



Report of the Monitoring Officer

Standards Committee – 9 March 2022

Review of Standards Committee Terms of Reference

Purpose:	To update the Committee on proposed changes to the Terms of Reference following new duties under the Local Government and Elections (Wales) Act 2021.
Policy Framework:	Constitution.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The Standards Committee approve the changes to the Terms of Reference which will be reported to the Constitution Working Group and then Council to approve.
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1. Introduction

- 1.1 The Local Government and Elections (Wales) Act 2021 amends the Local Government Act 2000 to provide additional duties for Standards Committees in Wales.
- 1.2 The Committee is already aware of the new duty on political Group Leaders to take reasonable steps to promote and maintain high standards of conduct by the members of their group and to co-operate with the Standards Committee in the exercise of the Standards Committee's functions.
- 1.2 In light of the changes to the Committee's functions it is therefore necessary to update the Terms of Reference. The Monitoring Officer has also taken the opportunity to consider the Terms of Reference afresh and attached at Appendix A are the proposed changes to be made. The current Terms of Reference are attached at Appendix B for ease of reference.

2. Terms of Reference

- 2.1 Unfortunately it is not possible to produce a track changed version as the format of the Terms of Reference have been changed substantially albeit the content is not that different.
- 2.2 However the Committee will note that the functions have been split into two sections. The first section relate to those responsibilities associated with the Code of Conduct and ethical framework and includes an additional duty of determining requests for representation under the Council's Indemnity Scheme.
- 2.3 There are also some additional responsibilities which relate to maintaining an overview of the following:
- Officer/Councillor Relations Protocol
 - Whistleblowing Policy
 - Member/Member Dispute Resolution Process
- 2.4 The Committee will note that responsibility for hearing appeals under the Unreasonable Customer Behaviour Policy remains in the Terms of Reference. The Policy is currently being reviewed and the issue of appeal is being considered. It may be that this function will no longer remain with the Committee and a further change will need to be made when the Policy is finalised.

3. Integrated Assessment Implications

- 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 2005 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 There are no integrated assessment implications directly associated with this report as the reports seeks to update the Committee on changes to their Terms of Reference as required by legislation.

4. Financial Implications

4.1 There are no financial implications associated with this report at this stage.

5. Legal Implications

5.1 There are no legal implications other than those set out in the body of the report.

Background Papers: None.

Appendices:

Appendix A Amended version of the Terms of Reference of the Standards Committee.

Appendix B Current Terms of Reference of the Standards Committee