

STANDARDS COMMITTEE - FRIDAY, 7 JULY 2023

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON FRIDAY, 7 JULY 2023 AT 09:30

Present

Mr C Jones OBE – Chairperson

MJ Williams
G Walter

G Thomas

Mr P Clarke

Mrs J Kiely

Officers:

Mark Galvin
Laura Griffiths

Senior Democratic Services Officer - Committees
Principal Solicitor

120. DECLARATIONS OF INTEREST

Councillor M Williams declared a personal interest in Item 4, Standards of Conduct, as he was married to one of the Group Leaders in attendance at the meeting.

121. APPROVAL OF MINUTES

That the minutes of the Standards Committee dated 22/06/2023 were approved as a true and accurate record.

122. STANDARDS OF CONDUCT

It was noted that the Leaders of the three political groups had been invited to attend the meeting for this item.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy presented the report, the purpose of which was to present to the committee, the report of the three political group leaders outlining their compliance with the duties in relation to maintaining standards of conduct.

She referred to the report presented on 30/09/2022 on the new duties placed upon standards committees and political group leaders under the Local Government and the Elections Wales Act 2021 and invited the three group leaders to introduce their reports after which they could be asked questions by the committee.

The Chairperson invited the Leader, Bridgend County Independents, to present her report in the order of the appendices of the report.

Cllr Williams explained that the report is divided into three sections namely:

- 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.

The Group Leader stated that while she was a returning member, her group mainly comprised of members in their first term of office. The group were eager and

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enthusiastic about being active and making progressive changes for the good she explained. She stated that all the members in her group endeavoured to attend all member training provided and where they could not attend in person, they looked at the video recordings of the sessions.

The Group Leader also made reference new members still learning the speed at which processes work, adding that she has been on hand to advise them and guide them on the democratic processes of the Authority. She stated that she also works closely with her group members in terms of adverse comments made on social media, including those made personally.

A member of the committee inquired, particularly in respect of new members, if there was something the Standards Committee could do to assist in the support of new members in any way.

The Group Leader responded that she felt new members would benefit from a briefing from the Standards Committee on its remit and the type of issues it considers

A member enquired if the issues with regards to social media had calmed down as this new term had progressed and asked for recommendations on what the group leader felt could be done to assist in the above regard.

The Group Leader responded that the level of attacks had not reduced or calmed down but the new members adverse reaction to such verbal attacks had subsided.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy thanked the Group Leader for her presentation and informed the committee that she had recognised the requirement of a briefing in relation to the standards committee to members and will include this within the annual report to Council in July.

The Chairperson invited the Leader of the Democratic Alliance Group to present his report.

The Group Leader stated that his group comprised of a 50/50 split of returning members and those who were their first term with a balance of experience and enthusiasm that he felt was positive. He re-iterated the comments made by the Group Leader of the Bridgend County Independents, in that he felt they had a collegiate relationship among group leaders which enabled them to meet regularly to discuss operational and strategic issues facing BCBC. He stated that he felt it was fortunate that no member of his group had been subject to a complaint, formal or otherwise.

The Chairperson invited questions for the group leader and acknowledged that there were none.

The Chairperson invited the Leader of the Council and Group Leader for the Labour Group to present his report.

The Leader stated that there were a majority of new members within the party and they shared the enthusiasm and energy he had been accustomed to with more longstanding and experienced members. He stated that they were both learning and developing in the role and therefore they were not always equipped with the knowledge that experience brought about, so were sometimes unaware of all of the processes of the Council at present.

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He confirmed that all members in the Labour group had attended all mandatory training and he felt that the member development sessions were equipping them with the skills they required.

He agreed with comments made by the other group leaders who presented before him, stating that he felt they had a constructive, open and positive relationship as group leaders. He stated that they try to lead by example and show civility and respect to each other and fellow members from different political allegiances.

The Leader referred to the issue raised in relation to attacks on elected members and stated that he had raised this with the Police Commissioner. He clarified to the Committee that the attacks mentioned are not between elected members but more directed at elected members by members of the public on social media.

He mentioned plans of a meeting with elected members to understand the level of the threshold where the Police can and cannot get involved and provide some support. The Leader also mentioned that a meeting with the Police Commissioner was to be arranged over the summer, in order to discuss issues including this problem.

The Leader drew members attention to the two complaints raised with the Public Service Ombudsman and stated he would include the outcome of these, within the annual report.

A member of the committee queried if there was an opportunity for an informal resolution to be agreed prior to any complaints being escalated to the public service ombudsman.

The Leader responded by stating that while there was some engagement before, it was the choice made by the complainant to escalate the complaint, if they felt this to be necessary.

A member of the committee queried if there was any knowledge about the topics to be covered within the member briefing planned for August.

The Leader responded that they were exploring the options available and bringing in specialists that can educate members further. He stated that as it was a broad subject, there were practical measures in terms of action that can be taken as some of it was preventative and some of it was more about reassurance.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy added that a briefing had been organised with the South Wales Police. The aim was to specifically target what the thresholds were for intervention by them and if reports were made to them. The Democratic Services Committee were to have a report at its September meeting, in relation to personal safety of Members. In addition to that the council were already liaising with the police about the opportunity to put markers (referred to as police markers) on member's houses who were receiving personal attacks, should this be required.

She reassured that if there were individual Members who were experiencing issues they needed to contact the relevant officers in BCBC as there were safety measures BCBC could also put in place. As required, with members who approached the Council, individual risk assessments had been undertaken and any issues where it was required, had been dealt with appropriately.

A member of the Committee raised a query in relation to harassment faced by elected members and asked if the police briefing could include guidance and advice on how such instances could be handled.

It was agreed that while recognising that the Police alone could advise on specific matters and would be able to elaborate on thresholds in line with their experience on such matters, the concerns raised should be brought to their attention in readiness for the briefing.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy responded that the police will be preparing the briefing. She agreed to contact them and ask that they covered the scenarios so mentioned today. She stated that she would welcome questions from members and that they were able to respond to some queries themselves.

The Leader suggested a member briefing with the Standards Committee to allow an opportunity for individual members to meet with members of the committee to get a better understanding of its purpose and functions.

RESOLVED: That the Committee considered the reports attached as Appendices 1-3 and provided feedback as given above.

123. **ANNUAL REPORT**

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy presented a report, the purpose of which, was that the Standards Committee receives the Annual Report for 2022/2023 to be presented to full Council.

RESOLVED: It was agreed that the Committee received the Annual Report for 2022/23, which will in turn, be presented to full Council.

124. **INDEPENDENT REVIEW OF THE ETHICAL STANDARDS FRAMEWORK**

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy presented a report, the purpose of which was for the Committee to note the consultation on the Independent Review of the Ethical Standards Framework (Penn Review).

She stated that the framework for this remained largely unchanged over the last 20 years and an individual independent review was felt important to maintain confidence in the system.

An effective ethical framework was essential she explained, to ensure people and local members from all backgrounds have confidence to engage in local democracy and/or stand for elected office.

The independent review was undertaken by Richard Penn, a former local authority chief executive and the former chair of the Independent Remuneration Panel for Wales. The terms of the review, were set out in paragraph 2.3 of the report.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy stated that the review had concluded that the current framework was fit for purpose and worked well in practise. It was suggested that there be a greater emphasis in the framework on the prevention of complaints and improving the handling of complaints, which will result in already high ethical standards being further enhanced and improved.

She stated that since the publication of the review in July 2021, engagement had taken place with stakeholders, including monitoring officers, the Public Services Ombudsman for Wales, the Welsh Local Government Association and One Voice Wales. The reviews

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recommendations were also discussed at the All Wales Standards Conference in February 2022 and a consultation paper was published in March 2023.

She requested that the committee noted the report and the consultation that had been ongoing and the outcome of the consultation be reported to the committee when it becomes available.

RESOLVED: That the Committee noted the report.

125. NATIONAL FORUM FOR STANDARDS COMMITTEE CHAIRS

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy presented the report, the purpose of which, was to update Members in respect of the National Forum for Standards Committee Chairs.

She stated that the PEN report mentioned previously, had discussed and commented on the variety of practice across Wales in how the Standards Committee discharge their duties and functions.

Richard Penn acknowledged the positive work for the forum of Chairs of Standards Committees in North and mid Wales and recommended that an All Wales Forum be established along the same line to encourage consistency in the ways the Committee operates and discharges its functions.

All local authorities in Wales had agreed to create a national forum with a view to sharing good practice. Draft terms of reference for the forum have been prepared and agreed by the Monitoring Officers Group for Wales and as referred to in paragraph 3.2 of the report.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy stated that this provided Chairpersons the opportunity to share and agree to co-ordinate best practice while acting as a sounding board for ideas and creates a support network for Chairpersons and committees. Each Standards Committee will retain privacy, so the forum would not be able to make any binding decisions on behalf of local authorities, she added.

RESOLVED: That the Committee noted the report and confirmed that the Chair and Monitoring Officer (or their deputies) represents BCBC on the National Forum for Standards Committee Chairs.

126. GIFTS AND HOSPITALITY

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy presented a report, the purpose of which, was for the Committee to consider the harmonisation of gifts and hospitality thresholds to ensure consistency with other Welsh local authorities.

She stated that under the current members Code of Conduct, members were required to register the receipt of any gifts, hospitality or other benefits where the value of the item exceeded a threshold set by the Council. In Bridgend, this threshold was £25.

Monitoring Officers across Wales were asked to seek views with their Standards Committee on where the standard threshold should be set at.

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The report enclosed a table indicating that the average threshold across Wales was currently £25. The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy, requested that the Committee agreed that local authorities should voluntarily harmonise their thresholds and sought comments on whether Members felt £25 was an appropriate amount.

RESOLVED : That the Committee agreed to support the proposal that local authorities in Wales should voluntarily harmonise their thresholds for the registration of gifts and hospitality, with this in BCBC remaining at £25.

127. OBSERVATIONS OF THE VALE OF GLAMORGAN'S STANDARDS COMMITTEE

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy presented a report, the purpose of which, was to update the Committee following Members (of this Committee) observing a meeting of the Vale of Glamorgan Council's Standards Committee. She invited questions and observations on the report.

Further to the observations made following the Vale of Glamorgan Council's Standards Committee, the Chief Officer Legal and Regulatory, Human Resources and Corporate Policy enquired with members of the committee if they would like to observe any other BCBC or Town and Community Council meetings within the borough.

The Chief Officer Legal and Regulatory, Human Resources and Corporate Policy referred back to a point within Item 1, discussed by Group Leaders, where they discussed the benefit of members of the Standard Committee meeting with elected members. She mentioned that recruitment of new members to the committee was in progress, and while they were happy to take nominations during the meeting, they felt it was fair to allow those Members to come on board and receive an induction prior to the offer. She stated that it may be an opportunity for those currently on the committee to observe a full Council meeting, together with any further new members that were going to be appointed as lay members on the Committee, in the not too distant future.

The Chief Officer Legal, Regulatory and Human Resources and Monitoring Officer stated that she would send a calendar appointment with a date when the council are due to hold a full Council meeting in the future that Standards lay members could possibly attend. Members could then let her know if they were able to attend such meeting to observe proceedings.

She confirmed that she could also contact clerks of Town and Community Councils to establish if there was a will from them to agree for a similar arrangement whereby lay members of the Standards Committee could also observe some of their meetings.

RESOLVED : (1) The Committee noted the report the observations from the Vale of Glamorgan meeting.

(2) That Members decided they would like to observe a BCBC meeting and similarly a meeting of a Town or Community Council meeting.

The Chairperson stated that due to personal reasons, this was his last meeting as a member of the Standards Committee. He would be very reluctantly, tendering his resignation to the monitoring officer to this effect, following the meeting. The chairperson

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was praised for his past work by the committee members and the Monitoring Officer, both of whom wished him well for the future.

128. **URGENT ITEMS**

None.