



# Standards Committee Annual Report 2022-2023

City & County of Swansea



## The Ten General Principles of Public Life

<p><b>Selflessness.</b> Members must act solely in the public interest. They must never use their position as members to improperly confer an advantage on themselves or to improperly confer an advantage or disadvantage on others.</p>	<p><b>Equality and Respect.</b> Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.</p>
<p><b>Honesty.</b> Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.</p>	<p><b>Openness.</b> Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.</p>
<p><b>Integrity and Propriety.</b> Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.</p>	<p><b>Objectivity in Decision-making.</b> In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, members must make decisions on merit. Whilst members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.</p>
<p><b>Duty to Uphold the Law.</b> Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.</p>	<p><b>Accountability.</b> Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.</p>
<p><b>Stewardship.</b> In discharging their duties and responsibilities members must ensure that their authority's resources are used both lawfully and prudently.</p>	<p><b>Leadership.</b> Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.</p>
<p align="center"><b>“Nolan Committee on Standards in Public Life”</b></p>	

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## **Chair's Foreword**

The Committee has continued to meet remotely and has undertaken some challenging work during the year. Significantly the Committee has been kept up to date with legislative changes brought about by the Local Government and Elections (Wales) Act 2021 which has seen changes in the Committee's terms of reference to reflect changing functions.

I would like to acknowledge the positive engagement with the Standards Committee demonstrated by Group Leaders in recent years, and this puts us in a strong position as we consider the new duty on them contained in the above Act.

Pleasingly, the conduct of members is high. The Committee notes that the number of Code of Conduct complaints made to the Ombudsman was 15, with the PSOW only investigating one of those complaints. The number of complaints relating to Community / Town Councils during 2022-2023 has reduced from the previous year.

The process of recruiting two replacement Independent (Co-opted) Members commenced for the one current vacancy on the Committee, together with a replacement member for the former Chair Jill Burgess, whose term of office ceased in October 2022.

We are pleased to announce that Janet Pardue-Wood and Mark Rees were appointed by Council for the 2022-2023 Municipal Year. In addition, Councillor Rabaiotti was appointed as the new Community / Town Council representative.

Mike Lewis, former Vice Chair, was elected Chair in November 2022.

**Jill Burgess, Chair of Standards Committee (up to October 2022)**

**Mike Lewis, Chair of Standards Committee (From November 2022)**

## **1. The Role of the Standards Committee**

- 1.1 The Committee operates within a statutory framework and the following terms of reference applied for the municipal year 2022-2023:
- a) The Standards Committee is made up of 5 Independent Members, 3 Councillors and 1 Community/Town Councillor. By virtue of Section 53 (10) of the Local Government Act 2000 a Standards Committee and the Standards Committees (Wales) Regulations 2001, the Standards Committee is not required to comply with Section 15 of the Local Government and Housing Act 1989 (duty to allocate to Political Groups).
  - b) To promote and maintain high standards of conduct and probity in respect of Councillors & Co-opted Members of the Authority and Community / Town Councillors within the area of the City and County of Swansea.
  - c) To assist Members of the Authority and Community / Town Councils to observe their Authority's Code of Conduct.
  - d) To advise the Authority and Community / Town Councils on the adoption, monitoring and review of their Code of Conduct.
  - e) To advise and train Members on matters relating to the Code of Conduct.
  - f) To grant dispensations to Members in accordance with the Standards Committees (Grant of dispensations) (Wales) Regulations 2001 and Section 81 (5) of the Local Government Act 2000.
  - g) To consider allegations of breaches of Code of Conduct made against Members.
  - h) To oversee the Authority's protocol on Member and Officer working relationships.
  - i) To oversee and monitor the Authority's Whistle Blowing Policy and general confidential reporting Procedures.
  - j) To provide training to Members on conduct and ethical standards issues and any developments relevant to these areas.
  - k) To specifically consider and deal with less serious allegations of impropriety concerning Members.
  - l) To oversee the register of Members interests required under Section 81(1) of the Local Government Act 2000.
  - m) To consider all appeals relating to the Dealing with Unreasonable or Unacceptable Behaviour by Members of the Public Policy.

- n) To consider any other matters placed before the Committee by the Monitoring Officer.

## **2. The Committee's Work in 2022-2023**

### **2.1 Standards Committee – New Duties**

- 2.1.1 The Committee considered its new duties under the Local Government & Elections (Wales) Act 2021 and agreed the following action:

- 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 to promote high standards within their groups.

### **2.2 Standards Committee Annual Report 2021-2022**

- 2.2.1 The Chair presented the Standards Committee Annual Report for 2021-2022 to Council on 7 July 2022.

- 2.2.2 The Annual report outlined the work undertaken by the Committee in 2021-2022.

### **2.3 Requests for Dispensation**

- 2.3.1 The Committee considered 4 requests for dispensation from Councillors.

### **2.4 Recruitment of Community / Town Councillor to the Standards Committee**

- 2.4.1 Council approved the appointment of Town Councillor Rabaiotti of Gorseinon Town Council to the Standards Committee on 6 October 2022. He replaced Community Councillor Phil Crayford, as his term of office ended in May 2022.

### **2.5. Review of Member - v - Member Internal Dispute Resolution Protocol**

- 2.5.1 The Committee reviewed the protocol and recommended its amendments to the Corporate Management Team for formal adoption.

### **2.6 Review of Officer / Member Relations Protocol**

- 2.6.1 The Committee reviewed the protocol and recommended its amendments to the Corporate Management Team for formal adoption.

## **2.7 Group Leader Duty**

2.7.1 The Committee considered a template for Group Leaders to complete in relation to their duty under the Local Government & Elections (Wales) Act 2021.

## **2.8 Public Services Ombudsman for Wales (PSOW) Annual Report and Accounts 2021-2022**

2.8.1 The Committee discussed the report, which set out performance over the year including both complaints about public service providers as well as code of conduct complaints.

2.8.2 The Committee had regular briefings from the Monitoring Officer on cases which the PSOW had dealt with, and which were reported in either the PSOW Casebook or the Adjudication Panel for Wales' publications.

## **2.9 Annual Meeting with Political Group Leaders**

2.9.1 The Standards Committee invited the Political Group Leaders to the Standards Committee to discuss relevant legislation and responsibilities outlined in the Local Government & Elections (Wales) Act 2021.

2.9.2 The Committee was interested in hearing the Group Leaders views on the new duty placed upon them under the Local Government and Elections (Wales) Act 2021 to ensure high standards of conduct within their political group.

2.9.3 The Standards Committee were also interested to hear from Group Leaders as to any additional training or support that they felt would be needed to fulfil their new duty.

## **2.10 Unreasonable Behaviour Policy Appeal**

2.10.1 The Committee considered an appeal under the Unreasonable Behaviour Policy.

2.10.2 The Committee upheld the Authority's decision to invoke the Unreasonable Customer Behaviour Policy, however it recommended some improvements to the process.

## **2.11 Community / Town Council Training Plans**

2.11.1 The Committee considered a report to consider how to review Community & Town Council training plans to ensure that appropriate training was being undertaken in Community & Town Councils in Swansea.

## **2.12 Dispensation Form & Guidance**

2.12.1 The Committee reviewed and approved a revised Councillor request for Dispensation form.

## **2.13 Gifts & Hospitality**

2.13.1 The Committee supported a proposal that Local Authorities in Wales should voluntarily harmonise their thresholds for the registration of gifts and hospitality, to ensure consistency across Wales.

## **2.14 Complaints of Breach of the Code of Conduct**

2.14.1 During the period of this Annual Report the following matters were reported to the Standards Committee for information:

**a) Complaints made but not investigated by the Ombudsman under the provisions of Section 69(2) of the Local Government Act 2000**

There were 14 cases where the Ombudsman decided not to investigate an alleged breach of the Code of Conduct following a complaint.

**b) Investigations completed by the Ombudsman where the decision was no evidence of breach or no action taken**

There were no cases where the Ombudsman investigated but found that it was not in the public interest to take any further action.

**c) Investigations undertaken by the Ombudsman where the decision was to discontinue the investigation**

There were no cases where the Ombudsman had commenced an investigation and subsequently decided to discontinue that investigation.

**d) Investigations under the provisions of Section 70 (4) of the Local Government Act 2000 – referred to the Standards Committee for consideration**

Breaches of the Code of Conduct may be referred to the Monitoring Officer by the Ombudsman under the provisions of Section 69 (c) and 71(2) of the Local Government Act 2000 for consideration by the Standards Committee. Where there is a finding of a breach, public reports on such cases are published on the Council's website.

2.14.2 Two complaints from 2021 have been referred to the Standards Committee for consideration.



## **2.15 Reports “For Information”**

2.15.1 Several reports were noted by the Committee, including the Ombudsman’s Code of Conduct Casebook and Adjudication Panel for Wales’s decisions.

## **2.16 Public Services Ombudsman for Wales Letter**

2.16.1 The Committee received a report outlining minor changes to the Code of Complaints Guidance and process.

## **2.17 National Standards Committee Forum**

2.17.1 The Standards Committee Chair attended the inaugural meeting of this forum in January 2023.

## **3. Future Priorities**

3.1 The Committee regularly reviews its work programme and has identified the following priority areas for consideration in 2023/24:

- Community / Town Council Training Plans.
- Social Media Guidance for Councillors.
- Whistleblowing Policy.
- Indemnity Scheme.

## **4. Committee Membership**

4.1 Jill Burgess (Independent member) term of office ceased on 18 October 2022. Mike Lewis (Independent member) was elected Chair on 25 November 2022.

4.1.1 The Standards Committee consists of 9 members:

<b>5 x Independent Members</b>
Jill Burgess (up to 18 October 2022)
Michaela Jones
Mike Lewis
Janet Pardue-Wood
Mark Rees (from 19 October 2022)
Margaret Williams

<b>1 x Community / Town Councillor</b>
Carlo Rabaiotti (from 6 October 2022)

<b>3 x City &amp; County of Swansea Councillors</b>
Oliver James
Mike B Lewis
L Graham Thomas

## 4.2 Terms of Office - Independent Members of the Standards Committee

4.2.1 The term of office for Independent Members can be for not less than 4 years and for no more than 6 years. They can be reappointed for one further consecutive term, but that term cannot be for more than an additional four years.

4.2.2 The table below shows the dates of commencement and subsequent expiry dates of membership for all Independent (Co-opted) Members of the Standards Committee.

**Note:** Independent Members marked in *italics* and with “\*” denotes that they are in their second term and cannot have their term extended further.

Independent Members	Appointment Terms	
	Start	End
<i>Jill Burgess*</i>	19.10.2012 Re-appointed to	18.10.2018 18.10.2022
Michaela Jones	01.10.2017	30.09.2023
Mike Lewis	01.10.2017	30.09.2023
Janet Pardue-Wood	24.05.2022	23.05.2028
Mark Rees	19.10.2022	18.10.2028
<i>Margaret Williams*</i>	01.04.2015 Reappointed to	31.03.2021 31.03.2025

## 4.3 Term of Office - Community / Town Council Member of the Standards Committee

4.3.1 The term of office shall be until the Ordinary Election for the Community Council of which the Community Councillor is a member. They may be reappointed for one further consecutive term.

4.3.2 A Community / Town Council member shall not take part in the proceedings of the Standards Committee when matters relating to their Community / Town Council are being considered.

Community / Town Council Member	Appointment Terms	
	Start	End
Councillor Carlo Rabaiotti	06.10.2022	Local Government Election 2027

## 5. Attendance Records

5.1 During 2022/2023, the Standards Committee met on the following dates:

- 24 June 2022.
- 5 October 2022 (Special).
- 7 October 2022.

- 25 November 2022 (Special).
- 20 January 2023.
- 17 February 2023 (Special).
- 2 March 2023 (Special).
- 22 March 2023 x 2 (one Special).


## 5.2 Attendance Statistics:

Committee Member	Attendance	
	Possible	Actual
Jill Burgess (Chair until 18.10.2022)	3	3
Mike Lewis (Chair from 25.11.2022)	9	6
Michaela Jones	9	8
Janet Pardue-Wood (Vice-Chair from 25.11.2022)	9	9
Mark Rees	6	6
Margaret Williams	9	7
Town Councillor Carlo Rabaiotti	7	5
Councillor Oliver James	9	4
Councillor Mike B Lewis	9	9
Councillor Graham Thomas	9	6

## 6. Biographies

	<p>Jill Burgess</p> <p>Former Chair of the Standards Committee</p>
<p>Jill has been a member of the Standards Committee since October 2012, Chair since October 2016. She is a retired businesswoman whose greatest contribution is in Entrepreneurship, and Business Enterprise. The innovative and complexity of her business start-up earned her the accolade of Welsh Businesswoman of the Year 1996 and still mentors students as part of her governorship with Swansea University. She also works with Gower College Swansea through their “Lions Lair” competitions for young entrepreneurs. She was the instigator of job sharing for Women in American Express UK and won the recognition and award for this being adopted UK wide. At the request of the Chief Executive of Neath Port Talbot Council she set up the first Businesswomen’s Network and was the first lady president of Neath and Port Talbot Business Club. She has been a</p>	


Constant Judge for Women in Business Awards for the last 9 years in conjunction with the Evening Post. She is Vice Chair of the Gower Society with responsibilities for the protection of the Lordship of Gower and a Super Lay member of the National Institute for Clinical Health Research (NICHR). Jill is passionate about giving back - be it to someone young or old – who can STEP UP to reach their potential.

	<p>Mike Lewis</p> <p>Chair of the Standards Committee</p> <p>Statutory Co-opted (Independent) Member</p>
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Mike Lewis enjoyed a thirty-eight-year career with Lloyds Banking Group before joining the Standards Committee in 2017. He has previously been an Independent Member of South Wales Police Authority, a Senior Assessor with the College of Policing and an Independent Member of Hywel Dda University Health Board. He is currently a Non-Legal Member sitting on Employment Tribunals, an Independent Member of South Wales Police Ethics and Risk Committees and was elected as Vice Chair of the Standards Committee in December 2020 and Chair in November 2022.


	<p>Michaela Jones</p> <p>Statutory Co-opted (Independent) Member of the Standards Committee</p>
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Michaela was appointed to the Standards Committee in October 2017. She was a solicitor in private practice until 2016. She sits as a judge in the Mental Health Review Tribunal for Wales and is a lay member on professional conduct regulatory committees. In addition, she is an Independent Assessor for Student Loans Company appointed by DfE. Michaela currently lives in Cardiff.

	<p>Janet Pardue-Wood</p> <p>Vice-Chair of the Standards Committee</p> <p>Statutory Co-opted (Independent) Member</p>
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Janet has been a member of the Standards Committee since May 2022 and was elected Vice Chair in November 2022. Janet’s career has been in the Not-for-Profit sector working in senior roles with various charities involved in physical and mental health and child protection, notably being the first employee for Childline Cymru Wales launching the income generation appeal which resulted in the establishment of Childline’s first centre for Wales in Swansea. As a result of this work, she was a finalist in the Community Category of 1994 Welsh Woman of the Year awards.


Janet retired from her final role as Director of Mind Cymru in 2016 and then worked from 2017-to- date with Social Care Wales as both a panel member and chair of its Registration, Investigating and Fitness to Practice committees; with the Retail Motor Industry providing a range of business development services and with British Humanist Association as a Strategic Advisor.

	<p>Mark Rees</p> <p>Statutory Co-opted (Independent) Member of the Standards Committee</p>
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Mark has been a Member of the Standards Committee since October 2022. He is a Welsh learner and was a member of the Welsh medium secondary school Governing Body in Aberystwyth for 12 years with 6 years’ experience as Chair & Vice Chair. Alongside his membership of Swansea Standards Committee, Mark is currently a Board Member of Care & Repair Powys; a Member of the Office of Dyfed Powys Police Commissioner Quality Assurance Panel; a Member of Torfaen Council Governance & Audit Committee and Ethics & Standards Committee; a Member of Caerphilly Council Governance & Audit Committee; and a Member of Ceredigion Council Education Appeals Panel.

Having retired from Wales TUC Cymru as a union learning officer, Mark is a passionate advocate for workplace learning partnerships and greater opportunities for life-long learning. He is committed to the ethos of community involvement, social justice, and responsibility, all of which are integral to

ensuring high standards of behaviour in public life are maintained. He enjoys walking, reading about political history, military aviation, and the Bloomsbury Group of writers & artists.

	<p>Margaret Williams</p> <p>Statutory Co-opted (Independent) Member of the Standards Committee</p>
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Margaret Williams was appointed to the Standards Committee in 2015 and served as Vice Chair for two years. She studied Chemistry at Imperial College, London University, and was awarded a BSc Hons. degree. This led on to research leading to a PhD at University College of Wales, Swansea. Margaret pursued a thirty-five-year career in teaching, including fourteen years as Deputy Headteacher and a further fourteen years as Headteacher of a large Secondary School. Since retiring, Margaret regularly chairs Admissions Appeal hearings across South West Wales. Also, she is Vice Chair of Governors for a primary school in Carmarthenshire.

	<p>Town Councillor Carlo Rabaiotti</p> <p>Community / Town Councillor Representative of the Standards Committee</p>
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Councillor Rabaiotti is the Community / Town Council representative on the Standards Committee. He was appointed on 6 October 2022. He is a Councillor on Gorseinon Town Council and the Mayor for 2023-2024.

	<p>Councillor Oliver James</p> <p>Serving the Cockett Electoral Ward</p> <p>Term of Office: 08.05.2017-</p>
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	<p>Councillor Mike Lewis</p> <p>Serving the Mynyddbach Electoral Ward</p> <p>Term of Office: 05.05.2016-</p>
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	<p>Councillor Graham Thomas</p> <p>Serving the Cwmbwrla Electoral Ward</p> <p>Term of Office: 06.05.1999-</p>
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## 7. Helpful Contacts

Chair of Standards Committee. Mike Lewis	<a href="mailto:democracy@swansea.gov.uk">democracy@swansea.gov.uk</a>
Chief Legal Officer & Monitoring Officer. Tracey Meredith	<a href="mailto:Tracey.meredith@swansea.gov.uk">Tracey.meredith@swansea.gov.uk</a> 01792 63 7521
Huw Evans, Head of Democratic Services. Huw Evans	<a href="mailto:Huw.evans@swansea.gov.uk">Huw.evans@swansea.gov.uk</a> 01792 63 5757
Democratic Services	<a href="mailto:democracy@swansea.gov.uk">democracy@swansea.gov.uk</a> 01792 63 6923
Public Services Ombudsman for Wales	<a href="http://www.ombudsman.wales">www.ombudsman.wales</a> 0300 790 0203

