

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 08 June 2023
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Monitoring Officer Meetings with Clerks of Town and Community Councils
Purpose of Report:	To provide the Committee with an update of the meeting held on 28 th April 2023 undertaken between the Monitoring Officer and Clerks of Town and Community Councils
Report Owner:	D. Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	K. Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not require consultation to be undertaken
Policy Framework:	This is a matter for decision by the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> • One of the roles of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives of the Council. • To assist in this process, the Monitoring Officer has held meetings with Clerks of Town and Community Councils to provide opportunities for discussion of matters of mutual concern, to have regard to the principles of standards in public life and to provide networking opportunities. • Reports of the Clerks meetings with the Monitoring Officer are provided to the Standards Committee following the meetings taking place with the last meeting having been held on 28th April 2023. 	

Recommendation

1. That the Standards Committee Members considers and notes the report in respect of the Monitoring Officer's meeting with Clerks held on 28th April, 2023.

Reason for Recommendation

1. Having regard to discussions held at the meeting on 28th April, 2023.

1. Background

- 1.1 The Monitoring Officer has previously informed the Standards Committee of the intention to hold six monthly meetings with Clerks of Town and Community Councils (TCCs) to provide a formal opportunity to discuss matters of mutual concern, to provide open discussion and networking opportunities
- 1.2 Feedback received following the meetings was that meetings were both useful and informative and a frank exchange of views shared which they were grateful to the Monitoring Officer for hosting.
- 1.3 Matters previously discussed at such meetings included those detailed below:
 - Finance matters including Council Tax Banding and Precept Setting and funding opportunities for electric car power points;
 - Becoming a Councillor initiative;
 - General Power of Competence (GPoC) – with the Monitoring Officer drawing attention to an information paper that had been provided to the Senior Leadership Team regarding the provision under the Local Government and Election (Wales) Act 2021 in relation to GPoC;
 - Member safety – with the Monitoring Officer drawing attention to a report that had been presented to the Vale's Democratic Services Committee on 22nd November, 2021 which set out guidance for Members' personal safety and lone working;
 - Generic observations following the viewing of TCC meetings by Independent Members of the Standards Committee;
 - Hybrid working and broadcasting of meetings;
 - Independent Review of Ethical Standards Framework in Wales;
 - Local Government and Elections (Wales) Act 2021 – with the Monitoring Officer drawing attention to reports and the Vale of Glamorgan Council's Action Plan that had been presented to various Vale of Glamorgan Council Committees of the Council including the Community Liaison Committee;
 - Audit Wales Public Interest report: Sully and Lavernock Community Council;
 - Sharing of good practice.

2. Key Issues for Consideration

2.1 At the last meeting held on 28th April, 2023 the agenda for the meeting included the following items:

- Brief update – outcome of the Council’s budget;
- Matters arising at meetings of the Standards Committee;
- Generic observations at Town and Community Council Meetings by Independent Members of the Standards Committee;
- Pending visits from Independent Members;
- General Members’ Code of Conduct issues and options for addressing;
- Update on arrangements to appoint a Community Council Representative on the Standards Committee and appointing a Community Council Member to the Standards Committee Appointment Panel;
- Welsh Government Consultation on the Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn Report);
- Update on the inaugural meeting of the All-Wales Standards Committee Forum;
- Any Matters raised by Clerks;
- AOB.

2.2 Due to some Clerks’ unavailability to attend the meeting it was agreed by all present that the meeting be recorded for future viewing. A copy of the recording has since been forwarded to all Clerks for their information.

2.3 The Operational Manager for Finance who was present at the meeting provided a short presentation overview of the Council’s settlement from Welsh Government advising that this had been received on 28th February, 2023.

2.4 The Monitoring Officer’s Report drew attention to generic observations by Independent Members of the Standards Committee following their observations of TCC meetings, it being noted that the five Independent Members on the Committee undertake observation visits during the year and any comments or matters arising are shared with the individual Clerks and Chairs of the TCCs. If there is a particular concern/issue which we feel needs to be discussed in more detail the Monitoring Officer will call for a meeting with Clerk(s) / Chair(s). This was met with positive response, as no meetings have been required over the last year. It was also noted that since the observations had been introduced, there had been a marked improvement which the Chair of the Standards Committee had alluded to when reporting on observations at the last meeting of the Standards Committee in March 2023.

2.5 Since the last Monitoring Officer meeting with Clerks held in June 2022 the Monitoring Officer advised that 13 observations had been undertaken to date with most being reported as having been well chaired, well managed and respectful.

- 2.6** The Monitoring Officer highlighted that observations had indicated that there was a lack of Members when declaring interests declaring the nature of such interests. To assist Clerks she suggested that as had recently been included on Vale of Glamorgan Council agendas that Clerks detail on their agendas reference to the nature to remind Members. For example the Vale Council agendas say” **To receive declarations of interest and the nature of such interests under the Council’s Code of Conduct.**”
- 2.7** Some observations indicated that a number of Members did not appear to understand that when they had a personal and prejudicial interest they should leave the meeting, with it being suggested that Clerks may wish to arrange further training as appropriate.
- 2.8** In referring to an observation where a Clerk appeared to be conducting the meeting, the Monitoring Officer advised that both the Clerk and the Chair should be mindful of their respective roles.
- 2.9** Following a question as to whether such visits should be announced or unannounced visits, one of the Clerks commented that they were really inspections and greater suspicion about the process and role of Independent Members could have an adverse effect if they undertook unannounced visits with the overall view being the same as had been discussed by the Standards Committee that announced visits were preferable. The Monitoring Officer in conclusion commented that the Independent Members were observing from a supportive perspective as part of their role in driving up and raising standards and that at the last meeting of the Standards Committee in March it had been felt that the current process worked well.
- 2.10** The Monitoring Officer also drew attention to the work of the Public Services Ombudsman for Wales advising they had advised at the All Standards Forum earlier in the year that additional resources for dealing with complaints, working through some backlogs with the aim that complaints would be dealt with quicker.
- 2.11** Welsh Government Consultation on the Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn Report) – A response to the WG consultation was being prepared for the 8th June Standards Committee to consider and would therefore be available to view on line following the despatch of the agenda.
- 2.12** Clerks were advised that with regard to the appointment of a TCC rep on the Standards Committee interviews would be taking place soon with a view to an appointment being confirmed as soon as possible.
- 2.13** Standards Committee is therefore recommended to note the above overview of discussions held at the Monitoring Officer meeting with Clerks.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The role of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor representatives. It was intended that the Monitoring Officer meetings with Clerks of TCCs and the way in which the first ways of working proposals aim to promote the role.

4. Climate Change and Nature Implications

- 4.1** None as a direct result of this report.

5. Resources and Legal Considerations

Financial

- 5.1** There are no direct financial implications as a result of this report.

Employment

- 5.2** There are no direct employment implications as a result of this report.

Legal (Including Equalities)

- 5.3** There are no direct legal implications as a result of this report, however it is noted that the TCCs in the Vale of Glamorgan who subscribe to One Voice Wales are able to obtain legal and generic advice as required as a result of their subscription.

6. Background Papers

Minutes of Monitoring Officer meetings with Clerks of Town and Community Councils.