

Meeting of:	<b>Standards Committee</b>
Date of Meeting:	<b>Monday, 10 June 2024</b>
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Standards Committee meeting with Group Leaders in compliance with the Statutory and Non -Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021 issued June 2023
Purpose of Report:	To provide the Committee with an update following the publication of Welsh Government Statutory and Non–Statutory Guidance.
Report Owner:	Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	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 the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• Having regard to the Local Government and Elections (Wales) Act 2021 Welsh Government provided Interim Guidance on the provisions and duties of the aspects relating to the Standards Committee in May 2022.</li> <li>• In June 2023 Welsh Government published updated Statutory and Non-Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021 which can be found at <a href="https://www.gov.wales/sites/default/files/publications/2023-07/statutory-and-non-statutory-guidance-for-principal-councils-in-wales.pdf">https://www.gov.wales/sites/default/files/publications/2023-07/statutory-and-non-statutory-guidance-for-principal-councils-in-wales.pdf</a>.</li> <li>• The above Guidance covers a number of aspects however the matters specific to the remit of the Standards Committee can be found at sections 4.0, 5.0, 6.0 and 7.0 of Part 2 of the Guidance.</li> </ul>	

## **Recommendations**

1. That the proposals set out in paragraphs 2.6 to 2.10 of this report be considered.
2. That the Group Leader amended proforma attached at Appendix A to this report be noted.

## **Reasons for Recommendations**

1. For Committee's consideration.
2. Having regard to the amendments reflected in the Guidance published in June 2023.

## **1. Background**

- 1.1 Having regard to the Local Government and Elections (Wales) Act 2021 Welsh Government provided Interim Guidance on the provisions and duties of the Act in May 2021.
- 1.2 In June 2023 the Authority received the published Welsh Government Statutory and Non-Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021 which can be found at <https://www.gov.wales/sites/default/files/publications/2023-07/statutory-and-non-statutory-guidance-for-principal-councils-in-wales.pdf>.
- 1.3 This Guidance covers a number of aspects including the guidance for Standards Committees.
- 1.4 The Welsh Government Guidance covers a number of aspects. The Guidance consists of four parts – Part 1 – About this Guidance, Part 2 – Guidance for elected members' support, training and development, Part 3 – Guidance on public participation strategies and petition schemes and Part 4 – Guidance on constitutions and conducting meetings.
- 1.5 Officers have prepared an action plan to address the various aspects of the Guidance for the Council as a whole it being recognised that much of the Guidance remains the same as the interim guidance received in 2022 for the various parts of the Guidance and which have been acted on as appropriate.

## **2. Key Issues for Consideration**

- 2.1 The aspects in the Guidance that fall within the remit of the Standards Committees terms of reference were reported to the last meeting of this Committee on 13<sup>th</sup> July 2023 and can be found at sections 4.0, 5.0, 6.0 and 7.0 of Part 2 of the document.
- 2.2 To assist with the Group Leader duty the Standards Committee approved the proforma to be used and a copy of the proforma approved by the Committee is attached as Appendix A to this report.

## **Meetings with Political Group Leaders**

- 2.3** The Guidance advises that “at the beginning of each council year Political leaders should meet with the standards committee to agree the following:
- How group leaders and the Standards Committee will work together to ensure appropriate standards of behaviour
  - Frequency of meetings between Group Leaders and the Standards Committee throughout the year
  - The threshold which the Standards Committee will use to establish whether it is content that Political Group Leaders have complied with the duties of the 2021 Act
  - The mechanism for Political Group Leaders to provide reports to the Standards Committee about the actions they have taken to comply with the duties within the 2021 Act.
- 2.4** The guidance further advises that it is essential that Leaders of a political group co-operate and ensure that Members within their group co-operate with the Monitoring Officer and Standards Committee when an issue is referred to the Standards Committee.
- 2.5** Leaders of a political group should build good relations and work constructively with the Monitoring Officer seeking advice from them and the Standards Committee on matters of behaviour and conduct when required promoting positive behaviours and addressing inappropriate ones. Group Leaders should also report compliance with their duty to the Standards Committee. Group Leaders should also report any serious concerns about Members’ behaviour which have not been remedied by informal actions in line with the requirement in the Code of Conduct to report such breaches.
- 2.6** If a Member is found by the Standards Committee to be in breach of the Code of Conduct and is disciplined by the Committee, the Leader of the political group must support the action in order to maintain the high standards of conduct expected in public life and the Code. Group Leaders should also observe the Public Services Ombudsman for Wales’ guidance and the Sanctions Guidance issued by the President of the Adjudication Panel for Wales.
- 2.7** In compliance with the Group Leader duty, Group Leaders for the Vale of Glamorgan Council i.e. Labour, Conservative, Plaid Cymru and Llantwit First Independents have been invited to this meeting of the Standards Committee.
- 2.8** With regard to Independent Members, as they are not members of a Group, the Monitoring Officer has agreed to inform Independent Members of any changes / amendments to guidance or processes as required.

### **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 is intended that the process adopted within this report will aim to promote that role with the sharing of good practice.

### **4. Climate Change and Nature Implications**

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

### **5. Resources and Legal Considerations**

#### **Financial**

- 5.1** 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**

- 5.2** 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)**

- 5.3** 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.

### **6. Background Papers**

<b><u>Promoting Compliance With the Code of Conduct</u></b>					
Report by:					
Political Group:					
No. of members:		No. trained on Code:	(Y%) 100%		
For the period:					
<b><u>Number, Source and Level of Complaint(s) / Concern(s)</u></b>					
	<b>Informal</b>	<b>Local Resolution (Stage)</b>			<b>PSOW</b>
		<b>1</b>	<b>2</b>	<b>3</b>	
Public					
Officers					
Councillors					
<b><u>Steps taken to Promote Compliance (To be Completed by Group Leader)</u></b>					
Include matters such as:					
<ul style="list-style-type: none"> <li>- Using influence to support a positive culture, being proactive in promoting high standards of conduct in the group and addressing issues of alleged non – compliance as soon as they arise</li> <li>- demonstrating personal commitment to and attending and participating in relevant development or training around equalities and standards including on the Code of Conduct;</li> <li>- actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct;</li> <li>- ensuring nominees to a Committee have received the recommended training for participating on that Committee;</li> </ul>					

<ul style="list-style-type: none"> <li>- promoting civility and respect within group communications and meetings and in formal Council meetings;</li> <li>- supporting informal resolution procedures in the Council, and working with the Standards Committee and Monitoring Officer to achieve local resolution;</li> <li>- encouraging a culture within the group which supports high standards of conduct and integrity;</li> <li>- attend a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;</li> </ul>
<ul style="list-style-type: none"> <li>- drive forward work to implement any recommendations from the Standards Committee about improving standards;</li> <li>- work with the Standards Committee to proactively identify, consider and tackle patterns of inappropriate behaviour;</li> <li>- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council and when any issues identified involve more than one political group..</li> </ul>

**NB Part 2 section 4.29 of the Welsh Government Statutory and Non-Statutory**

**Guidance states** - Political group leaders will want to ensure they are able to evidence the steps they have taken to help create an environment in which members demonstrate appropriate standards of behaviour, undertake appropriate training and address, with members, instances where standards of behaviour falls short of that expected. It is a matter for individual group leaders how they choose to evidence their compliance with this guidance, but it may include notes of meetings, copies of correspondence, audits of member training on issues such as equality and the Code of Conduct and action taken to address any gaps in that training.

**Dated:**