

Standards Committee Annual Report – 2023/24

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:

Sue Maughan (Chair)

Philip Clarke

Roy Lynch

Peter Baker

Borough Councillors:

Cllr Martin Williams

Cllr Graham Walter

Town and Community Council representative:

Cllr Gavin Thomas

Bridgend County Borough Council

This is the Annual Report of the Standards Committee for 2023/24. 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 time of this Report, there is currently one vacancy on the Committee following the resignation of Mr Shawn Cullen, Independent Member. The Monitoring Officer has been given approval to commence a new recruitment process for the appointment of an Independent Member to the Committee.

Work of the Committee

The work of the Committee during 2023/24 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

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 7 July 2023 to present reports outlining their compliance and support with the new duties including details of attendance at mandatory training sessions, complaints and relevant information.

Looking ahead and following the election of a new Leader of the Council at the Annual Meeting in May 2024, 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 2023/24, 14 Code of Conduct Complaints were considered by the Public Services Ombudsman for Wales (PSOW) and a decision taken not to investigate any of the cases.

On 22 June 2023, the Committee considered a referral by the PSOW under Section 69 of the Local Government Act 2000. The Ombudsman determined that the BCBC Member may have breached paragraphs 6(1)(a) and 7(a) of the Council's Code of Conduct. Looking at the conduct of the Member as a whole, the Committee considered that it was sufficiently serious in nature to bring the Council and his office as a member into disrepute. The behaviour had been detrimental to the relationships within the Council and to its administration, and had damaged its reputation. Having considered the seriousness of the conduct in question and having considered the relevant mitigating and aggravating factors, the Committee resolved that the BCBC Member should be suspended from office for a period of three months. In accordance with the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 the Determination of the Committee was published for 21 days.

There are currently three 'live' cases which have been issued by the PSOW under Section 69 of the Local Government Act 2000. The cases are to be investigated at a future meeting of the Committee.

Town and Community Council Code of Conduct Complaints for 2023/24:

Town/Community Council	Decision not to investigate	No action necessary
Brackla Community Council	2	0
Bridgend Town Council	3	0
Coity Higher Community Council	0	0
Laleston Community Council	1	0
Llangynwyd Middle Community Council	0	0
Maesteg Town Council	1	0
Newcastle Higher Community Council	0	0
Pencoed Town Council	1	0
Porthcawl Town Council	4	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 noted the Ombudsman's Annual Report for 2022-23;
- Received and considered the recommendations following the Independent Review of the Ethical Standards Framework (Richard Penn, report author);
- Received a report regarding the National Forum for Standards Committee Chairs;
- Received a report regarding the Standards Committee Hearing Process;
- Noted update reports following observations of Town and Community Council meetings;
- Received a report noting the harmonisation of gifts and hospitality thresholds to ensure consistency with other Welsh local authorities.

Looking ahead

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

- Note the responses to the consultation following the review of the Ethical Standards Framework;
- 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 Town and Community Council,

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 group;
- 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;
- To review the Council's Whistleblowing Policy to ensure it remains fit for purpose.

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