

Meeting of:	Standards Committee
Date of Meeting:	Friday, 02 February 2024
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Overview report following Observations by Independent Members of Town and Community Council Committee Meetings
Purpose of Report:	To provide the Committee with an overview of observations.
Report Owner:	Ms. Debbie Marles, Monitoring Officer / Head of Legal and Democratic Services
Responsible Officer:	Mrs. Karen 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 this process, in March 2018, Independent Members of the Standards Committee agreed to undertake observations at Vale of Glamorgan Council meetings and were reported to the Standards Committee. On 23rd June, 2022 having regard to resourcing implications it was accepted that as a number of Senior Officers and Democratic Services Officers are present at Vale of Glamorgan Council meetings, that such officers be requested to report to the Monitoring Officer any matters that may require attention and / or suggestions for improvement and that such matters subsequently be reported to the Standards Committee as appropriate. • In March 2019 the process of observing Council meetings was also extended for Independent Members of the Standards Committee to observe and report their findings of Town and Community Council (TCC) meetings. On 8th June, 2023 the Committee subsequently agreed that where observations of TCC meetings are advised by Independent Members to have been managed effectively with no material issues identified observations of such meetings be undertaken on a biennial basis as opposed to on an annual basis. • Feedback reports in respect of the observations undertaken are presented to the Monitoring Officer and verbal generic updates of the reports are presented to the Standards Committee by Independent Members on a regular basis. Any observations that require specific discussion with the Chief Executive of the Vale of Glamorgan Council or Chair of a Committee and the Clerk / 	

Chair of a TCC are undertaken by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer. Generic overviews of observations are also provided to Clerks at the Monitoring Officer meetings with Clerks that take place on a six monthly basis.

Recommendations

1. That the report and the feedback received in respect of observation visits undertaken by Independent Members be considered and accepted by the Standards Committee
2. That having regard to a previous recommendation of the Committee that for the Town and Community Council meetings where no material considerations have been raised observation visits be undertaken on a biennial basis it be noted that a schedule of observation visits by Independent Members will be arranged to commence from April 2025.
3. That it be accepted that during the period i.e. January 2024 – April 2025 the Monitoring Officer may advise that additional meetings of Town and Community Councils be observed as considered appropriate.

Reason for Recommendations

(1-3) Having regard to the observations undertaken, previous decisions and the role of the Standards Committee.

1. Background

- 1.1 There are a number of roles and functions of the Standards Committee, one of which is:
 - (a) To promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives of the Council.
- 1.2 As part of the Committee's work programme, it was agreed that Independent Members of the Standards Committee would attend meetings of Vale of Glamorgan Council and Town and Community Council (TCC) meetings during the Municipal Year 2020/21 to observe meetings with a view to promoting and maintaining high standards of conduct in line with the Members' Code of Conduct. The proforma is attached at Appendix 1. On 23rd June, 2022, having regard to resourcing implications, it was accepted that as a number of Senior Officers and Democratic Services Officers are present at Vale of Glamorgan Council meetings, that such officers be requested to report to the Monitoring Officer any matters that may require attention and / or suggestions for improvement and that such matters subsequently be reported to the Standards Committee as appropriate. With regard to observation visits to TCCs, on 8th June, 2023 the Committee subsequently agreed that where observations of TCC meetings are advised by Independent Members to have been managed effectively with no material issues identified, observations of such meetings be undertaken on a biennial basis as opposed to on an annual basis.
- 1.3 Feedback reports have been and will continue to be forwarded to the Monitoring Officer and verbal generic updates of the reports presented to the Standards

Committee by the Independent Members on a quarterly basis following the observations. Any observations that require specific discussion with the Chief Executive of the Vale of Glamorgan Council or the Clerk / Chair of a TCC are undertaken by the Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer.

- 1.4** The Monitoring Officer also provides the Clerks with an overview of observations undertaken at the Monitoring Officer and Clerks meetings which are held on a six monthly basis.

2. Key Issues for Consideration

- 2.1** During the period of Coronavirus restrictions Independent observations were undertaken in the main on a virtual basis. However, as TCCs advise what format a meeting will take place within Independent Members have observed meetings as deemed appropriate.
- 2.2** All five of the Independent Members have undertaken observations to date resulting in all 26 TCCs having been visited at least once if not twice since November 2022 to December 2023.
- 2.3** The proforma that is completed by Independent Members following the visits can be found at Appendix 1 to this report for information.
- 2.4** Of the observations undertaken of TCCs between November 2022 – December 2023 an analysis of the proformas used by Independent Members has identified that the majority of meetings observed were conducted and managed well. With Independent Members also noting that in the main the TCC meetings are well structured and purposeful meetings.
- 2.5** Having regard to access to information procedures and the requirements of the Local Government Act 1972, in the main the majority of reports advised that:
- Agendas were received on time for the meetings;
 - Papers were available to the public;
 - Meetings commenced on time;
 - Motions were moved and seconded appropriately;
 - Members of the public being afforded the opportunity to speak at meetings;
 - Rulings by the Chair were adhered to;
 - Respect and courtesy was shown to the Chair and to each other;
 - Where possible Members' names were identified on screen within the virtual platform or introductions were made at the start of the meeting;
 - Meetings were well run and managed.
- 2.6** Following observation visits the comments and /or any concerns of the Independent Members are fed back to the Clerks and / or Chair of the TCCs by the Monitoring Officer and / or Principal Democratic and Scrutiny Services

Officer. The Independent Members also report to the next available Standards Committee meeting following their visits.

- 2.7** In respect of a few TCC meetings where issues were raised by Independent Members, the matters were discussed with the Clerk and / or Chair of the TCC by the Monitoring Officer and / or the Principal Democratic and Scrutiny Services Officer and, if deemed necessary, the Chair of the Standards Committee.
- 2.8** The Monitoring Officer has also drawn attention to generic good practice and areas of concern at the Monitoring Officer meetings with Clerks that are held on a six monthly basis.
- 2.9** The introduction of the programme of observations by Independent Members has been received positively by the Clerks and this has been commented on either at the meetings with the Monitoring Officer and Clerks or directly to Monitoring Officer and / or Principal Democratic and Scrutiny Services Officer. Comments received have included benefits of the process and how the comments have been of assistance. This has also included the sharing of good practice and advice in respect of matters relating to good governance.
- 2.10** The last overview report in March 2022 detailed some examples of matters of concern that had been raised with Clerks and/or Chairs of TCCs such as
- some Councillors did not always adhere to the respective Council's Rules of Procedure;
 - A lack of understanding with regard to Declarations of Interest;
 - Insufficient respect for fellow Councillors;
 - Part II matters being discussed in public;
 - Accessibility of various software platforms used for virtual meetings;
 - Accessibility for a number of Members of the public to attend a physical meeting.
- 2.11** As Members will be aware, following the Local Government Elections in May 2022 Monitoring Officer arranged and attended the Training provided by One Voice Wales, purchased by the Vale of Glamorgan in respect of Ethics and Standards for TCCs in the Vale. Copies of the presentation slides provided were also made available for Members' future use. It being noted that a number of new Town and Community Councillors had been elected at the time.
- 2.12** During the observation visits undertaken since the Local Government elections Independent Members have for the majority of TCCs visited reported very favourable comments on how the meetings were managed and run as reflected in paragraph 2.5 of this report.
- 2.13** Most meetings had been managed very well with Clerks providing advice as appropriately required and not usurping the role of the member. Many Chairs also managed their meetings well with decisions being clearly relayed during the meetings for all to understand.
- 2.14** Although one or two meetings viewed recorded tensions between some Members, a lack of understanding relating to declarations of interest and lack of

clarity with regard to recommendations and decisions made such comments on the whole were only attributed to one or two Councils.

- 2.15** On 8th June, 2023 the Standards Committee had agreed that where poor practice continued, consideration be given for meetings to be arranged for the Chair and Clerk to either attend a meeting of the Standards Committee or a meeting with the Chair of the Standards Committee and Monitoring Officer / Head of Legal and Democratic Services.
- 2.16** Some meetings have been held to date with the Monitoring Officer and Principal Democratic Services Officer and Chairs and Clerks of some of the TCCs where issues have been identified and where necessary the TCCs have been revisited by the Independent Member with further, more favourable reports being received.
- 2.17** Chairs and /or Clerks have also advised that advice provided by the Monitoring Officer and / or Principal Democratic Services Officer will also be taken on board in particular having regard to Agenda planning, the highlighting of personal and /or prejudicial interests and the nature of such interests as well as advising their Members of the importance of seeking advice in advance of a meeting in relation to such interests.
- 2.18** It can therefore be said that observation visits undertaken and the critical friend approach has worked well with further visits to be undertaken on a biennial basis for TCCs where no matters of a material concern have been raised as also agreed by the Committee on 8th June, 2023. However, the Committee also agreed, at that time, that where deemed necessary by the Monitoring Officer, an observation visit of a TCC be undertaken and reported to the Standards Committee as appropriate.
- 2.19** The Annual Report of the Standards Committee also refers to the work undertaken by Independent Members in observing TCC meetings in the interests of promoting and maintaining high standards of Conduct and to the meetings held between the Monitoring Officer and Clerks which also allow for the sharing of good practice and ideas for improvement. A link to the Standards Committee Annual Report can be found [here](#).
- 2.20** The Committee is requested to consider the contents of this report and to make any further comments / recommendations as required.
- 2.21** As mentioned in paragraph 1.2 above, the Standards Committee accepted that as a number of Senior Officers and Democratic Services Officers are present at Vale of Glamorgan Council meetings, that such officers be requested to report to the Monitoring Officer any matters that may require attention and / or suggestions for improvement and that such matters subsequently be reported to the Standards Committee as appropriate.

3. Resources and Legal Considerations

Financial

- 3.1** Members are able to be remunerated for attendance under the allowance scheme agreed by the Independent Remuneration Panel and the Vale of Glamorgan Council's Constitution. Independent Members are able to claim for a maximum of 15 days per annum as detailed within the Council's Constitution.

Employment

- 3.2** Members will be remunerated for attendance under the allowance scheme agreed by the Independent Remuneration Panel and the Vale of Glamorgan Council's Constitution. Independent Members are able to claim for a maximum of 15 days per annum as detailed within the Council's Constitution.

Legal (Including Equalities)

- 3.3** The Council has a duty to establish and maintain a Standards Committee as defined by legislation as set out in the Standards Committees Rules and Regulations 2001 and the Standards Committee (Wales) Amendment Regulations 2006.
- 3.4** 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.

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

- 4.1** 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 is intended that the process adopted within this report will aim to promote that role.

5. Background Papers

None.

OBSERVATIONS CHECKLIST

Observations ofIndependent Member of Standards Committee at Council

Meeting of Town/Community Council on

	Yes	No	N/A	Comments
1. Were you welcomed by the Clerk and seated in the public gallery?				
2. Were Members advised that you were observing the Meeting?				
Room Set Up				
3. From the seating arrangement was it clear who the Members, the Officer(s) and the public were?				
4. Did Members and Officer(s) have name cards identifying who they were?				
5. Was the room well lit?				
6. Could you hear what was being said?				
7. Was the room of an appropriate size?				

	Yes	No	N/A	Comments
8. Were a reasonable number of copies of the agenda available in the public gallery (other than any Part II reports)?				
Meeting				
9. Did the meeting commence on time?				
10. Does the Council have a procedure for public speaking or is there an opportunity to suspend Standing Orders to allow a person to speak?				
Decision Making				
11. Were motions moved and seconded?				
12. If there wasn't agreement by the meeting as a whole was the motion voted on?				
13. Were any amendments moved and seconded?				
14. Were votes on the amended motion taken before the original motion? [A vote on an original motion is only necessary if the vote on an amendment is lost]				

	Yes	No	N/A	Comments
15. Was only one amendment at any given time the subject of discussion prior to taking a vote on the amendment?				
16. Did the meeting follow the agenda?				
17. Were rulings by the Chair adhered to?				
18. If Part II items appeared on the agenda, did Members agree to move into Part II of the agenda?				
19. Were Members of the Public (including the Independent [Standards Committee] Member) asked to leave the meeting room prior to the discussion of Part II matters?				
20. Were there any other items discussed at the meeting without a report being available and no prior notice given?				

	Yes	No	N/A	Comments
Conduct of Members				
21. Did Members show respect and consideration for others?				
22. If a Member declared a personal interest, did the Member explain the nature of the interest?				
23. If a Member declared a personal and prejudicial interest in a report did they leave the Meeting Room during the consideration of the relevant report?				
24. Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak from the Standards Committee? And if so, did the Member leave the Meeting Room having spoken on the matter?				
25. Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak and vote?				

	Yes	No	N/A	Comments
26 What time did the Meeting end?				

Any additional general comments