

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO STANDARDS COMMITTEE

30 SEPTEMBER 2022

REPORT OF THE MONITORING OFFICER

AMENDMENTS TO THE STANDARDS COMMITTEE TERMS OF REFERENCE

1. Purpose of report

- 1.1 The purpose of this report is to apprise the Committee of amendments to the Standards Committee Terms of Reference as a result of the Local Government and Elections (Wales) Act 2021 which came into force on 5th May 2022.

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 focused on raising the skills, qualifications and ambitions for all people in the county borough.
 2. **Helping people and communities to be more healthy and resilient** - taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
 3. **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.

3. Background

- 3.1 A report was presented to full Council on 20th January 2021 detailing the main provisions of the Local Government and Elections (Wales) Act 2021 coming into force from 5th May 2022.
- 3.2 Section 37 of the Local Government Act 2000 requires Welsh County Councils to prepare and keep up-to-date a written constitution containing such information as Welsh Ministers may direct, a copy of the Authority's standing orders, a copy of the Authority's code of conduct for Members and such other information as the Authority considers appropriate. Each County Council has its own individual constitution to reflect that Council's particular circumstances with differences as to the documents it believes appropriate to include in its constitution. The Welsh Monitoring Officers Group commissioned a firm of solicitors to review the national model constitution due to provisions coming into force under the Local Government

and Elections (Wales) Act 2021. The new model has been considered by each local authority and has become common place. It is proposed that the new model is locally reviewed and updated and reported to the Democratic Services Committee on 7th July 2022 for their initial consideration and thereafter a future meeting of Cabinet and Council for approval.

4. Current situation/proposal

4.1 The following paragraphs detail some of the requirements of the 2021 Act relevant to the Standards Committee which took effect on 5th May 2022:

- Section 14 - Term of Office for Elected Members is amended from four to five years.
- Broadcasting of meetings – A Multi-Locations Meetings Policy was presented to Council on 15th June 2022. Under sections 45 and 46 of the Act where meetings are broadcast, speakers must be able to speak to and be heard by each other and to be seen and be heard by each other.
- Section 62 introduces duties of leaders of political groups in relation to standards of conduct. Leaders must promote and maintain high standards of conduct by the members of the group and must co-operate with the Council's Standards Committee in the exercise of the Committee's functions.
- The Committee has the specific function of monitoring compliance by Group Leaders of the above duties and advising, training or arranging to train the leaders of political groups of the Council about matters relating to those duties. It is recommended that arrangements are made for the Chair of the Committee and the Monitoring Officer to meet with the three newly appointed Group Leaders as soon as possible.
- Section 63 – As soon as reasonably practicable after the end of each financial year (31st March), the Committee will make an annual report to the Authority in respect of that year. In particular the report must include a summary of:
 - (i) What has been done to discharge the general and specific functions conferred on the Committee
 - (ii) Reports and recommendations made or referred to the Committee
 - (iii) Action taken by the Committee following its consideration of such reports and recommendations
 - (iv) The Committee's assessment of the extent to which Leaders of political groups have complied with their duties under the Act during the financial year
 - (v) Any recommendations the Committee wish to make to the Authority about any matter which the Committee has functions.

4.2 Welsh Government consulted on the standards of conduct draft statutory guidance for Leaders of political groups in Principal Councils about how they should meet their new duties as outlined above. The consultation document can be accessed via the Welsh Government website: <https://gov.wales/consultation-local-government-and-elections-wales-act-2021-standards-conduct-statutory-guidance> and includes guidance for Standards Committees in relation to their extended functions. The guidance is designed to support leaders of political groups understand and discharge their duties in relation to high standards of conduct, whilst recognising that they will wish to and should be encouraged to develop their own approach in line with their wider statutory obligations, local circumstances, and best practice. The consultation period ran from 16 February 2022 to 16 May 2022 and the final guidance will be reported to a future meeting of the Committee.

4.3 The Committee is recommended to consider and note the provisions outlined at paragraph 4.1 and note that these revised provisions will be incorporated into the new model constitution to be formally approved by Cabinet and Council.

5. Effect upon policy framework and procedure rules

5.1 None.

6. Equality Act 2010 implications

6.1 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.

7. Well-being 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. It is considered that there is no significant or unacceptable impact upon the achievement of well-being goals/objectives as a result of this report.

8.1 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.

K Watson

**Chief Officer – Legal and Regulatory Services, HR and Corporate Policy and
Monitoring Officer
September 2022**

Contact Officer: L Griffiths
Group Manager - Legal and Democratic Services

Telephone: (01656) 643145

E-mail: laura.griffiths@bridgend.gov.uk

Postal address: Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents: None