



Report of the Monitoring Officer

Special Standards Committee – 17 February 2023

Dispensation Form and Guidance

Purpose:	To review the Councillor Dispensation form
Policy Framework:	Standards Committee Terms of Reference – Council Constitution.
Consultation:	Legal, Access to Services and Finance.
Recommendation(s):	It is recommended that the Standards Committee: 1) Approve the amended Dispensation Form with associated Guidance.
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1. Background

- 1.1 Local Authorities are required to adopt a Code of Conduct for Members and to maintain a register of Members' interests. The Code also provides that a member who has an interest in a matter must disclose that interest before taking part in any business of the authority which relates to that interest. Depending on whether the interest is personal or prejudicial members may be prevented/restricted from taking part in the matter.
- 1.2 The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 allows a Standards Committee to consider applications for dispensations from members allowing them to participate in business where that participation would otherwise be a breach of the provisions of the Code of Conduct.
- 1.3 Regulation 4 of the Local Government (Standards Committees, Investigation, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 provides that an application by a member for a dispensation can be referred to the Standards Committee of another authority for determination. This is to overcome any potential conflict of interest and possibly expedite an urgent application. Changes were also made under this legislation to the grounds for seeking a dispensation.

- 1.4 Should a Member require a dispensation they need to complete the Councillors Request for Dispensation Form which is appended as **Appendix 1**. That form is then presented to the Standards Committee for consideration.
- 1.5 As part of this Review of Councillors Dispensation, the form has been reviewed and an amended form is appended at **Appendix 2**. The amended form seeks to simplify the request for dispensations by adding boxes to set out what type of dispensation they require but also adding a tick list to the reasons they are seeking a dispensation.
- 1.6 There are some minor changes to the Guidance which goes with the Dispensation Form.

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 has been completed with the agreed outcome that a full IIA report is not required as there are no integrated impact implications.

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 – Current Dispensation Form and Guidance.

Appendix 2 – Proposed Dispensation Form and Guidance.