Wales) Act 2021 inserts a new section 52A into the 2000 Act which places a duty on leaders of political groups within a principal council to promote and maintain high standards of conduct by members of their group. Group leaders are required to co-operate with the council's standards committee in the exercise of its general and specific functions for promoting high standards (see below).
- 1.5 Subsection (3) amends section 54 of the 2000 Act to extend the specific functions of a standards committee to include monitoring compliance by leaders of political groups with the new duty imposed on them by the Act to promote and maintain high standards of conduct by members of their group. A standards committee must also provide advice or provide or arrange training for group leaders on the new duty.

## **Purpose of the standards of conduct provisions**

- 1.6 The ethical standards framework in Wales aims to promote the observance of consistent standards of conduct by local government members. For any organisation to be effective it must respect diversity. Engendering a culture within a principal council which embraces high standards of conduct, requires both local leadership and all elected members to accept responsibility for their actions both individually and collectively.
- 1.7 The standards of conduct provisions in the Local Government and Elections (Wales) Act 2021 complement the existing statutory ethical framework and support the Code of Conduct process. The provisions are designed to ensure leaders of political groups in principal councils, supported by standards committees, promote and maintain high standards of conduct by the members of their group.

## **The wider environment in which the standards of conduct duties operate**

- 1.8 The standards of conduct provisions contained in the 2021 Act support the Welsh Government's wider commitment to equality and diversity in public life. Action has been taken through the Diversity in Democracy Programme to tackle the barriers which prevent individuals' active participation in local democracy. Within local government, and through the WLGA, there has been a commitment to Diversity in Democracy, including councils signing Diverse Council declarations which seek, amongst other actions, to ensure councils 'demonstrate an open and welcoming culture to all'. Furthermore, the WLGA, working with the LGA, NILGA and COSLA, has been promoting the Civility in Public Life programme, which seeks to promote civil, constructive and respectful political discourse.
- 1.9 The Race Equality Action Plan for Wales - An anti-racist Wales sets out a series of goals and actions designed to improve the outcomes for black, Asian and minority ethnic people in Wales. The Action Plan sets out a number of goals and actions for local government relating to its leadership and representation role. It recognises that a more diverse elected representation is good for decision making and likely to lead to decisions which reflect society as a whole.

## Chapter 2 - Duty to take reasonable steps to promote and maintain high standards of conduct by the members of the group

### Introduction

2.1 This chapter of guidance should be read by a leader of a political group in a principal council to support the discharge of their duties in section 52A of the Local Government Act 2000, to take reasonable steps to promote and maintain high standards of conduct by the members of the group. The guidance here reflects the minimum requirements, recognising that leaders are best placed to build on this to develop the detail of their own approach.

### Definition of political groups and group leaders

2.2 Section 52A(3) of the 2000 Act enables the Welsh Ministers to make provision in regulations about the circumstances in which (a) members of a county council or county borough council in Wales are to be treated as constituting a political group; (b) a member of a political group is to be treated as a leader of the group.

2.3 The Local Government (Committees and Political Groups) Regulations 1990, made under the Local Government and Housing Act 1989, governs the position in this respect, until such time as regulations passed under 52A(3) of the 2000 Act are made.

### New Duty

2.4 Section 52A(1)(a) of the 2000 Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, **must take reasonable steps to promote and maintain high standards of conduct by the members of the group.**

2.5 The **duty does not make leaders of a political group accountable for the behaviour of their members as conduct must be a matter of individual responsibility.** However, they do have a role in taking reasonable steps in maintaining standards, setting an example, using their influence to promote a positive culture, being proactive in promoting high standards of conduct in their group and addressing issues as soon as they arise.

2.6 Reasonable steps the Group Leader *may* undertake include:

- 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;
- promoting civility and respect within Group communications and meetings and in formal Council meetings.

- overseeing and promoting existing or developing new informal resolution procedures with other Group Leaders in the council; and

2.7

**2.8** As set out in chapter 1, the purpose of the new duties is to build on and support a culture which is proactive, acts on and does not tolerate inappropriate behaviour. The Guidance from the Public Services Ombudsman for Wales for members on the Code of Conduct provides advice on the Code and its requirements. It includes examples of cases considered by the Ombudsman and decisions reached by local standards committees and the Adjudication Panel for Wales which demonstrate behaviours which are unreasonable or inappropriate. Leaders of political groups and all members should have regard to the Ombudsman's Guidance, which can be accessed on the Ombudsman's website: [Guidance/Policies](#)

2.9 The importance of attendance at training on the Code of Conduct has been highlighted by the Ombudsman and was raised under the independent review of the Ethical Standards Framework and Model Code of Conduct carried out by Richard Penn. **Leaders of political groups should encourage all members in their group to read the Ombudsman's Guidance and any local guidance issued by the monitoring officer or standards committee and to take up any offer of training.** They should also work constructively with standards committees to identify the training requirements for themselves and for their group members.

2.10 It is essential that relationships with members are established which encourage them to raise issues with the group leader. **The group leader has a significant role to play in creating a culture of trust and mutual respect in their group. Where issues arise, the importance of resolving low-level complaints at a local level has been raised by the Ombudsman and the independent Review of the Framework.** Typically, these complaints are about alleged failures to show respect and consideration for others and the making of vexatious, malicious or frivolous complaints. The group leader should be pivotal in preventing the escalation of these complaints to the stage where more formal interventions become necessary. Leaders of political groups should have informal discussions with members who may be showing early signs of inappropriate behaviour to 'nip this in the bud' before it becomes problematic or in danger of breaching the Code. This may include suggesting and requesting training for the members concerned.

2.11 A leader of a political group who fails to comply with the new duty in a meaningful way, may potentially be regarded as bringing their office into disrepute, and likely to be in breach of the Code (see Ombudsman's Guidance). In the situation where the behaviour or conduct of the group leader is the problem, the relevant Party has a responsibility to act.

2.12 It is noted that a party's internal disciplinary procedures remain a matter for that party's own rules.

## **Chapter 3 - Duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions**

### **Introduction**

- 3.1 This chapter of guidance is about the duty to co-operate with the council's standards committee (and any sub-committee) in the exercise of the standards committee's functions within section 52A of the Local Government Act 2000.
- 3.2 The duties will come into force from the start of the next local government electoral cycle, on 5 May 2022.

### **New Duty**

- 3.3 Section 52A(1)(b) of the Act requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions. The duties of a standard committee are described in more detail in chapter 4.

### **Role of leader of political group**

- 3.4 It is essential the leaders of a political group co-operate, and ensure the members within their group co-operate, with the monitoring officer and standards committee when an issue is referred to the standards committee.
- 3.5 Leaders of a political group should build good relations, and work constructively with the head of democratic service and monitoring officer, seeking advice from them and the standards committee on matters of behaviour and conduct when required, both promoting positive behaviours and addressing inappropriate ones. Group leaders should also report compliance with their duty to the standards committee. This can take the form of a short letter or report at a frequency agreed by the political group leaders in the council and its standards committee. Group leaders should also report any serious concerns about members' behaviour which have not been remedied by informal actions.
- 3.6 If a member is found by the standards committee to be in breach of the Code of Conduct and is disciplined by the committee, the leader of the political group must support the action, in order to maintain the high standards of conduct expected in public life and the Code. Group leaders should have regard to the Ombudsman's Guidance and the Sanctions Guidance issued by the President of the Adjudication Panel for Wales, which can be accessed on the Adjudication Panel's website: [References from the Public Services Ombudsman for Wales | The Adjudication Panel for Wales](#)

## **Chapter 4 - Functions of standards committees**

### **Introduction**

- 4.1 This chapter describes the duties of standards committees in relation to standards of conduct, within the Local Government Act 2000, inserted by section 63 of the Local Government and Elections (Wales) Act 2021.
- 4.2 The duties will come into force from the start of the next local government electoral cycle, on 5 May 2022.

### **Current position**

- 4.3 Local standards committees play an important role in supporting members, individually and collectively, to develop and maintain a culture which embraces high standards of conduct.
- 4.4 A principal council, fire and rescue authority or National Park authority in Wales (but not a community council) is required by section 53 of the 2000 Act to establish a standards committee.
- 4.5 The general functions of a standards committee under section 54(1) of the 2000 Act are to promote and maintain high standards of conduct by members and co-opted members of a “relevant authority” and to assist them to observe the code of conduct.
- 4.6 In addition, a standards committee also has specific functions under section 54(2) of the 2000 Act, namely to:
- advise the authority on the adoption or revision of a code of conduct;
  - monitor the operation of the code of conduct; and
  - provide advice or provide or arrange training on the code of conduct for members of the authority.
- 4.7 Section 56(1) of the 2000 Act provides that a principal council’s standards committee (or a sub-committee established for the purpose) also exercises these functions in relation to members of community councils in its area.
- 4.8 Monitoring officers work closely with standards committees and support them in providing day-to-day advice to members on conduct matters.
- 4.9 A principal council may arrange for its standards committee to exercise such other functions as it considers appropriate, for example, monitoring the operation of corporate maladministration complaint procedures.



## **New duties**

### **a) Duty of a standards committee to monitor group leaders' compliance with the duties, and provision of advice and training**

4.10 Section 62 (3) of the 2021 Act amends section 54 of the 2000 Act to extend the specific functions of a standards committee to include monitoring compliance by leaders of political groups with the new duty imposed on them by the Act to promote and maintain high standards of conduct by members of their group. As noted above, a council's political group leaders and its standards committee should agree on the form and frequency of a report from each group leader to the standards committee. The standards committee should then consider each report and provide feedback to the group leaders.

4.11 A standards committee must also provide advice and training, or arrange to train group leaders on the new duty. At the start of each administration this should take place within three months of the election and be reviewed at least annually.

### **b) Duty of standards committee to make annual report**

4.12 Section 63 of the Local Government and Elections (Wales) Act 2021 inserts a new section 56B into the 2000 Act which places a requirement on standards committees in each "relevant authority" to make an annual report to the authority concerned. In the case of a principal council, the requirement to report to "the authority" in this context includes any community councils in its area.

4.13 As a minimum, the report must:

- describe how the committee has discharged its functions during the preceding financial year;
- include a summary of reports and recommendations made or referred to the committee by the Public Services Ombudsman for Wales relating to the investigation of alleged breaches of the member code of conduct, and any subsequent action taken by the committee;
- include a summary of notices given to the committee by the Adjudication Panel for Wales, relating to the Panel's decisions on possible breaches of the member code of conduct;
- describe the advice it has provided on training for all members and how that has been implemented, and
- in the case of a principal council, include the committee's assessment of how political group leaders have complied with the new duty under section 52A(1) of the 2000 Act (inserted by section 62 of this Act) to promote high standards of conduct, including the advice the standards committee has provided and the training it has suggested.

4.14 The requirement to make an annual report is intended to ensure there is a regular and consistent approach to the reporting and consideration of standards of conduct by members of relevant authorities in Wales. This is intended to

promote local ownership and collective responsibility by members for ensuring high standards of conduct within their authority. To this end, section 56B places an obligation on a relevant authority to consider the report and any recommendations made by its standards committee within three months of its receipt. The authority's consideration of a report will be a matter of public record through the published minutes of the meeting.

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# Agenda Item 5



## Report of the Monitoring Officer

Standards Committee – 22 March 2023

### Community & Town Council Training Plans

<b>Purpose:</b>	To consider how to review community and town council training plans and ensure that appropriate training is being undertaken in community and town councils in Swansea
<b>Policy Framework:</b>	Standards Committee Terms of Reference – Council Constitution.
<b>Consultation:</b>	Legal, Access to Services and Finance.
<b>Recommendation(s):</b>	It is recommended that the Standards Committee:  1) Consider the next steps for reviewing Community and Town Council training.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Background

- 1.1 The Terms of Reference of the Standards Committee includes assisting members of community/town councils to observe their Authority's Code of Conduct. The Standards Committee has previously voiced some concerns around the level of training available to community/town councillors in complying with the Code particularly when dealing with financial matters. Coinciding with the matter being placed on the Standards Committee workplan last year there was new legislation introduced dealing with training within community/town councils. The Committee should note however that it is a matter for individual community/town councils to approve their training plans and not the Standards Committee.
- 1.2 Section 67 of the Local Government and Elections (Wales) Act 2021 requires community and town councils to make and publish a plan about the training provision for its members and staff. The first training plan was to be ready and published by 5 November 2022. This gave an appropriate period of time between the Act coming into force and publication date for councils to assess

needs, agree its training budget and adopt a plan. There is also a requirement to publish the training plan electronically when approved.

- 1.3 The requirement for a training plan was brought in with a view to Community councils and their staff seeking to equip themselves to be as effective and efficient as possible when exercising functions. Councils should regularly review whether there are opportunities to improve their administration and governance so that they are better able to perform their responsibilities and serve their communities.
- 1.4 Welsh Government have produced draft guidance for community councils as to the contents of a training plan which may include:
  - Reflecting on, and addressing, whether the council collectively has the skills and knowledge it needs to deliver its plans most effectively
  - Identifying areas which all councils should ensure that they have sufficient skills and understanding ie code of conduct training, financial management and governance and basic induction for councillors
  - Broader training ie shadowing more experienced councillors
  - Training needs assessments
- 1.5 Similarly One Voice Wales and the Society of Local Council Clerks have produced Guidance on Preparing a Council's Training Plan including a model plan template.
- 1.6 Last year we wrote to community/town councils asking them to send copies of their training plans when approved by their councils. To date we have received all but one training plan. Many of the plans returned have adopted the model plan either in part or as a whole.
- 1.7 In summarising the training plans returned it is noted that:
  - There is some inconsistency in plans however a large number adopt the One Voice Wales template to some degree.
  - Many councils have undertaken a training needs analysis
  - The majority of training plans indicate that financial training is a priority with many training plans including advanced financial training particularly where members sit on finance committee.
  - All training plans included code of conduct training and many focused on the basic training of basic induction, code of conduct and financial management and governance training.
  - A number had expressly included training around equality and diversity, health and safety, planning.
- 1.8 The Committee is therefore asked as to whether they would wish to follow up what is now a statutory requirement or monitor the position in the forthcoming year to understand the level of uptake on training by community/town councillors.

## **2. Integrated Impact Assessment**

2.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

2.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

2.4 An IIA Screening Form is not required for this report.

## **3. Financial Implications**

3.1 There are no financial implications associated with the report.

## **4. Legal Implications**

4.1 There are no legal implications associated with this report.

### **Background Papers:**

None

### **Appendices:**

None

# Agenda Item 6



## Report of the Monitoring Officer

Standards Committee – 22 March 2023

### Gifts and Hospitality

<b>Purpose:</b>	To consider harmonisation of gifts and hospitality thresholds so as to ensure consistency across Wales.
<b>Policy Framework:</b>	Standards Committee Terms of Reference – Council Constitution.
<b>Consultation:</b>	Legal, Access to Services and Finance.
<b>Recommendation(s):</b>	It is recommended that the Standards Committee:  1) Consider the proposal that Local Authorities in Wales should voluntarily harmonise their thresholds for registrations of gifts and hospitality so as to ensure consistency across Wales.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Background

- 1.1 The Terms of Reference of the Standards Committee includes the overview and monitoring of the Register of Members Interests.
- 1.2 The Members' Code of Conduct requires Members to register the receipt of any gifts, hospitality or other benefits where the value of the item or benefits exceeds a threshold determined by the Council from time to time. The threshold in Swansea is £25.
- 1.3 The Independent Review of the Ethical Standards Framework in Wales (Penn Review), noted that the Members' Code of Conduct does not specify a threshold for Members' declarations of gifts and hospitality. It noted that the threshold set by individual authorities across Wales varies from £21 to £100. The Report recommended that the Code should be amended to specify a threshold in order to ensure consistency across Wales.

- 1.4 A suggestion has been put forward by the Standards Committee of another Welsh authority that Welsh authorities should consider voluntarily aligning their thresholds for consistency. Welsh Government will shortly be consulting on the Penn Review and have indicated that they may look at legislative change. The proposals for harmonisation have been discussed between Monitoring Officers informally and the alignment is broadly supported.
- 1.5 Monitoring Officers have been asked to seek the views of their Standards Committees on whether a standard threshold value should be voluntarily agreed by all Welsh authorities, and if so, what the threshold should be. Attached at appendix A is a table showing the thresholds for a number of authorities. The Committee will note that the average threshold is £25 which accords with the Swansea threshold.
- 1.6 Any change to the threshold would need to be agreed by full council.

## **2. Integrated Impact Assessment**

- 2.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.
  - Deliver better outcomes for those people who experience socio-economic disadvantage
  - Consider opportunities for people to use the Welsh language
  - Treat the Welsh language no less favourably than English.
  - Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 2.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 2.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 2.4 An IIA Screening Form is not required for this report.

### **3. Financial Implications**

3.1 There are no financial implications associated with the report.

### **4. Legal Implications**

4.1 There are no legal implications associated with this report.

#### **Background Papers:**

None

#### **Appendices:**

Appendix 1 – Table of Local Authority thresholds



**MEMBERS' GIFTS AND HOSPITALITY THRESHOLDS SET BY OTHER LOCAL AUTHORITIES**

<b>Authority</b>	<b>Current Threshold</b>
Blaenau Gwent	£20
Bridgend	£25
Caerphilly	£25
Cardiff	£25
Carmarthenshire	£25
Denbighshire	£25
Gwynedd	£25
Merthyr	Everything must be registered
Monmouthshire	No specific threshold
Neath Port Talbot	Everything must be registered
Pembrokeshire	£25
Pembrokeshire Coast	£25
Powys	£25
Rhondda Cynnon Taf	£25
Swansea	£25
Torfaen	£25
Vale of Glamorgan	£50 for gifts and £25 for hospitality
Wrexham	£25
Ynys Mon	£20

# Agenda Item 7



## Report of the Monitoring Officer

Standards Committee – 22 March 2023

### **Breach of Code of Conduct - Complaints made to the Public Services Ombudsman for Wales (PSOW)**

The Committee is advised of the following decisions by the PSOW in relation to allegations that Local Authority and Community and Town Councillors have breached the Code of Conduct.

<b>Name of Council / Councillor</b>	<b>Name of Complainant</b>	<b>Ombudsman Reference</b>	<b>Result of Investigation and date of the current situation</b>
Local Authority Councillor	Public	202205928	PSOW not investigating
Local Authority Councillor	Public	202206807	PSOW not investigating

# Agenda Item 8



## Report of the Chair

Standards Committee – 22 March 2023

### Work Plan 2022-2023

Date	Item
24 June 2022	<ul style="list-style-type: none"><li>• Dispensations</li><li>• Draft Standards Committee Annual Report 2021-2022</li><li>• Duty under the Local Government &amp; Elections (Wales) Act 2021:<ul style="list-style-type: none"><li>➢ Group Leaders responsibilities</li><li>➢ Annual Report</li></ul></li></ul>
5 October 2022 (Special)	<ul style="list-style-type: none"><li>• Recruitment of Community / Town Councillor to the Standards Committee</li></ul>
7 October 2022	<ul style="list-style-type: none"><li>• Review of Officer / Member Relations Protocol</li><li>• Review of Member –v- Member Internal Dispute Resolution Protocol</li><li>• Group Leader Duty (Template)</li></ul>
25 November 2022 (Special)	<ul style="list-style-type: none"><li>• Unreasonable Customer Behaviour Policy Appeal</li></ul>
20 January 2023	<ul style="list-style-type: none"><li>• Update on Community / Town Council Training Plans (including financial training)</li><li>• Unreasonable Customer Behaviour Policy Appeal</li><li>• Letter from PSOW</li></ul>
17 February 2023 (Special)	<ul style="list-style-type: none"><li>• Annual Meeting with Group Leaders (to include Group Leaders Duty)</li><li>• Dispensation Form</li></ul>
22 March 2023	<ul style="list-style-type: none"><li>• Annual Meeting with Group Leaders (to include Group Leaders Duty)</li><li>• Gifts &amp; Hospitality</li><li>• Community / Town Council Training Plans</li></ul>
Future Items	<ul style="list-style-type: none"><li>• Social Media Guidance for Councillors</li><li>• Whistleblowing Policy</li><li>• Indemnity Scheme</li></ul>