

Report of the Head of Democratic Services

Council – 20 April 2017

LORD MAYOR AND DEPUTY LORD MAYOR PROTOCOL

Purpose:	The Constitution Working Group (CWG) at its meeting on 4 April 2017 considered re-adding Councillor P M Black back onto the list of Councillors in line to be Lord Mayor and a revision of the Lord Mayor / Deputy Lord Mayor Protocol. CWG recommended that the amended protocol be adopted by Council.
Policy Framework:	None
Consultation:	Access to Services, Finance, Legal, Constitution Working Group.
Recommendation(s):	It is recommended that: 1) Councillor P M Black be re-added to the list and that he be considered for Deputy Lord Mayor in 2018-2019; 2) The Proposed Lord Mayor and Deputy Lord Mayor Protocol as outlined in Appendix 2 of the report be recommended for adoption by Council.
Report Author:	Huw Evans
Finance Officer:	Carl Billingsley
Legal Officer:	Tracey Meredith / Stephanie Williams
Access to Services Officer:	Phil Couch

1. Introduction

- 1.1 The current Lord Mayor & Deputy Lord Mayor Protocol was adopted by Council on 18 March 2014. The Protocol is attached as **Appendix 1**.
- 1.2 The Constitution Working Group held on 6 February 2017 asked for a further report addressing the issue of including Councillor P M Black back onto the list of Councillors in line to be Lord Mayor and of considering the exclusion periods listed in the protocol. CWG considered the further report on 4 April 2017 and recommended that the amended protocol be adopted by Council.
- 1.3 This report outlines a number of suggestions as outlined in the Proposed Lord Mayor and Deputy Lord Mayor Protocol which is appended as **Appendix 2**. The “Lord Mayor and Deputy Lord Mayor Protocol – Differences” are outlined in **Appendix 3**.

2. Councillor P M Black

- 2.1 Council at its meeting on 8 March 2007 were seeking nominations for Lord Mayor / Deputy Lord Mayor. Councillor P M Black was proposed at the meeting however, he declined due to work commitments. Councillor P M Black’s circumstances have now

changed and it is proposed that he be added to the list of those to be considered for the office of Lord Mayor / Deputy Lord Mayor.

3. Equality and Engagement Implications

- 3.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

4. Financial Implications

- 4.1 None.

5. Legal Implications

- 5.1 None.

Background Papers: None

Appendices:

Appendix 1 Lord Mayor and Deputy Lord Mayor Protocol

Appendix 2 Proposed Lord Mayor and Deputy Lord Mayor Protocol

Appendix 3 Lord Mayor and Deputy Lord Mayor Protocol – Differences

Lord Mayor and Deputy Lord Mayor Protocol

1. Introduction

1.1 On 22 March 1982, HM Queen Elizabeth II graciously granted to the City of Swansea letters patent which elevated the status of the Mayor to that of Lord Mayor. The Unitary Authority of the City and County of Swansea which came into being on 1 April 1996 was successful in having both the City and Lord Mayor status re-bestowed on 29 March 1996.

1.2 The actual wording of the letters patent is shown below:

“Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To all to whom these presents shall come, Greeting. Know ye that our will and pleasure is and We do hereby declare and ordain that from and after the date of these presents the Mayor of the City of Swansea and his successors in office shall be styled entitled and called LORD MAYOR OF SWANSEA And we do hereby authorise and empower the Mayor of the City of Swansea and his successors in office henceforth at all times to assume and use and to be called and to be named by the style title and appellation of Lord Mayor of Swansea and to enjoy and use all and singular the rights privileges and advantages to the degree of a Lord Mayor in all things duly and or right belonging. In witness whereof we have caused these our letters to be made patent. Witness Ourselves at Westminster the twenty second day of March in the thirty first year of our reign”.

1.3 The Lord Mayor and Deputy Lord Mayor Protocol aims to cover all aspects relating to the eligibility, nomination and behaviour of the Lord Mayor / Deputy Lord Mayor.

2. Eligibility to be Lord Mayor / Deputy Lord Mayor

2.1 For the period that a person is elected as Lord Mayor / Deputy Lord Mayor, they must remain a Councillor of the City and County of Swansea.

2.2 From the moment that the person ceases to be a Councillor of the City and County of Swansea, they automatically also cease to be the Lord Mayor / Deputy Lord Mayor.

3. Formal Procedure and Criteria for the Nomination of Lord Mayor and Deputy Lord Mayor

3.1 Councillors must satisfy the following criteria prior to being nominated as Deputy Lord Mayor / Lord Mayor.

i) Candidates for the position of Lord Mayor and Deputy Lord Mayor must be members of the Council.

ii) Councillors shall be elected to the position of Deputy Lord Mayor and Lord Mayor based on their total length of service with the City and County of Swansea Council and its predecessor Authorities. **Appendix A** (The List) highlights the “Councillors Total Length of Service with the City and County of Swansea and each of its predecessor Authorities” (As at Date Printed on **Appendix A**).

- iii) Simultaneous service on more than one of the City and County of Swansea Council's predecessor Authorities will count as one period of service i.e. If a Councillor was an Elected Member with Lliw Valley Borough Council and West Glamorgan County Council during 1990-1994, only 4 years would be counted towards the Councillors total length of service during that time.
 - iv) If a Councillor has broken service with the City and County of Swansea Council or any of its predecessor Authorities, then the time of each of the periods of service will be added together in order to establish the total length of service. For details of a Councillors Period(s) of Service with the City and County of Swansea and its predecessor Authorities, please refer to www.swansea.gov.uk/councillors
 - v) If a Councillor has accrued service with another Authority, then that time will not be counted, as the time has not been spent representing the people of the City and County of Swansea Council.
 - vi) A Councillor would only be honoured with the title Deputy Lord Mayor and Lord Mayor once.
- 3.2 If there are more than 1 Councillors with exactly the same length of service, then the nomination will be determined as follows:
- i) Between the Councillors involved;
 - ii) The drawing of lots between the Councillors involved.

4. Consultation with Political Group Leaders and their Deputies

- 4.1 The Head of Democratic Services shall consult with the Political Group Leaders and their Deputies via e-mail asking them to:
- i) Determine whether candidates meet the criteria set out in Paragraph 3 above;
 - ii) Discuss the appropriateness of the candidates nominated for the role of Deputy Lord Mayor and Lord Mayor.
- 4.2 If the Head of Democratic Services receives:
- i) A unanimous decision that the Candidates meet the criteria set out in Paragraph 3 above and that the Candidates are suitable for the role of Lord Mayor or Deputy Lord Mayor then the Head of Democratic Services shall present a report to Council outlining this view recommending their Election as Lord Mayor Elect and Deputy Lord Mayor Elect accordingly;
 - ii) A split decision that one or both Candidates do not meet the criteria set out in Paragraphs 3 above and / or that one or both Candidates are not suitable for the role of Lord Mayor or Deputy Lord Mayor then a meeting of the Constitution Working Group be arranged to consider the issue. This only applies to the Candidate found not to meet the criteria or found not to be appropriate for the role of Lord Mayor Elect and Deputy Lord Mayor Elect."

5. The Constitution Working Group subject to Paragraph 4 above will:

- 5.1 Determine whether candidates meet the criteria set out in Paragraph 3 above;
- 5.2 Discuss the appropriateness of the candidates nominated for the role of Deputy Lord Mayor and Lord Mayor.
- 5.3 If a candidate is deemed appropriate for the role of Deputy Lord Mayor / Lord Mayor then the Constitution Working Group shall present a report to Council recommending one candidate for the role of Deputy Lord Mayor and one candidate for the role of Lord Mayor based on the total length of time served by a Councillor.
- 5.4 If a candidate is deemed inappropriate for the role of Deputy Lord Mayor / Lord Mayor, the Constitution Working Group shall discuss what (if any) sanctions that will be imposed based on the following questions:
- a) Was the Councillor found in serious breach of the Councillors Code of Conduct?
- If yes, then the exclusion from holding the office of Deputy Lord Mayor / Lord Mayor will be for a minimum mandatory period of 5 years or permanent removal from “the list”. The Constitution Working Group may extend this period if it deems the severity of the breach such. The period cannot be shortened.
- b) Was the Councillor found in minor breach of the Councillors Code of Conduct or carried out general inappropriate action(s) not involving a breach of the Councillors Code of Conduct?
- If yes, the Constitution Working Group will decide on the severity and relevance of the breach of the Councillors Code of Conduct or the degree of inappropriate action.
- It shall apply such deferral of office as it, in its absolute discretion, considers appropriate. As a guide such deferral of office may include exclusion from holding the office of Deputy Lord Mayor / Lord Mayor for any period up to 4 years.
- c) Was the Councillor found to have carried out inappropriate actions or other serious misbehaviour regarding the office of Lord Mayor / Deputy Lord Mayor not involving a breach of the Councillors Code of Conduct?
- If yes, then the exclusion from holding the office of Deputy Lord Mayor / Lord Mayor will be for a suggested period of 4 years. The Constitution Working Group may increase or decrease this period if it deems appropriate.
- 5.5 What is a serious or minor breach of the Councillors Code of Conduct will be a matter to be determined by the Constitution Working Group on the facts of each particular case.
- 5.6 The exclusion period will be for the period starting with the final determination of the breach of the Councillors Code of Conduct for paragraphs 5.4 a) and 5.4 b) and the determination of the Constitution Working Group for paragraph 5.4. c).
- 5.7 If a Councillor has acted in the role of Deputy Lord Mayor and is deemed to be inappropriate prior to commencing the role of Lord Mayor, then s/he shall serve the exclusion period outlined above and at the end of the period undertake the role of Lord Mayor.

- 5.8 Once a Councillor has completed a period of suspension they will be placed on “the list” in accordance with their seniority.
- 5.9 In the year of a Local Government Election, it is possible that the next Councillor in line for the role of Lord Mayor / Deputy Lord Mayor either chooses not to stand for re-election or fails to get re-elected. In order to attempt to overcome this, the Constitution Working Group shall apply the appropriateness test to the next 5 Councillors in the list (**Appendix A**) who have confirmed that they intend standing in order to seek re-election.
- 5.10 The appropriateness test for these other Councillors will only be a measure of their appropriateness at this current point in time. They will be the subject of a further appropriateness test if they are not elected to the role of Lord Mayor / Deputy Lord Mayor.

6. Constitution Working Group Report to Council

- 6.1 Council shall receive the report of the Constitution Working Group regarding nominations for the Deputy Lord Mayor and Lord Mayor. The report shall nominate one Councillor for the role of Deputy Lord Mayor and one Councillor for the role of Lord Mayor.
- 6.2 In the year of a **Local Government Election**, there will be a third and fourth recommendation seeking a resolution to name the next 5 Councillors as being eligible should the initial nominations fail to be re-elected. These additional 5 Councillors shall be appointed in line with the Protocol.
- 6.3 When a Councillor is elected to the position of Deputy Lord Mayor, then that person would become Lord Mayor the following municipal year, subject to Paragraph 5.4 b) and 5.4 c) above.

7 Role of Council

- 7.1 Council will receive the report of the Constitution Working Group regarding nominations for the Deputy Lord Mayor and Lord Mayor. It shall consider whether to accept the recommendations of the Constitution Working Group or not.
- 7.2 In the year of a **Local Government Election**, Council shall also be asked to accept the nominations of the next 5 Councillors under the Protocol in order to have an automatic fall-back position should the initial nominations fail to be re-elected. The automatic fall-back would mean that the next eligible Councillor who had been subjected to and passed the appropriateness test by the Constitution Working Group would be elected to the position of Lord Mayor / Deputy Lord Mayor as necessary.
- 7.3 Should Council not accept the recommendations of the Constitution Working Group, then the matter should be deferred to either the next Ordinary meeting of Council or to an Extraordinary meeting of Council in order for the appropriateness test to be considered for the next Councillor in line based on length of service by the Constitution Working Group.

8. Deferment of Term of Office

- 8.1 If a Councillor chooses to defer their term of office, then it would only be allowed in exceptional circumstances and subject to approval from all Political Group Leaders e.g. in the case of illness of the Councillor or close member of their family.
- 8.2 If the Leader of the Council is scheduled to be Lord Mayor then the Leader of the Council shall have the opportunity to defer his / her term of office for as long as they deem necessary.

9. Behaviour of Lord Mayor / Deputy Lord Mayor during their Term of Office

- 9.1 Should the behaviour of the Lord Mayor / Deputy Lord Mayor be brought into question during their term of office, then the behaviour should be reported to the Chief Executive, the Monitoring Officer, the Head of Democratic Services and to the relevant Political Group Leader.
- 9.2 However, if the alleged behaviour is considered to be a breach or potential breach of the Councillors Code of Conduct then the complainant should refer the matter to the Public Services Ombudsman for Wales or Police as appropriate.
- 9.3 The allegation will be passed to the Constitution Working Group for them to consider whether it requires any immediate action to be taken. The Group may also determine any sanction to be imposed (if any) pending the outcome of the Ombudsman's or Police investigation (if any).

10. Suspension from Office as a Councillor

- 10.1 Should a Councillor be suspended from the Office of Councillor for a period of time following a breach of the Councillors Code of Conduct, the following actions are to be followed:
- 10.1.1 Suspension is for a period **Less** than the remaining term of office of the Lord Mayor / Deputy Lord Mayor
- i) The issue shall be automatically referred to the Constitution Working Group for it to consider what action, if any should be taken.
- 10.1.2 Suspension is for a period **Longer** than the remaining term of office of the Lord Mayor / Deputy Lord Mayor
- i) The Councillor will cease to serve as Lord Mayor / Deputy Lord Mayor with immediate effect.
- 10.2 The Constitution Working Group reserves the right to amend the sanction as it sees fit.

11. Behaviour of Lord Mayor's Consort, / Deputy Lord Mayor's Consort, Lady Mayoress / Deputy Lady Mayoress during their Term of Office

- 11.1 Should the behaviour of the Lord Mayor's Consort, / Deputy Lord Mayor's Consort, Lady Mayoress / Deputy Lady Mayoress be brought into question during their term of office, then the behaviour should be reported to the Chief Executive, the Monitoring Officer, the Head of Democratic Services and to the relevant Political Group Leader.

- 11.2 The allegation(s) will be passed to the Constitution Working Group for them to consider whether it requires any immediate action to be taken. Action could include suspending the individual for a period of time or seeking a Council resolution to remove the individual from Office.

PROPOSED - Lord Mayor and Deputy Lord Mayor Protocol

1. Introduction

1.1 On 22 March 1982, HM Queen Elizabeth II graciously granted to the City of Swansea letters patent which elevated the status of the Mayor to that of Lord Mayor. The Unitary Authority of the City and County of Swansea which came into being on 1 April 1996 was successful in having both the City and Lord Mayor status re-bestowed on 29 March 1996.

1.2 The actual wording of the letters patent is shown below:

“Elizabeth the Second by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To all to whom these presents shall come, Greeting. Know ye that our will and pleasure is and We do hereby declare and ordain that from and after the date of these presents the Mayor of the City of Swansea and his successors in office shall be styled entitled and called LORD MAYOR OF SWANSEA And we do hereby authorise and empower the Mayor of the City of Swansea and his successors in office henceforth at all times to assume and use and to be called and to be named by the style title and appellation of Lord Mayor of Swansea and to enjoy and use all and singular the rights privileges and advantages to the degree of a Lord Mayor in all things duly and or right belonging. In witness whereof we have caused these our letters to be made patent. Witness Ourselves at Westminster the twenty second day of March in the thirty first year of our reign”.

1.3 The Lord Mayor and Deputy Lord Mayor Protocol aims to cover all aspects relating to the eligibility, nomination and behaviour of the Lord Mayor / Deputy Lord Mayor.

1.4 A “Civic Protocols and Guidance” document is provided to each Lord Mayor / Deputy Lord Mayor. The document is provided by the Lord Mayor’s Office and is maintained by the Civic and Corporate Marketing Manager.

2. Eligibility to be Lord Mayor / Deputy Lord Mayor

2.1 For the period that a person is elected as Lord Mayor / Deputy Lord Mayor, they must remain a Councillor of the City and County of Swansea.

2.2 From the moment that the person ceases to be a Councillor of the City and County of Swansea, they automatically also cease to be the Lord Mayor / Deputy Lord Mayor.

2.3 If the existing Lord Mayor / Deputy Lord Mayor is suspended or partially suspended from being a Councillor by the Standards Committee, Public Services Ombudsman for Wales and / or Adjudication Panel for Wales they shall not conduct any Lord Mayor / Deputy Lord Mayor duties.

3. Criteria for the Nomination of Lord Mayor and Deputy Lord Mayor

3.1 Councillors MUST satisfy the following **criteria** prior to being nominated as Deputy Lord Mayor / Lord Mayor:

i) Candidates for the position of Lord Mayor and Deputy Lord Mayor must be serving members of the Council and have the longest total length of service (**Appendix A1**).
Note: If the Candidate is suspended or partially suspended from being a Councillor then they do not meet the criteria at that point in time.

3.2 The Head of Democratic Services shall inform the Political Group Leaders and their Deputies via e-mail whether the candidate(s) meet the criteria.

4. Councillors Total Length of Service

4.1 Councillors shall be elected to the position of Deputy Lord Mayor and Lord Mayor based on their total length of service with the City and County of Swansea Council and its predecessor Authorities. **Appendix A1** (The List) highlights the “Councillors Total Length of Service with the City and County of Swansea and each of its predecessor Authorities” (As at Date Printed on **Appendix A1**).

4.2 Simultaneous service on more than one of the City and County of Swansea Council’s predecessor Authorities will count as one period of service i.e. If a Councillor was an Elected Member with Lliw Valley Borough Council and West Glamorgan County Council during 1990-1994, only 4 years would be counted towards the Councillors total length of service during that time.

4.3 If a Councillor has broken service with the City and County of Swansea Council or any of its predecessor Authorities, then the time of each of the periods of service will be added together in order to establish the total length of service. For details of a Councillors Period(s) of Service with the City and County of Swansea and its predecessor Authorities, please refer to www.swansea.gov.uk/councillors

4.4 If a Councillor has accrued service with another Authority, then that time will not be counted, as the time has not been spent representing the people of the City and County of Swansea Council.

4.5 A Councillor shall be honoured with the title Deputy Lord Mayor / Lord Mayor once.

4.6 If two or more Councillors have exactly the same length of service, then the nomination will be determined as follows:

- i) Between the Councillors involved;
- ii) The drawing of lots between the Councillors involved.

5. Procedure for the Nomination of Lord Mayor and Deputy Lord Mayor

5.1 Once a Councillor has been deemed to meet the criteria to be nominated Lord Mayor / Deputy Lord Mayor; the procedure is as follows:

- i) Head of Democratic Services to consult with Political Group Leaders and their Deputies (all of whom have a vote) via email to determine whether the candidate(s) are appropriate. Whether a candidate is appropriate is to be decided on an individual basis. Considerations may include whether a candidate has been found in breach of the Code of Conduct, whether the breach was a serious breach and what sanction, if any, was imposed. Other considerations include whether the Councillor has been found guilty or pleaded guilty to a serious criminal offence;
- ii) If **unanimous decision** that the candidate(s) are appropriate, and a report be presented to Council;
- iii) If there is **not a unanimous decision** then a meeting of the Constitution Working Group (CWG) shall be convened. CWG will consider the appropriateness of the candidate(s) and decide what action to take based on the Protocol.

6. Appropriateness Test

6.1 The Appropriateness Test seeks to determine the appropriateness of candidate(s) nominated for the role of Deputy Lord Mayor and Lord Mayor. It is a measure of their appropriateness at a current point in time. Questions by the Constitution Working Group may include whether the candidate(s) is subject to any investigation by the Public Services Ombudsman for Wales in relation to any breach of the Code of Conduct, any sanctions imposed, any court proceedings or any other matter they consider relevant.

6.2 Depending on outcome of paragraph 6.1 above, the Constitution Working Group may hear representations from the candidate prior to making any final decision.

6.3 The powers of the Public Services Ombudsman for Wales and the Adjudication Panel for Wales are outlined in **Appendix B1** to this report.

6.4 If a candidate is considered not appropriate for the role of either Lord Mayor or Deputy Lord Mayor they will be replaced on “the list” in accordance with their seniority and will be subject to the Appropriateness Test at the following round of Lord Mayor / Deputy Lord Mayor nominations.

7. Constitution Working Group Report to Council

7.1 The Constitution Working Group shall present a report to Council recommending the appropriate candidate(s) for the role of Deputy Lord Mayor / Lord Mayor to Council. The report shall nominate one Councillor for the role of Deputy Lord Mayor and one Councillor for the role of Lord Mayor.

7.2 In the year of a **Local Government Election**, there will be a third and fourth recommendation seeking a resolution to name the next 5 Councillors as being eligible should the initial nominations fail to be re-elected. These additional 5 Councillors shall be appointed in line with the Protocol.

7.3 When a Councillor is elected to the position of Deputy Lord Mayor, then that person would become Lord Mayor the following municipal year, subject to the Appropriateness Test.

8. Role of Council

8.1 Council will receive the report of the Constitution Working Group regarding nominations for the Deputy Lord Mayor and Lord Mayor. It shall consider whether to accept the recommendations of the Constitution Working Group or not.

8.2 In the year of a **Local Government Election**, Council shall also be asked to accept the nominations of the next 5 Councillors under the Protocol in order to have an automatic fall-back position should the initial nominations fail to be re-elected. The automatic fall-back would mean that the next eligible Councillor who had been subjected to and passed the appropriateness test by the Constitution Working Group would be elected to the position of Lord Mayor / Deputy Lord Mayor as necessary.

8.3 Should Council not accept the recommendations of the Constitution Working Group, then the matter should be deferred to either the next Ordinary meeting of Council or to an Extraordinary meeting of Council in order for the appropriateness test to be considered for the next Councillor in line based on length of service by the Constitution Working Group.

9. Deferment of Term of Office

9.1 A Councillor may request that their term of Office be deferred for any length of time or even an unspecified length of time. However such a request must gain the support of the majority of the Political Group Leaders. In the event of a tie, then the Constitution Working Group will consider the matter.

9.2 Once a Councillor has completed their deferment they will be replaced back on the Seniority List in accordance with their seniority. They shall follow the next person in line to be Deputy Lord Mayor but shall not be permitted to replace the next person in line if the period until the next selection is less than 6 months.

10. Title and Chain of Office of Lady Mayoress / Lord Mayor's consort / Deputy Lady Mayoress / Deputy Lord Mayor's Consort

10.1 The Title and Chain of Office of Lady Mayoress / Lord Mayor's consort / Deputy Lady Mayoress / Deputy Lord Mayor's Consort is conferred at the Ceremonial Meeting of Council on an annual basis.

10.2 Any other person may accompany the Lord Mayor / Deputy Lord Mayor to any civic engagement to which the same courtesies and precedence would be extended, however, the Chain of Office may not be worn.

11. Behaviour of Lord Mayor / Deputy Lord Mayor during their Term of Office

- 11.1 Should the behaviour of the Lord Mayor / Deputy Lord Mayor be brought into question during their term of office, then the behaviour should be reported to the Chief Executive, the Monitoring Officer, the Head of Democratic Services and the relevant Political Group Leader.
- 11.2 However, if the alleged behaviour may lead to any investigation by the Public Services Ombudsman for Wales in relation to any breach of the Code of Conduct, any sanctions imposed, any court proceedings or any other matter considered relevant then the complainant should refer the matter to the Public Services Ombudsman for Wales or Police as appropriate.
- 11.3 The allegation will be passed to the Constitution Working Group for them to consider whether it requires any immediate action to be taken. The Group should consider the point that people are presumed innocent and should not make any decision to impede that basis of law. However, the CWG may determine any appropriate sanction based on the Appropriateness Test following the outcome of the Ombudsman's or Police investigation (if any).

12. Suspension from Office as a Councillor

- 12.1 Should a Councillor be suspended from the Office of Councillor for a period of time following a breach of the Councillors Code of Conduct, the following actions are to be followed:
- i) A suspended, partially suspended or disqualified Councillor would no longer meet the criteria to be Lord Mayor / Deputy Lord Mayor and would therefore automatically relinquish that Office.
 - ii) The issue shall also be automatically referred to the Constitution Working Group for it to consider whether to appoint a new Lord Mayor, Deputy Lord Mayor etc.

13. Behaviour of Lord Mayor's Consort, / Deputy Lord Mayor's Consort, Lady Mayoress / Deputy Lady Mayoress during their Term of Office

- 13.1 Should the behaviour of the Lord Mayor's Consort, / Deputy Lord Mayor's Consort, Lady Mayoress / Deputy Lady Mayoress be brought into question during their term of office, then the behaviour should be reported to the Chief Executive, the Monitoring Officer, the Head of Democratic Services and the relevant Political Group Leader.
- 13.2 The allegation(s) will be passed to the Constitution Working Group for them to consider whether it requires any immediate action to be taken. Action could include suspending the individual for a period of time or seeking a Council resolution to remove the individual from Office.

Councillors Total Length of Service with the City and County of Swansea and each of its predecessor Authorities” (28.03.2017).

Last Name	First Name(s)	Total Time Served	Municipal Year served as LM
Lewis	Richard	43 years, 10 months, 18 days	2010-2011
Thomas	Des	41 years, 4 months, 28 days	1996-1997
Burtonshaw	June	33 years, 10 months, 23 days	2002-2003
Francis-Davies	Robert	33 years, 10 months, 23 days	2001-2002
Black	Peter	32 years, 10 months, 25 days	Declined: 08.03.2007
Holley	Christopher	31 years, 10 months, 26 days	2006-2007
Richard	Ioan	31 years, 4 months, 14 days	2011-2012
Sullivan	Gareth	29 years, 10 months, 21 days	2008-2009
Stanton	June	28 years, 10 months, 23 days	2013-2014
Thomas	Ceinwen	26 years, 10 months, 25 days	2014-2015
Newbury	John	26 years, 9 months, 22 days	2015-2016
Hopkins	David	25 years, 10 months, 26 days	Current Lord Mayor
Phillips	David	23 years, 10 months, 22 days	
Downing	Philip	20 years, 9 months, 27 days	Current Deputy Lord Mayor
Lloyd	Paul	20 years, 0 months, 7 days	
Marsh	Keith	18 years, 9 months, 24 days	
Child	Mark	17 years, 10 months, 22 days	
Day	Mike	17 years, 10 months, 22 days	
Jones	Mary	17 years, 10 months, 22 days	
Rees	Huw	17 years, 10 months, 22 days	
Thomas	Graham	17 years, 10 months, 22 days	
Stewart	Robert	13 years, 10 months, 27 days	
Fitzgerald	Wendy	12 years, 9 months, 18 days	
Hood-Williams	Paxton	12 years, 9 months, 18 days	
Kirchner	Erika	12 years, 9 months, 18 days	
Philpott	Cheryl	12 years, 9 months, 18 days	
May	Peter	10 years, 3 months, 7 days	
Matthews	Penny	9 years, 8 months, 9 days	
Colburn	Tony	8 years, 10 months, 27 days	
Doyle	Ryland	8 years, 10 months, 27 days	
Evans	William	8 years, 10 months, 27 days	
Jones	Jeff	8 years, 10 months, 27 days	
Jones	Sue	8 years, 10 months, 27 days	
Meara	Paul	8 years, 10 months, 27 days	
Morris	Hazel	8 years, 10 months, 27 days	
Richards	Christine	8 years, 10 months, 27 days	
Smith	Paulette	8 years, 10 months, 27 days	
Jardine	Yvonne	8 years, 9 months, 22 days	
Thomas	Miles	6 years, 5 months, 7 days	
Bayliss	John	4 years, 10 months, 25 days	
Clay	Uta	4 years, 10 months, 25 days	
Cole	David	4 years, 10 months, 25 days	
Cook	Ann	4 years, 10 months, 25 days	
Crouch	Sybil	4 years, 10 months, 25 days	
Curtice	Jan	4 years, 10 months, 25 days	
Davies	Nick	4 years, 10 months, 25 days	
Evans	Mandy	4 years, 10 months, 25 days	
Gordon	Fiona	4 years, 10 months, 25 days	
Hale	Joe	4 years, 10 months, 25 days	

Harris	Jane	4 years, 10 months, 25 days	
Hennegan	Terry	4 years, 10 months, 25 days	
Hopkins	Beverley	4 years, 10 months, 25 days	
James	Lynda	4 years, 10 months, 25 days	
Jones	Andrew	4 years, 10 months, 25 days	
Lewis	Andrea	4 years, 10 months, 25 days	
Lewis	David	4 years, 10 months, 25 days	
Lloyd	Clive	4 years, 10 months, 25 days	
Owens	Geraint	4 years, 10 months, 25 days	
Raynor	Jennifer	4 years, 10 months, 25 days	
Woollard	Neil	4 years, 10 months, 25 days	
Smith	Robert	4 years, 10 months, 25 days	
Tanner	Gloria	4 years, 10 months, 25 days	
Thomas	Mark	4 years, 10 months, 25 days	
Tyler-Lloyd	Linda	4 years, 10 months, 25 days	
Walker	Gordon	4 years, 10 months, 25 days	
Walton	Lesley	4 years, 10 months, 25 days	
White	Mike	4 years, 10 months, 25 days	
Clay	Bob	3 years, 8 months, 24 days	
Anderson	Cyril	1 years, 10 months, 21 days	
Evans	Ceri	1 years, 10 months, 21 days	
King	Elliott	1 years, 10 months, 21 days	
Lewis	Mike	0 years, 10 months, 23 days	

Public Services Ombudsman for Wales and the Adjudication Panel for Wales Powers

1. The Public Services Ombudsman for Wales considers complaints that Members of Local Authorities in Wales have broken the Code of Conduct. The Ombudsman investigates such complaints under the provisions of Part III of the Local Government Act 2000 and the relevant Orders made by the National Assembly for Wales under that Act. Where the Ombudsman decides that a complaint should be investigated, there are four findings, set out under Section 69 of the Local Government Act 2000, which the Ombudsman can arrive at:
 - a) That there is no evidence that there has been a breach of the Authority's Code of Conduct;
 - b) That no action needs to be taken in respect of the matters that were subject to the investigation;
 - c) That the matter be referred to the Authority's Monitoring Officer for consideration by the Standards Committee;
 - d) That the matter be referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal (this generally happens in more serious cases).
2. In the circumstances of c) and d) above, the Ombudsman is required to submit the investigation report to the Standards Committee or a Tribunal of the Adjudication Panel for Wales and it is for them to consider the evidence found by the Ombudsman, together with any defence put forward by the Member concerned. It is also for them to determine whether a breach has occurred and, if so, what penalty (if any) should be imposed.
3. The **maximum penalty that a Standards Committee can apply** is suspension for **6 months**. In considering whether the Councillor or Co-opted Member has failed to comply with the relevant Authority's Code of Conduct it may also determine that:
 - i) No action needs to be taken in respect of that failure;
 - ii) The Councillor or Co-opted Member should be censured (A censure takes the form of a public rebuke of the Member concerned);
 - iii) The Councillor or Co-opted Member should be Suspended or Partially Suspended from being a Member of that Authority for a period not exceeding six months.
4. The **maximum that a Tribunal of the Adjudication Panel for Wales can determine** is **5 years'** disqualification from office. The Tribunal may:
 - i) Suspend or Partially Suspend a person from being a Councillor or Co-opted Member of the Relevant Authority concerned for a period not exceeding one year or, if shorter, the remainder of the person's term of Office;
 - ii) Disqualify a person for being, or becoming (whether by Election or otherwise), a Councillor of that or any other relevant Authority for a period **not exceeding 5 years**.

Lord Mayor and Deputy Lord Mayor Protocol – Differences

Current LM and DLM Protocol	Proposed LM and DLM Protocol
Para 1.1-1.3	No change.
-	Para 1.4 - Added in relation to “Civic Protocols and Guidance” document.
Para 2.1-2.2	No change.
-	Para 2.3 - Added in relation to “LM / DLM being suspended or partially suspended.
Para 3 “Formal Procedure and Criteria for the Nomination of LM and DLM	Para have been split into two Sections. “Criteria” remains as Para 3 and “Procedure” becomes Para 5.
Para 3-3.1 i) Para 3.1 i) – Deleted as repeated in Protocol.	Para 3.1 – No change. Para 3.1 i) – New para for clarity. Para 3.2 – HoDS decides if candidate meets criteria as it’s factual.
Para. 3.1 ii)-3.2 ii)	Now located at Para 4.1-4.6 ii)
Para 4 “Consultation with Political GL’s and Deputies	Now located at Para 5 “Procedure for the Nomination of LM and DLM”. Minor changes for simplicity and clarity.
Para 5 “The CWG subject to Para 4 above will”	Mainly deleted. Replaced with Para 6 “Appropriateness Test”. Far simpler and allows the CWG to consider the appropriateness of a candidate based on Code of conduct breach(es), court proceedings or any other matter they consider relevant.
Para 6 “CWG Report to Council”	Now located at Para 7. Minor changes.
Para 7 “Role of Council”	Now located at Para 8. No change.
Para 8 Deferment of Term of Office”	Now located at Para 9. Allows any Cllr to defer their term of office for any length of time and outlines when they would be considered again.
-	New. Para 10 “Title and Chain of Office of LM / DLM Consort”. Outlines that Ceremonial Council appoints Consort but LM / DLM can take guests if required. Only consort may wear the chains of office.
Para 9 “Behaviour of LM / DLM during Term of Office”	Now located at Para 11. Minor changes to reflect consistency.
Para 10 “Suspension from Office as a Councillor”	Now located at Para 12. Strengthens the Protocol. A suspended Cllr would automatically relinquish the office of LM / DLM.
Para 11 “Behaviour of LM / DLM Consort during Term of Office”	Now located at Para 13. No change.