

Public Document Pack

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Annwyl Cyngorydd,

PWYLLGOR SAFONNAU

Cynhelir Cyfarfod Pwyllgor Safonau Hybrid yn Siambr y Cyngor - Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr, CF31 4WB ar **Dydd Gwener, 7 Gorffennaf 2023** am **09:30**.

AGENDA

1. Ymddiheuriadau am absenoldeb
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008.
3. Cymeradwyaeth Cofnodion 3 - 6
I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 30/09/2022
4. Safonau Ymddygiad 7 - 20
Sylwch fod tri Arweinydd Grŵp gwleidyddol CBS Pen-y-bont ar Ogwr wedi'u gwahodd i fynychu'r cyfarfod ar gyfer yr eitem hon.
5. Adroddiad Blynyddol 21 - 28
6. Adolygiad Annibynnol o'r Fframwaith Safonau Moesegol 29 - 32
7. Fforwm Cenedlaethol Cadeiryddion Pwyllgorau Safonau 33 - 36
8. Anrhegion a Lletygarwch 37 - 40
9. Sylwadau Pwyllgor Safonau Bro Morgannwg 41 - 46
10. Materion Brys

Ffôn/Tel: 01656 643643

Negeseuon SMS/ SMS Messaging: 07581 157014

Facs/Fax: 01656 668126

Twitter@bridgendCBC

Ebost/Email: talktous@bridgend.gov.uk

Gwefan/Website: www.bridgend.gov.uk

Cyfnwidi testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod i ni os yw eich dewis iaith yw'r Gymraeg

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh

I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (pharagraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.

Nodyn: Bydd hwn yn gyfarfod Hybrid a bydd Aelodau a Swyddogion mynychu trwy Siambr y Cyngor, Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr / o bell Trwy Timau Microsoft. Bydd y cyfarfod cael ei recordio i'w drosglwyddo drwy wefan y Cyngor. Os oes gennych unrhyw gwestiwn am hyn, cysylltwch â cabinet_committee@bridgend.gov.uk neu ffoniwch 01656 643148 / 643694 / 643513 / .643696

Yn ddiffuant

K Watson

Prif Swyddog, Gwasanaethau Cyfreithiol a Rheoleiddio, AD a Pholisi Corfforaethol

Dosbarthiad:

Cynghorwyr

MJ Williams

G Thomas

Cynghorwyr

Mr P Clarke

Mrs J Kiely

Cynghorwyr

Mr C Jones OBE

G Walter

Presennol

Y Cynghorydd Mr C Jones OBE – Cadeirydd

MJ Williams
Mr J Baker

G Thomas
G Walter

Mr P Clarke

Mrs J Kiely

Swyddogion:

Rachel Keepins
Julie Ellams
Kelly Watson

Rheolwr Gwasanaethau Democrataidd
Swyddog Gwasanaethau Democrataidd - Pwyllgorau
Prif Swyddog – Gwasanaethau Cyfreithiol, Adnoddau Dynol a
Rheoleiddio

105. DATGANIADAU O FUDDIANT

Datganodd y Cynghorydd M Williams ddiddordeb personol yn eitem 4, Safonau Ymddygiad gan ei fod yn briod ag un o Arweinwyr y Grwpiau.

Datganodd y Cynghorydd G Walter ddiddordeb niweidiol yn Eitem 11, Cymeradwyo Cofnodion Eithriedig gan fod pwnc yr atgyfeiriad yn gyfaill personol agos. Felly gadawodd y cyfarfod pan gafodd yr eitem hon ei hystyried.

106. CYMERADWYO COFNODION

PENDERFYNWYD: Bod cofnodion cyfarfod yr Is-bwyllgor Trwyddedu dyddiedig 21 Medi 2021, yn cael eu cymeradwyo fel cofnod gwir a chywir

107. SAFONAU YMDDYGIAD

Cyflwynodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio adroddiad yn cyflwyno'r Pwyllgor i'r dyletswyddau newydd o dan Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 mewn perthynas ag arweinwyr grwpiau gwleidyddol yn cymryd camau i hyrwyddo a chynnal safonau ymddygiad uchel eu haelodau.

Eglurodd y Prif Swyddog Cyfreithiol, AD a Gwasanaethau Rheoleiddiol ei bod yn ofynnol i Arweinwyr Grwpiau adrodd ar gydymffurfiaeth â'u dyletswydd i'r Pwyllgor Safonau. Dylai Arweinwyr Grwpiau adrodd unrhyw bryderon difrifol am ymddygiad aelodau nad oedd wedi'i unioni gan weithredoedd anffurfiol hefyd, yn unol â'r gofyniad yn y Cod i gynghorwyr roi gwybod am dorri amodau. Argymhellwyd bod Arweinwyr Grwpiau gwleidyddol y Cyngor a'r Pwyllgor Safonau yn cytuno ar ffurf ac amllder adroddiadau gan bob Arweinydd Grŵp i'r Pwyllgor. Yna dylai'r Pwyllgor ystyried pob adroddiad a rhoi adborth i Arweinwyr Grwpiau. Felly, roedd Cadeirydd y Pwyllgor Safonau wedi gwahodd y tri Arweinydd Grŵp i fynychu cyfarfod y Pwyllgor ar gyfer yr eitem hon.

Ychwanegodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio fod hyfforddiant gan hwylusydd allanol ar y dyletswyddau newydd wedi eu trefnu ar gyfer y Pwyllgor ac Arweinwyr Grwpiau cyn y cyfarfod ar 30 Medi 2022.

Bu Arweinwyr Grwpiau a'r Pwyllgor yn trafod a chytuno ar ffordd ymlaen ar gyfer adrodd i'r Pwyllgor Safonau.

PENDERFYNWYD: Nododd y Pwyllgor Safonau yr adroddiad a chytunodd:

- Fod y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio yn paratoi datganiad ar y cyd gan y 3 Arweinwyr Grŵp i hyrwyddo'r dyletswyddau newydd i'w dosbarthu i Arweinwyr Grwpiau eu cymeradwyo cyn cael eu dosbarthu i'r holl Aelodau ynghyd â'r sleidiau hyfforddi o'r Arweinyddiaeth mewn Hyfforddiant Safonau.
- Templed safonol ar gyfer cyflwyno adroddiad i'w gyflwyno i'r Pwyllgor Safonau bob 6 mis o bob Grŵp unigol. Mae pob adroddiad i gynnwys manylion presenoldeb mewn sesiynau hyfforddi gorfodol, cwynion a gwybodaeth berthnasol arall.
- Mae'r adroddiadau i'w rhannu gyda'r Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio cyn cael eu cyflwyno i'r Pwyllgor Safonau. Yr Arweinwyr Grwpiau unigol i fynychu'r Pwyllgor Safonau pan fydd yr adroddiadau'n cael eu hystyried.

108. **DIWYGIADAU I'R PWYLLGOR SAFONAU CYLCH GORCHWYL**

Cyflwynodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio adroddiad yn hysbysu'r Pwyllgor am ddiwygiadau i'r Pwyllgor Safonau Cylch Gorchwyl o ganlyniad i Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 a ddaeth i rym ar 5 Mai 2022.

Esboniodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio rai o ofynion Deddf 2021 sy'n berthnasol i'r Pwyllgor Safonau a ddaeth i rym ar 5 Mai 2022 gan gynnwys manylion yr adroddiad blynyddol i'r Awdurdod. Byddai'r canllawiau terfynol yn cael eu hadrodd i gyfarfod o'r Pwyllgor yn y dyfodol. Bu'r Pwyllgor yn ystyried a nodi'r darpariaethau a amlinellir ym mharagraff 4.1 a nododd y byddai'r darpariaethau diwygiedig hyn yn cael eu hymgorffori yn y cyfansoddiad model newydd i'w gymeradwyo'n ffurfiol gan y Cabinet a'r Cyngor.

Awgrymodd aelod y dylen nhw osod fframwaith i'r Adroddiad Blynyddol gynnwys mesurau y gellid rhoi gwybod amdany'n nhw'n gyson er mwyn monitro cynnydd o amgylch materion fel hyfforddiant a nifer y cyfeiriadau.

Cadarnhaodd y Prif Swyddog Cyfreithiol, Adnoddau Dynol a Gwasanaethau Rheoleiddiol y byddai'n dod ag adroddiad i'r gyfarfod nesaf ynghylch fframwaith ar sail adroddiadau gan yr Arweinwyr Grwpiau bob 6 mis. Byddai hefyd yn edrych ar y cyfarfodydd a gafodd eu trefnu ar gyfer y Cyngor llawn i weld pryd y byddai'n fwyaf priodol adrodd yn ôl.

Dywedodd aelod ei fod ar gael i helpu gyda datblygu'r fframwaith ar gyfer yr Adroddiad Blynyddol os oes angen.

PENDERFYNWYD: Nododd y Pwyllgor yr adroddiad a chytunwyd bod adroddiad yn cael ei gyflwyno i gyfarfod nesaf y Pwyllgor Safonau yn darparu fframwaith ar gyfer yr Adroddiad Blynyddol ac amserlen ar gyfer adrodd i'r Cyngor.

109. **PENODI I'R PWYLLGOR SAFONAU**

Bu'r Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio yn cynghori'r Pwyllgor am faint ac aelodaeth Pwyllgor Safonau'r Cyngor a'r cynigion i benodi Aelod Annibynnol (cyfetholedig) i'r Pwyllgor. Eglurodd mai dim ond pan fyddai o leiaf dri Aelod, gan gynnwys y Cadeirydd, yn bresennol y byddai cworwm mewn cyfarfod o'r Pwyllgor Safonau; ac roedd o leiaf hanner yr Aelodau oedd yn bresennol (gan

gynnwys y Cadeirydd) yn Aelodau Annibynnol. Roedd hyn yn rhoi baich rhy drwm ar yr Aelodau Annibynnol, a'r pwyllgor mewn perygl o beidio â chael niferoedd digonol neu ofynnol (cworwm) ar gyfer cyfarfodydd. Ar 20 Gorffennaf 2022, cymeradwyodd y Cyngor y dylid cynyddu aelodaeth y Pwyllgor i wyth Aelod a phenodi Aelod Annibynnol ychwanegol (wedi'i gyfethol) i'r Pwyllgor. Cynigiwyd bod y Swyddog Monitro yn mynd drwy'r broses arferol o hysbysebu'r lle gwag mewn dau bapur newydd sy'n cylchredeg yn yr ardal a bod Panel (sy'n cynnwys dim mwy na phum Aelod ac o leiaf un Aelod Annibynnol ac un Aelod o'r Cyngor Tref a Chymuned) yn ymgynnull i ystyried ceisiadau a chynnal cyfweiliadau. Yn dilyn cyfweiliadau, byddai'r Panel yn gwneud argymhelliad ar y penodiad i'r Cyngor.

Gofynnodd yr Aelodau am ragor o wybodaeth ynghylch y newidiadau diweddar mewn perthynas â'r terfyn amser o 12 mis, y sefyllfa ynglŷn â Chynghorwyr Tref a Chymuned a phe byddai un yn cael ei benodi'n Aelod Annibynnol, a fyddai'n bosibl ei benodi am dymor olynol. Cytunodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio i roi rhai canllawiau at ei gilydd i'w dosbarthu cyn hysbysebu'r lle gwag. Pan fyddai'n cael ei hysbysebu, byddai fel arfer yn cael ei anfon at Gynghorau Tref a Chymuned i'w ddsbarthu drwy eu rhwydweithiau.

PENDERFYNWYD: Bod y pwyllgor wedi nodi'r adroddiad. Cytunodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio i ddsbarthu canllawiau wedi'u diweddarau mewn perthynas â Chynghorau Tref a Chymuned a Thelerau Swydd.

110. **LLYTHYR BLYNYDDOL YR OMBWDSMON 2021 - 2022**

Cyflwynodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio Llythyr Blynyddol yr Ombwdsmon ar gyfer 2021-2022. Esboniodd fod Ombwdsmon Gwasanaethau Cyhoeddus Cymru (PSOW) yn annibynnol o holl gyrrff y llywodraeth a bod gan y corff bwerau cyfreithiol i ymchwilio i gwynion am wasanaethau cyhoeddus a darparwyr gofal annibynnol yng Nghymru. Mae'n ymchwilio i gwynion bod Aelodau cyrrff llywodraeth leol wedi torri Cod Ymddygiad eu hawdurdod hefyd. Mae'r PSOW yn adrodd yn flynyddol ar nifer y cwynion yn erbyn cyrrff cyhoeddus sy'n cael eu derbyn gan ei swyddfa.

Adroddodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio nifer y cwynion yn erbyn yr Awdurdod, sut roedd hyn o'i gymharu â'r flwyddyn flaenorol a chanlyniad y cwynion.

Mynegodd aelod bryder am nifer y cwynion Cynghorau Tref a Chymuned ac yn arbennig y ffaith nad oedd unrhyw sylwedd gan un o'r 21. Roedd yn pryderu bod y broses gwynion yn cael ei "arfogi". Cyfeiriodd at Gynghorydd a fu'n destun nifer o gwynion dros rai blynyddoedd nad oedd wedi mynd ymhellach ond a oedd wedi achosi gofid mawr i'r Cynghorydd hwnnw. Gofynnodd i'r pwynt hwnnw gael ei nodi a'i fod yn gobeithio bod cyd-Gynghorwyr yn cydnabod y broblem ac o bosib, o dan y dyletswyddau newydd y gallai Arweinwyr Grwpiau fynd i'r afael â'r mater hwn.

PENDERFYNWYD: Nododd y Pwyllgor y Llythyr Blynyddol a oedd ynghlwm fel Atodiad 1 i'r adroddiad.

111. **PANEL DYFARNU CYMRU - PENDERFYNIAD COD YMDDYGIAD**

Hysbysodd Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio y Pwyllgor o benderfyniad Tribiwnlys Achos diweddar Panel Dyfarnu Cymru (APW) mewn perthynas â'r cyn-Aelod Gordon Lewis.

Esboniodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio fod gan y Panel Dyfarnu Cymru ddwy swyddogaeth statudol mewn perthynas â thorri Cod Ymddygiad yr Aelodau:

- Ffurio tribiwnlysoedd achos neu dribiwnlysoedd achos interim i ystyried cyfeiriadau gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru ("yr Ombwdsmon") yn dilyn ymchwiliad i honiadau bod Aelod wedi methu â chydymffurfio â Chod Ymddygiad Aelodau eu Hawdurdod; ac
- Ystyried apeliadau gan Aelodau yn erbyn penderfyniadau Pwyllgorau Safonau Awdurdodau Lleol y gallan nhw fod wedi torri Cod Ymddygiad Aelodau.

Esboniodd y Prif Swyddog Gwasanaethau Cyfreithiol, Adnoddau Dynol a Rheoleiddio, drwy lythyr dyddiedig 17 Mawrth 2022, fod Panel Dyfarnu Cymru wedi derbyn atgyfeiriad gan yr Ombwdsmon mewn perthynas â honiadau a gafodd eu gwneud yn erbyn y cyn-Aelod Gordon Lewis. Penderfynodd y Tribiwnlys Achos ei feirniadaeth ar sail y papurau yn unig, mewn cyfarfod ar 10 Mehefin 2022, a gynhaliwyd drwy gyfrwng technoleg presenoldeb o bell. Daeth y Tribiwnlys Achos i benderfyniad unfrydol fod yr Ymatebydd yn ddarostyngedig i'r Cod Ymddygiad ("y Cod") o Gyngor Tref Pencoed ar yr adeg berthnasol. Yn ôl paragraff 6(1)(a) o'r Cod ni ddylai Aelod ei gynnal ei hun mewn modd y gellid ei ystyried yn rhesymol fel un sy'n dwyn anfri ar ei swydd neu ei awdurdod. Canfu'r Tribiwnlys Achos fod yr Ymatebwr wedi methu â chydymffurfio â pharagraff 6(1)(a) o'r Cod, ar ôl cwblhau gwaith papur etholiadol yn fwriadol neu'n ddi-hid a ddatganodd ar gam ei fod yn gymwys i sefyll etholiad yn 2018, ac wedi parhau i weithredu fel Aelod er iddo gael ei anghymhwysio rhag cael ei ethol. Daeth y Tribiwnlys Achos i'r casgliad drwy benderfyniad unfrydol fod yr Ymatebydd yn cael ei anghymhwysio am gyfnod o 24 mis o fod, neu ddod, yn aelod o Gyngor Tref Pencoed neu o unrhyw awdurdod berthnasol arall o fewn ystyr Deddf Llywodraeth Leol 2000 gydag effaith o ddyddiad yr Hysbysiad.

PENDERFYNWYD: Nododd yr aelodau adroddiad a phenderfyniad Panel Dyfarnu Cymru.

112. **EITEMAU BRYD**

Dim

113. **GWAHARDD Y CYHOEDD**

PENDERFYNWYD: O dan Adran 100A (4) o Ddeddf Llywodraeth Leol 1972 fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, dylid gwahardd y cyhoedd o'r cyfarfod wrth ystyried yr eitem fusnes ganlynol gan ei bod yn cynnwys gwybodaeth eithriedig fel y'i diffinnir ym Mharagraff 12 o Ran 4 o Atodlen 12A a pharagraff 21 o Ran 5 o Atodlen 12A o'r Ddeddf.

Yn dilyn cymhwysio prawf budd y cyhoedd penderfynwyd yn unol â darpariaethau'r Ddeddf y cyfeirir atynt uchod, i ystyried yr eitem a grybwyllwyd yn breifat gyda'r cyhoedd yn cael eu heithrio o'r cyfarfod, gan y byddai'n cynnwys y datgeliad iddynt o wybodaeth eithriedig fel y nodir uchod.

114. **CYMERADWYO COFNODION EITHRIEDIG**

Bod cofnodion eithriedig cyfarfod y Pwyllgor Safonau dyddiedig 23 Mehefin 2022 yn cael eu cymeradwyo fel cofnod gwir a chywir.

Agenda Item 4

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	7 JULY 2023
Report Title:	STANDARDS OF CONDUCT
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	To receive reports from the political Group Leaders in the Council outlining their compliance with their duties in relation to high standards of conduct.

1. Purpose of Report

- 1.1 To present to the Standards Committee the reports of the three political Group Leaders of the Council outlining their compliance with their duties in relation to high standards of conduct.

2. Background

- 2.1 On 30 September 2022 the Committee received a report on the new duties placed upon Standards Committees and political Group Leaders under the Local Government and Election (Wales) Act 2021.
- 2.2 A new duty under the Act is placed on the leaders of political groups to take steps to promote and maintain high standards of conduct of their members. Under the Local Government (Committees and Political Groups) Regulations 1990 a political group is constituted where the Proper Officer is notified of two or more members who wish to be treated as a political group, the name of the group and the name of the one member of the group who is to act as its leader. At the Annual Meeting on 18 May 2022, the Proper Officer was informed in writing of the following political groups and leaders:
 - Labour – Group Leader: Cllr Huw David, Leader of the Council
 - Bridgend County Independents – Group Leader: Cllr Amanda Williams
 - Democratic Alliance Group – Group Leader: Cllr Ross Penhale-Thomas
- 2.3 The duty recognises those in positions of leadership and influence within a principal council should have responsibility for combating bullying and harassment amongst elected members and council staff, and must act as a positive role model. Among

other things, this duty is designed to support Welsh Government's diversity in democracy agenda and actions in its Race Equality Action Plan. The 2021 Act also requires that a leader of a political group, must co-operate with the Standards Committee in the exercise of the Committee's functions.

- 2.4 Standards Committees play an important role in supporting members, individually and collectively, to develop and maintain a culture which embraces high standards of conduct. The 2021 Act also extends the specific functions of a Standards Committee to include monitoring compliance by leaders of political groups with the new duty imposed on them by the Act to promote and maintain high standards of conduct by members of their group.

3. Current situation / proposal

- 3.1 Group Leaders are required to report compliance with their duty to the Standards Committee. This could take the form of a short letter or report at a frequency agreed by the political Group Leaders in the Council and its Standards Committee. Group Leaders should also report any serious concerns about members' behaviour which has not been remedied by informal actions, in line with the requirement in the Code for councillors to report breaches. The Council's political Group Leaders and the Standards Committee have previously agreed on the form and frequency of a report from each Group Leader to the Committee.
- 3.2 It is recommended that the Committee consider each report submitted by the Group Leaders (attached as **Appendices 1-3**) and provide feedback. The Chair of the Standards Committee has therefore invited the Group Leaders to attend the Committee meeting on 7 July 2023. The Chair may also wish to meet with Group Leaders privately and periodically to review behaviour.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

8.1 There are no financial implications arising from this report.

9. Recommendation

9.1 It is recommended that the Committee consider the reports attached as Appendices 1-3 and provide feedback.

Background documents:

None

This page is intentionally left blank

<u>Promoting Compliance With the Code of Conduct</u>			
Report by:	Cllr Amanda Williams		
Political Group:	Bridgend County Independents		
No. of members:	13	No. trained on Code:	13 (100%)
For the period:	7 th May 2022 to 14 th June 2023		
<u>Number, Source and Level of Complaints</u>			
	Informal	Local Resolution	PSOW
Public		1 (not upheld)	2 (not investigated)
Officers			
Councillors			
<u>Steps taken to Promote Compliance (To Be Completed by Group Leader)</u>			
Include matters such as:			
<ul style="list-style-type: none"> - demonstrating personal commitment to and attending relevant development or training around equalities and standards; - encouraging group members to attend relevant development or training around equalities and standards; - ensuring nominees to a Committee have received the recommended training for that Committee; 			
<p>It has been a difficult first year for some members of my group in that they have been targeted via online trolling, sharing of fake news, vexatious complaints and I have been provided with evidence that some of my group should be pursued until they are tipped over the edge by members and supporters of a political party. It has been extremely distressing and has impacted greatly on the mental health of some of my group members. Fortunately, none of the complaints in their capacity as BCBC councillors have been taken forward with the Public Services Ombudsman or monitoring officer. Unfortunately, there have been more complaints in their capacity as a Town/Community Councillor, and whilst is not relevant for the purpose of</p>			

this report, I do feel it impacts on their BCBC role and could affect the reputation of BCBC given that the public don't always differentiate between the two. Unfortunately, these individuals who continue to troll are fired up by an inherent dislike of the Bridgend County Independents group and so I do not feel that this will change. I simply continue to remind my group not to engage. Politics has changed over the years with social media making it easier to attack others from behind a screen and so all BCBC members need to work together to protect ourselves and I have asked the leader and chief executive to meet with South Wales Police to look at ways of ensuring all councillors feel safe and supported.

As the majority of my group are new members they have attended as much training as possible in order to gain better understanding. They have also all agreed to complete a PDR to consider other areas of learning that may be beneficial. These have commenced. Although I am a returning member, I have attended many of these training sessions to refresh my memory and to also provide support to my group. I regularly encourage all my group to attend training and if any member cannot, due to other commitments, then they will often watch the recording. In addition, I have put forward some areas of training that my group members have suggested would be beneficial to them.

- promoting civility and respect within group communications and meetings and in formal Council meetings;
- promoting informal resolution procedures in the Council, and working with the Standards Committee and monitoring officers to achieve local resolution;
- promoting a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;

We have a monthly group meeting where we have an open and honest discussion as a group, however, I have an open-door policy where any member can contact me for advice or to discuss issues as needed.

Civility and respect are core and I strongly believe that this has improved greatly over the past 12 months. Sometimes eagerness for an issue to be resolved has seen individuals sending passionate emails and many chasers, however, if I feel that the email is too pointed then I will discuss it with the group member.

I also continuously remind my group about what they say and share on social media and if I see a group post that I am not 100% content with then I will make sure it is removed. I believe that there have been vast improvements in the tone of social media posts. If the monitoring officer also raises a concern with me then I discuss it further with the individual in order for them to understand how some messages can be perceived.

I also attend a monthly group leaders meeting and a monthly meeting with the Chief Executive where we can discuss openly and frankly any concerns about behaviour and comments made and also work on building relationships. I have also had several meetings with Cllr Huw David regarding relationships between our two groups and we have both always agreed to resolve issues directly, reminding our groups of this rather than submitting ombudsman complaints. Whilst I am only responsible as a group leader for the 13 BCBC members in my group, I do also relay this to the wider group of independent town and community councillors and provide them with support also as outlined above, their actions also can affect the reputation of BCBC.

- work to implement any recommendations from the Standards Committee about improving standards;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council.

I am more than happy to implement any recommendations put forward to me.

I am also grateful to both of the other group leaders Cllr Ross Thomas and Cllr Huw David for their openness with me and I genuinely believe that we have a good relationship and are all committed to working together to promote the values set out above and ensure that there is a high standard of conduct.

This page is intentionally left blank

<u>Promoting Compliance With the Code of Conduct</u>			
Report by:	Cllr Ross Penhale-Thomas		
Political Group:	Democratic Alliance (DA)		
No. of members:	8	No. trained on Code:	8 (100%)* (*one member from late in previous term)
For the period:	October 2022 – June 2023		
<u>Number, Source and Level of Complaints</u>			
	Informal	Local Resolution	PSOW
Public	0	0	0
Officers	0	0	0
Councillors	0	0	0
<u>Steps taken to Promote Compliance (To Be Completed by Group Leader)</u>			
Include matters such as:			
<ul style="list-style-type: none"> - demonstrating personal commitment to and attending relevant development or training around equalities and standards; - encouraging group members to attend relevant development or training around equalities and standards; - ensuring nominees to a Committee have received the recommended training for that Committee; 			
<p><i>The Democratic Alliance (DA) group consists of 50% new members and 50% returning members, some of whom have served a number of terms successively.</i></p> <p><i>Members use their digital calendars accordingly and have attended a wide spectrum of training and briefing sessions (e.g. Corporate Plan, treasury management) together with training relevant to their specific committees, particularly specialist training such as development control or appeals for e.g.</i></p> <p><i>All members have attended Code of Conduct training.</i></p>			

<p><i>As Group Leader, I attend training sessions where my work commitments allow. I also sit on the Cabinet Committee – Equalities.</i></p>
<ul style="list-style-type: none"> - promoting civility and respect within group communications and meetings and in formal Council meetings; - promoting informal resolution procedures in the Council, and working with the Standards Committee and monitoring officers to achieve local resolution; - promoting a culture within the group which supports high standards of conduct and integrity; - attend a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;
<p><i>I am pleased to report that no member of the DA Group has had a complaint raised against them – whether informally or otherwise.</i></p>
<ul style="list-style-type: none"> - work to implement any recommendations from the Standards Committee about improving standards; - work together with other group leaders, within reason, to collectively support high standards of conduct within the Council.
<p><i>I remain committed as Group Leader to working with the Standards Committee, as per the resolution on 30 September 2022, throughout this term in an effort to promote high stands of conduct in public office.</i></p> <p><i>I continue to meet with fellow Group Leaders on a monthly basis to discuss a range of operational, strategic and other issues in a transparent and collegiate manner.</i></p>

Promoting Compliance With the Code of Conduct

Report by:	Huw David		
Political Group:	Labour Group		
No. of members:	26	No. trained on Code:	100 %
For the period:	May 2022 – April 2023		

Number, Source and Level of Complaints

	Informal	Local Resolution	PSOW
Public	0	0	1
Officers	0	0	0
Councillors	0	0	1

Steps taken to Promote Compliance (To Be Completed by Group Leader)

Include matters such as:

- demonstrating personal commitment to and attending relevant development or training around equalities and standards;
- encouraging group members to attend relevant development or training around equalities and standards;
- ensuring nominees to a Committee have received the recommended training for that Committee;

I attend as many training and development sessions as I can to set up a good personal example.

When notified of any individual needs I have reminded individual members of the need to complete any training or development.

Long serving members are reminded of the need to undertake refresher training and that often changes in the law, in regulation and in policy require members who may have been trained in the past to require further training.

I am aware of two complaints about members of the group. One was made to the Ombudsman and was not investigated, the case was closed and there was no criticism of the member. A complaint about a second member to the Ombudsman is currently being investigated.

Group Members are required to advise me of any complaints made against them.

- promoting civility and respect within group communications and meetings and in formal Council meetings;
- promoting informal resolution procedures in the Council, and working with the Standards Committee and monitoring officers to achieve local resolution;
- promoting a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;

I regularly remind member of the Group to maintain the highest level of integrity and conduct and show civility and respect towards council employees, the public and colleague members.

To set the right example I personally always strive to show civility and respect to everyone that I have contact with in my role as Leader.

My advice to members is always to seek and follow the professional advice of the Monitoring Officer as the statutory officer if that member has any queries or issues about conduct.

- work to implement any recommendations from the Standards Committee about improving standards;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council.

We have discussed in Group Leaders meetings how we can support high standards and recognise and support each other as Group Leaders in that shared effort and goal.

Agenda Item 5

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	7 JULY 2023
Report Title:	ANNUAL REPORT
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	As soon as possible after the end of each financial year, the Standards Committee must make an annual report to the Council.

1. Purpose of Report

- 1.1 The purpose of the report is for the Standards Committee to receive the Annual Report for 2022/23 to be presented to full Council.

2. Background

- 2.1 In accordance with Section 8.7 of the Constitution the Committee must prepare an annual report to include:

- a description of how the Committee has discharged its functions;
- a summary of any reports and recommendations that were referred to the Standards Committee under Chapter 3 of Part 3 of the Local Government Act 2000;
- a summary of the actions that the Committee has taken following consideration of the reports and recommendations referred to in (b) above;
- a summary of any notices that were given to the Standards Committee under Chapter 4 of Part 4 of the Local Government Act 2000;
- the Committee's assessment of the extent to which leaders of political groups on the Council have complied with their duties to promote and maintain high standards of conduct by members of their group and to cooperate with the Committee in the exercise of its functions;
- any recommendations which the Committee considers it appropriate to make to the Council about any matters which falls within the Committee's functions.

3. Current situation / proposal

- 3.1 The Annual Report for 2022/23 is attached as **Appendix 1**.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

- 6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

- 8.1 There are no financial implications arising from this report.

9. Recommendation

- 9.1 It is recommended that the Committee receive the Annual Report for 2022/23 to be presented to full Council.

Background documents:

None

Standards Committee Annual Report – 2022/23

Foreword by the Chair

As Chair of the Standards Committee (“the Committee”) I am pleased to present the Annual Report for the period 1 April 2022 to 31 March 2023. This report covers the Committee’s core responsibilities and outlines the work undertaken in 2022/23.

The work of the Committee would be harder and less effective without the support and contributions of the Members. I would particularly like to offer my sincere condolences to the family and friends of our former member Mr Jeff Baker. Jeff was appointed to the Committee back in 2016 and was dedicated to the Committee over the many years of his service.

With the advent of the coronavirus pandemic, the arrangements for delivering Council services had to be rapidly changed. This included arrangements for the introduction of virtual meetings. Alongside this, officers had to quickly develop procedure rules and guidance to take account of this change. I’m pleased to say that these rules are in place and continue to be working well with the Council now operating a hybrid model for all committee meetings.

We are committed to promoting and maintaining high standards of conduct across the Bridgend County. Our membership provides a healthy mix of Borough and Town and Community Council representation together with the independence of our Co-opted Members in order to deliver professional and high quality support to the work of Bridgend Council.

I have pleasure in presenting the 2022/23 report.

Clifford Jones, OBE

Chair, Standards Committee

Membership

The Standards Committee is made up of Independent Members, one Town and Community Council representative and two County Borough Councillors. These are:

Independent Members:

Clifford Jones OBE,

Philip Clarke,

Judith Kiely

Jeff Baker

Town and Community Council representative:

Cllr Gavin Thomas

Borough Councillors:

Cllr Martin Williams

Cllr Graham Walter

Bridgend County Borough Council

This is the Annual Report of the Standards Committee for 2022/23. The Committee seeks to promote and maintain high standards of conduct across the Council. Under Section 63 of the Local Government and Elections (Wales) Act 2021 the Committee must make an annual report to the Authority describing how the Committee's functions have been discharged during the financial year.

The Roles of the Standards Committee

The role and functions of the Committee are set out within Section 8 of the Council's Constitution. This covers such matters as:

- Promoting and maintaining high standards of conduct by Councillors and Co-opted Members
- Monitoring the Council's Whistleblowing Policy
- Considering reports submitted by the Monitoring Officer and the Public Services Ombudsman for Wales
- Monitoring the operation of the Members' Code of Conduct
- Granting dispensations in accordance with the Regulations
- Monitoring compliance by leaders of political groups on the Council with their duties to promote and maintain high standards of conduct by the members of the group.

The Standards Committee generally meets quarterly throughout the year.

Recruitment

On 20 July 2022, Council approved that the membership of the Committee be increased to eight Members and an additional Independent Member (co-opted) be appointed to the Committee. At the meeting of the Standards Committee on 26 September 2022, approval was given for commencing a new recruitment process for the appointment of an Independent Member to the Committee.

Work of the Committee

Our work during 2022/23 has continued to centre on the following main areas:

Maintaining high standards

The Council has ensured that Members have been trained to understand:

- Members' Code of Conduct
- Importance of the Register of Member Interests. The declaration of interest forms are published on the Council's website
- The Investigation of Complaints and a local hearing procedure

Constitution

The task of maintaining an up to date and current Constitution has continued in consultation with the Democratic Services Working Group, especially in light of the Local Government and Elections (Wales) Act 2021. The current Constitution was approved by Council in October 2022 and is available on the Council's website.

Monitoring compliance by leaders of political groups

The provisions in the Local Government and Elections (Wales) Act 2021 build on this by supporting a culture where members have a responsibility to act in a manner which respects and values all people. A duty under the Act is placed on the leaders of political groups to take steps to promote and maintain high standards of conduct of their members. Under the Local Government (Committees and Political Groups) Regulations 1990 a political group is constituted where the Proper Officer is notified of two or more members who wish to be treated as a political group, the name of the group and the name of the one member of the group who is to act as its leader. At the Annual Meeting on 18 May 2022, the Proper Officer was informed in writing of the following political groups and leaders:

- Labour – Group Leader: Cllr Huw David, Leader of the Council
- Bridgend County Independents – Leader of Largest Opposition Group: Cllr Amanda Williams
- Democratic Alliance Group – Group Leader: Cllr Ross Penhale-Thomas

The three group leaders were invited to the meeting of the Committee on 30 September 2022 and training on the duty was arranged for the Committee and Group Leaders in September 2022 by an external facilitator as the Committee has new functions under the 2021 Act to ensure group leaders have access to advice and training to support their new duties.

Looking ahead, a report will be prepared and submitted to the Committee every 6 months from each individual Group including details of attendance at mandatory training sessions, complaints and other relevant information. The reports will be shared with the Monitoring Officer prior to being submitted to the Committee and individual Group Leaders will be invited to attend the Committee when their reports are being considered.

Code of Conduct Complaints

For 2022/23 there have been 5 Code of Conduct Complaints closed by the Public Services Ombudsman for Wales (PSOW) with the subject matters relating to selflessness and stewardship, promotion of equality and respect and the duty to uphold the law. For all 5 cases a decision was taken not to investigate.

There is currently one 'live' case ongoing which has been issued by the PSOW under Section 69 of the Local Government Act 2000. The allegations relate to the Councillor bringing the Council into disrepute and using their official capacity and

position improperly to confer on or secure for themselves an advantage. The case will be investigated at a future meeting of the Committee.

Town and Community Council Code of Conduct Complaints:

Town/Community Council	Decision not to investigate	No action necessary
Brackla Community Council	3	0
Bridgend Town Council	5	1
Coity Higher Community Council	0	0
Laleston Community Council	0	0
Llangynwyd Middle Community Council	0	0
Maesteg Town Council	9	0
Newcastle Higher Community Council	0	0
Pencoed Town Council	0	0
Porthcawl Town Council	4	1
Ynysawdre Community Council	2	0

Local Resolution Process

The Standards Committee notes that the Local Resolution Protocol adopted by the Council continues to provide a helpful process for resolving relatively 'low-level' behavioural complaints made by County Borough Members about other Members, in a timely and proportionate way.

Dispensations

The Standards Committee has statutory power to grant dispensations to Members with a personal and prejudicial interest in a matter, to allow them to participate in a decision regarding that matter, in appropriate circumstances, which are set out in statutory regulations.

No individual dispensations were granted to Members of the Council to allow them to speak and vote on any matter before the Council and / or Committee. However, the general dispensation is always kept under review.

Other Activities

In addition to the above activities the Standards Committee also:

- Received and considered case decisions of the Adjudication Panel for Wales
- Received and noted the Ombudsman's Annual Report for 2021-22
- Noted the Welsh Government consultation on the standards of conduct draft statutory guidance for Leaders of political groups
- Received and considered the revised Terms of Reference of the Committee following the Local Government and Elections (Wales) Act 2021

Looking ahead

Looking ahead, much of the work of the Committee is demand led.

- The largest change anticipated for 2023 will be the recommendations following the independent review of Ethical Standards Framework (Richard Penn, report author).
- The Committee will identify and support provision of regular training and refresher events for Elected Members of the Council (particularly on the importance of the new duties on Group Leaders under the 2021 Act).
- Observation of Council and Committee Meetings – the Standards Committee will continue to observe proceedings at Council and Committee meetings to give feedback on observations and inform its work priorities.
- Meetings with Group Leaders - to facilitate ongoing engagement with representatives from all political groups and to identify how the approach code of conduct matters in their political groups
- Code of Conduct, Member Training and Development – the Standards Committee will consider the need for any further training on the Members' Code of Conduct focussing on Town and Community Councils
- Gifts and Hospitality - to review the Councils procedures for the acceptance and provision of gifts and hospitality by Officers; and continue to monitor the registers of gifts and hospitality received by Members.

The Agenda and Minutes of the Standards Committee, together with all Reports considered at meetings are published online.

This page is intentionally left blank

Agenda Item 6

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	7 JULY 2023
Report Title:	INDEPENDENT REVIEW OF THE ETHICAL STANDARDS FRAMEWORK
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	Consideration of the recommendations of the Independent Review of the Ethical Standards Framework which has remained largely unchanged over the last 20 years. An effective framework is essential to ensure people and councillors from all backgrounds have confidence to engage with local democracy

1. Purpose of Report

- 1.1 The purpose of the report is for the Committee to note the consultation on the Independent Review of the Ethical Standards Framework (Penn Review).

2. Background

- 2.1 In March 2021 the, then, Minister for Housing and Local Government commissioned an Independent Review of the Ethical Standards Framework (“the Framework”) for local government in Wales established by the Local Government Act 2000 (“the 2000 Act”).
- 2.2 The Framework has remained largely unchanged over the last 20 years, so an independent review was felt important to maintain confidence in the system and ensure developments in the way councillors and their public lives are reflected in its operation. An effective ethical framework is essential to ensure people and councillors from all backgrounds have confidence to engage with local democracy or stand for elected office. It is part of making Wales a diverse and inclusive nation and its review is an action in our Anti-racist Wales Action Plan. In addition, it is essential the Framework reflects significant legislation made since its establishment, in particular the Equality Act 2010, the Well-being of Future Generations (Wales) Act 2015 and the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”).

2.3 The independent review (“the Review”) was undertaken by Richard Penn, a former local authority chief executive and former chair of the Independent Remuneration Panel for Wales. The terms of the Review were as follows:

- an audit of the codes of conduct adopted by all the required authorities against the Model Code of Conduct to identify any local variances;
- an analysis of the effectiveness of the Framework in fostering high standards of conduct in local government in Wales and public confidence in those arrangements;
- consideration of whether the Framework is still ‘fit for purpose’, including whether the 10 principles of conduct are still relevant and whether the Model Code of Conduct needs updating. This included identification of areas where improvements could/should be made to the current arrangements;
- consideration of the role of standards committees, including their role in relation to community councils and whether the establishment of sub committees has any impact on the process of supporting community councils and dealing with complaints;
- an analysis of the arrangements and protocols in place within authorities to support members and staff in preventing the need for issues to a) arise in the first place, and b) be escalated beyond local resolution. This included areas such as clear communication and signposting, training and awareness and the authorities’ approach to addressing concerns;
- consideration of the current sanctions and whether they are still appropriate.

3. Current situation / proposal

3.1 The review concluded the current Framework is ‘fit for purpose’ and works well in practice. It suggested a few amendments could lead to a greater emphasis in the Framework on prevention of complaints, improve the handling of complaints and result in already high ethical standards being further enhanced.

3.2 Since the publication of the Review back in July 2021, engagement has taken place with stakeholders including Monitoring Officers, the Public Services Ombudsman for Wales (PSOW) and her office, the Welsh Local Government Association (WLGA) and One Voice Wales. The Review’s recommendations were also discussed at the All Wales Standards Conference in February 2022. The consultation paper published in March 2023 (available at the following link: <https://www.gov.wales/consultation-recommendations-independent-review-ethical-standards-framework-richard-penn-report>) builds on the Review’s recommendations taking these discussions and other communications into account. Members are requested to note that at the time of this report, the consultation period has closed. The outcome of the consultation will be reported to the Committee when available.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the

review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

- 6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

- 8.1 There are no financial implications arising from this report.

9. Recommendation

- 9.1 It is recommended that the Committee note the report.

Background documents:

None

This page is intentionally left blank

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	7 JULY 2023
Report Title:	NATIONAL FORUM FOR STANDARDS COMMITTEE CHAIRS
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	To note the establishment of a National Forum for Standard Committee Chairs to encourage consistency of approach and the adoption of best practice across Wales.

1. Purpose of Report

- 1.1 To update Members in respect of the National Forum for Standards Committee Chairs.

2. Background

- 2.1 The Penn Report commented on the variety of practice across Wales in how Standards Committees discharge their duties. Richard Penn, the report author, acknowledged the positive work of the forum for Chairs of Standards Committees in North and Mid Wales and recommended that an all-Wales Forum be established along the same lines to encourage consistency of approach and the adoption of best practice across Wales.

3. Current situation / proposal

- 3.1 All local authorities in Wales have agreed to create a National Forum to share practice. Draft terms of reference for the Forum have been prepared by the Wales Monitoring Officers Group for agreement as outlined at paragraph 3.2.
- 3.2 National Standards Committee Forum Terms of Reference

The purpose of the Forum is to share best practice and provide a forum for problem solving across the 1) 22 principal Councils 2) 3 Fire and Rescue Authorities 3) 3 National Park Authorities in relation to the work of Standards Committees. The role of the forum is to share information and so any decisions will have to be made by the individual Standards Committees. There will be times when the Forum would need to make a decision about administrative matters relating to its own practices and administration of meetings.

- Membership – Chair, with the Vice-Chair to attend in the absence of the Chair
- Decision making will typically be by consensus but where a formal decision is required then there will be one vote per authority with the Chair of the Forum having the casting vote
- Election of Chair and Vice Chair – every two years to provide consistency
- Secretariat Support – the Welsh Local Government Association (WLGA) will send out agendas, prepare minutes and can prepare basic reports analysing practice across Wales. Officer support to prepare more extensive reports is dependent upon a Monitoring Officer from a council volunteering/agreeing to undertake the work
- Frequency of Meetings – 2 meetings per year following a meeting of the Monitoring Officers Group of Lawyers in Local Government (LLG)
- Agenda items will be suggested by Monitoring Officers based on discussions with their Standards Committees and the Forum will also have a forward work plan to which members could contribute
- Each region will be asked to send 1 Monitoring Officer to represent the local authorities in that area, with 1 additional Monitoring Officer each for Fire and Rescue Authorities and National Park Authorities (making 6 Monitoring Officers in total). Each meeting could have a small agenda followed by a Training Session. Speakers from the Ombudsman’s Office, Adjudication Panel for Wales and Welsh Government could address the Forum on their work.

3.3 The Forum will give Chairs the chance to share and agree to co-ordinate best practice, act as a sounding board for ideas and create a support network for Chairs and Committees. Each Standards Committee will retain primacy so the Forum will not be able to make binding decisions on behalf of local authorities.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

8.1 The secretariat support for the Forum is being provided by WLGA which will minimise impact on Council resources. Furthermore, the working arrangements for the Forum have been designed to fit into existing structures such as meetings of LLG so will need little extra resource.

9. Recommendation

9.1 It is recommended that the Committee note the report and confirm that the Chair and Monitoring Officer (or their deputies) represent BCBC.

Background documents:

None

This page is intentionally left blank

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	7 JULY 2023
Report Title:	GIFTS AND HOSPITALITY
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	To consider the harmonisation of gifts and hospitality thresholds so as to ensure consistency across Wales

1. Purpose of Report

- 1.1 The purpose of the report is for the Committee to consider the harmonisation of gifts and hospitality thresholds to ensure consistency across the Welsh local authorities.

2. Background

- 2.1 Under the Members' Code of Conduct, Members are required to register the receipt of any gifts, hospitality or other benefits where the value of the item or the benefits exceeds a threshold determined by the Council. In Bridgend, the current threshold is £25.

3. Current situation / proposal

- 3.1 The Independent Review of the Ethical Standards Framework in Wales (Penn Review), noted that the Members' Code of Conduct does not specify a threshold for Members' declarations of gifts and hospitality. It noted that the threshold set by individual authorities across Wales varies from £21 to £50. The Report recommended that the Members' Code of Conduct should be amended to specify a threshold in order to ensure consistency across Wales.
- 3.2 All Monitoring Officers across Wales have been asked to seek the views of their Standards Committees on whether a standard threshold value should be voluntarily agreed by all Welsh local authorities, and if so, what that threshold should be. The table below shows the thresholds for the local authorities and Members will note that the average threshold is £25.

Local Authority	Threshold (£)
Blaenau Gwent	20
Bridgend	25
Caerphilly	25
Cardiff	25
Carmarthenshire	25
Denbighshire	25
Gwynedd	25
Merthyr	All must be registered
Monmouthshire	No specific threshold
Neath Port Talbot	All must be registered
Pembrokeshire	25
Powys	25
Rhondda Cynnon Taff	25
Swansea	25
Torfaen	25
Vale of Glamorgan	50 for gifts and 25 for hospitality
Wrexham	25
Ynys Mos	25

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

- 6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

8.1 There are no financial implications arising from this report.

9. Recommendation

9.1 It is recommended that the Committee support the proposal that local authorities in Wales should voluntarily harmonise their thresholds for the registration of gifts and hospitality.

Background documents:

None

This page is intentionally left blank

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	7 JULY 2023
Report Title:	OBSERVATION OF THE VALE OF GLAMORGAN COUNCIL'S STANDARDS COMMITTEE
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules
Executive Summary:	To update the Committee following Members observing a meeting of the Vale of Glamorgan Council's Committee. This was in order to gain greater knowledge and understanding of what occurs at meetings of other Standards Committees.

1. Purpose of Report

- 1.1 To update the Committee following Members of this Committee observing a meeting of the Vale of Glamorgan Council's Standards Committee.

2. Background

- 2.1 Members of the Committee have previously indicated that they wish to attend a Standards Committee of another local authority as observers. This was to gain a greater knowledge and understanding of what occurs at these meetings and to build on their knowledge.

3. Current situation / proposal

- 3.1 Back in January 2020, Cllr Graham Walters and Mr Clifford Jones OBE (Chair) attended a meeting of the Vale of Glamorgan Council's Standards Committee as observers. Prior to the meeting the Members were advised that they did not have any speaking or voting rights as they were acting as observers and that they must not take part in the meeting they were observing or engage in any political discussions.
- 3.2 A feedback report following observations of the meeting has been presented in writing to the Monitoring Officer and is attached as **Appendix 1** for presentation to the Committee. Whilst it is acknowledged that the meeting took place pre pandemic,

Members will note the observations made, what went well and areas that could be improved upon by this Committee.

- 3.3 As part of their remit Members of this Committee can also attend any BCBC meeting and meetings of Town and Community Councils. Given the changes in working arrangements it may be an opportune time for Members to undertake this observation.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

- 6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

- 8.1 There are no financial implications arising from this report.

9. Recommendations

It is recommended:

- 9.1 That the Committee note the report and the observations from the Vale of Glamorgan meeting.
- 9.2 That Members decide whether they would like to observe BCBC or Town and

Community Council meetings, and if so, nominate Standards Members to undertake the observation.

Background documents:

None

This page is intentionally left blank

Report from visit to Vale of Glamorgan CC Standards Committee

January 23rd 2020

Myself and our Chairman, Cliff Jones, attended the above meeting as observers as requested.

We were greeted and introduced by the Chair Mr R Hendicott and were seated in the public gallery, the acoustics were poor but we managed to follow proceedings.

Items covered on the agenda (apart from standard items) are set out as below:-

1. Applications for Dispensation and use of Monitoring Officers Delegated powers.

There were six applications for dispensation from councillors, who had either grandchildren or children attending VOG schools, and where they wished to speak and vote on school related matters within their own individual councils. These were all granted subject to usual conditions.

The Monitoring Officer was granted delegated powers to deal with such matters, and report each to future meetings.

2. Observations from Independent Members from attending town and community council meetings. VOG Council has introduced regular visits (3 or so per year in total) to observe proceedings, as part of the Council Standards Committee role to promote and maintain high standards of conduct by councillors.

Three reports were heard, where members had followed an approved aide memoir. Some concerns were raised and noted, no actions were considered or decided.

3. Monitoring Officer meetings with Town and Community Council Clerks
4. The Monitoring Officer holds six monthly meetings with Town and Community Council Clerks as part of the Council Standards

Committee role to promote and maintain high standards of conduct by councillors.

The meetings “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.”

The MO’s written report was reviewed and accepted.

5. Local Authority Register of Gifts and Hospitality

In January 2019 a report by The Committee on Standards in Public Life had made recommendations in respect of Councils registers and associated policy. This review and recommendations had been adopted in draft and the Standards Committee was asked to recommend the draft to full council. This was agreed.

6. The Committee went on to consider a report relating to a complaint against Councillor A in respect of B Community Council. At the point the meeting went into private session and we did not observe.

Overall, attending the meeting was very helpful; I have made some recommendations for our committee to consider:-

- A. Consider current procedure in respect of Dispensations; how is this done now? Is any action required?
- B. Independent members to carry out observations of town and community council meetings – perhaps in line with current VOG policy.
- C. Consider the VOG MO’s six monthly meetings with town and community council clerks; is this different to the current town and community council forum? Can this process add value and support BCBC Standards Committee remit?
- D. Consider the Register of Gifts and Hospitality policy, should this be reviewed say every 12 months as good practice?

Cllr Graham Walter

23rd January 2020