

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO COUNCIL

21 JULY 2021

### REPORT OF THE MONITORING OFFICER

#### STANDARDS COMMITTEE ANNUAL REPORT 2020/21

#### 1. Purpose of report

- 1.1 To receive and note the Annual Report of the Standards Committee for the period 2020/21.

#### 2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
1. **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
  2. **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.
- 2.1 Standards are an implicit requirement to the successful achievement of the Council's well-being objectives.

#### 3. Background

- 3.1 The Local Government Act 2000 requires the Council to establish a Standards Committee to promote and maintain high standards of conduct and probity in the conduct of Councillors of the County Borough.
- 3.2 This Annual Report covers the period May 2020 to May 2021.
- 3.3 The Standards Committee considered the Annual Report at its meeting of 29 June 2021.

#### 4 Current situation/proposal

##### 4.1 Membership

- 4.1.1 The Standards Committee comprises the following Members:

- Two County Borough Councillors
- One Town and Community Councillor
- 4 Independent Members

#### 4.1.2 Membership of the Committee during the reporting period:

- Mr Clifford Jones (OBE) Chair, Independent Member
- Mrs Judith Kiely, Independent Member
- Mr Phillip Clarke, Independent Member
- Mr Jeff Baker, Independent Member
- Cllr Mike Clarke, County Borough Councillor
- Cllr Paul Davies, County Borough Councillor
- Cllr Graham Walters, Town and Community Councillor (resigned Dec 2020)
- Cllr Gavin Thomas, Town and Community Councillor (appointed in Jan 2021 to replace Cllr Walters).

#### 4.1.3 The Council's Monitoring Officer and officers from Legal and Democratic Services support the Committee in its work.

### 4.2 Terms of Office

#### 4.2.1 The term of office for Independent Members is not less than 4 years and no more than 6 years. They can be reappointed for one further consecutive term but that term cannot be for more than an additional four years. The table below shows the commencement and expiry dates for the terms of office of the Independent Members of the Committee:

	Commencement Date	Expiry Date
Clifford Jones OBE (Chair)	October 2015	October 2021
Judith Kiely	October 2015	October 2021
Philip Clarke	May 2016	May 2022
Jeff Baker	February 2016	February 2022

#### 4.2.2 The term of office for the Town and Community Councillor shall be no more than 4 years or until the Ordinary Election for the Community Council of which the Community Councillor is a member, whichever is the shorter. They may be re-appointed once.

	Commencement Date	Expiry Date
Cllr Gavin Thomas	January 2021	Local Government Election 2022

### 4.3 Role of the Committee

#### 4.3.1 The Members of the Standards Committee have a common interest in that they believe in principled local politics and value their role as champions of high standards of conduct amongst local members.

#### 4.3.2 The Terms of Reference for the Committee are set out in the Council's Constitution as follows:

- Promote and maintain high standards of conduct by Town and Community Councillors and County Borough Councillors, Co-opted Members and Church and Parent Representatives;
- To assist members and representatives to observe the Code of Conduct adopted by their Council;
- To advise members on the adoption or revisions of a Code of Conduct;
- To monitor the operation of the Code of Conduct and report to Council any matters of concern;
- To advise on the effective implementation of the Code including appropriate training measures
- To consider reports submitted by the Public Services Ombudsman for Wales (PSOW), Monitoring Officer and any representations received relating to alleged breaches of the Code and to make appropriate determinations;
- To monitor the Whistleblowing Policy;
- To grant dispensations from the prohibitions contained in the Code.

#### 4.4 Meetings of the Committee

4.4.1 The Committee met during the period as follows:

- 19 November 2020
- 21 December 2020
- 18 February 2021
- 25 February 2021

#### 4.5 Detail of the Work undertaken by the Committee

4.5.1 The following paragraphs set out the work carried out by the Standards Committee during the reporting period.

4.5.2 There were no requests for dispensations during the reporting period.

4.5.3 The Committee discussed the Public Services Ombudsman for Wales Annual Report 2019/20 which set out performance over the year including both complaints about public service providers as well as code of conduct complaints.

4.5.4 The Council has in place appropriate arrangements for dealing with Member on Member complaints and a mechanism to deal with allegations that Members may have breached the Code of Conduct. Breaches of the Code of Conduct may be referred to the Monitoring Officer by the PSOW under the provisions of Section 69 and 71 of the Local Government Act 2000 for consideration by the Standards Committee. Where there is a finding of a breach, public reports on such cases are published on the Council's website. One referral was received during the period in question. The outcome was heard by the Committee in February 2021, who determined that the former member had failed to comply with the Code in relation to 6(1)(a) and 7(a)(b).

4.5.5 The Committee also had information reports from the Monitoring Officer on cases which the PSOW had dealt with and which were reported in either the PSOW Casebook or the Adjudication Panel for Wales publications.

4.5.6 As part of the Work Programme the Committee considered a report on the Local Government and Elections (Wales) Act 2021 that received Royal Assent in January 2021.

#### 4.6 Training and Development

4.6.1 Refresher training was delivered in April 2021 on the Code of Conduct to all members of the Committee.

#### 4.7 Moving Forward

4.7.1 The Committee remains dedicated to its responsibility to champion and promote high standards of conduct amongst local members. The key areas of focus for the year will include:

- Local Government and Elections (Wales) Act 2021
- Monitoring of complaints of alleged breach of the Code of Conduct for Members
- Monitoring of gifts and hospitality registered
- Monitoring the operation of the Whistleblowing Policy
- Members Training and Development update
- Review of the Member / Officer Protocol

### **5. Effect upon policy framework and procedure rules**

5.1 None directly applicable to this report.

### **6. Equality Act 2010 implications**

6.1 The protected characteristics identified within the Equality Act, 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.

6.2 This is an information report, therefore it is not necessary to carry out an equality impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

### **7. Wellbeing of Future Generations (Wales) Act 2015 implications**

7.1 The well-being goals identified in the Act were considered in the preparation of this report. As the report is for information only 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.

### **8. Financial implications**

8.1 There are no financial implications arising from this report.

## **9. Recommendation**

- 9.1 To receive and note the Annual Report of the Standards Committee for the period 2020/21.

**Kelly Watson,  
Monitoring Officer  
July 2021**

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**Background documents:** None