

## **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:

<b>Town/Community Council</b>	<b>Decision not to investigate</b>	<b>No action necessary</b>
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.