

Standards Committee Annual Report – 2024/25

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)

Peter Baker

Roy Lynch

Phillip Clarke (term of office expired February 2025)

Borough Councillors:

Cllr Martin Williams

Cllr Graham Walter

Town and Community Council representative:

Cllr Gavin Thomas

Bridgend County Borough Council (BCBC)

This is the Annual Report of the Standards Committee for the period 1st March 2024 to 31 March 2025. 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 are currently two vacancies on the Committee following the resignation of Mr Shawn Cullen, Independent Member and the term of office ceasing for Mr Phillip Clarke, Independent Member. The Monitoring Officer has been given

approval to commence a new recruitment process for the appointment of two Independent Members to the Committee.

Work of the Committee

The work of the Committee during 2024/25 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 in May 2024, the Proper Officer was informed in writing of the following political groups and leaders:

- Labour – Group Leader: Cllr John Spanswick, 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 11 July 2024 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, a report will be prepared and submitted to the Committee annually 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

The Standards Committee determined on 7 May 2024 that a Former Member of Bridgend Town Council had failed to comply with the following paragraphs of the Code:

4(b) –Members must show respect and consideration for others

6 (1) (a) – The Member must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

The Committee resolved that the Former Member should be censured in relation to the above breaches of the Code, which was the maximum sanction available to the Committee, as the Member was no longer an Elected Member. This is in accordance with their powers under s 9(1)(c) of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001. The Former Member and the PSOW were notified of the Committee's decision by Notice of Determination and the Former Member did not appeal the decision.

The Standards Committee determined on 9 May 2024 that a Member of Bridgend Town Council had failed to comply with the following paragraphs of the Code:

6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute;

(7a) – Members must not in their official capacity or otherwise, use or attempt to use their position improperly to confer on or secure for themselves, or any other person, an advantage or create or avoid for themselves, or any other person, a disadvantage;

11(1) - Where Members have a personal interest in any business of their authority and they attend a meeting at which that business is considered, they must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent;

14(1)(a) - Where Members have a prejudicial interest in any business of their authority they must, unless they have obtained a dispensation from their authority's standards committee withdraw from the room, chamber or place where a meeting considering the business is being held;

14(1)(c) - Where Members have a prejudicial interest in any business of their authority they must, unless they have obtained a dispensation from their authority's standards committee not seek to influence a decision about that business;

14(1)(e) - Where Members have a prejudicial interest in any business of their authority they must, unless they have obtained a dispensation from their authority's standards committee not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

The Committee resolved that the Member should receive a sanction of 6 months suspension. This is in accordance with their powers under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001. The Member was granted permission to appeal the decision of the Committee to the Adjudication Panel for Wales (APW). On 5 June 2024, the President of the APW issued a decision which allowed the appeal to proceed on a limited ground of appeal in relation to sanction only. The APW determined on 5 December 2024 to refer the matter back to the Standards Committee with a recommendation that the Member should be suspended for 10 weeks pursuant to the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001. On 6 February 2025, the Standards Committee upheld its original decision of a six-month suspension. The decision and reasons for the decision were confirmed in writing to the Member, PSOW and the APW.

The Standards Committee determined on 21 June 2024 that a Member of Porthcawl Town Council had failed to comply with the following paragraphs of the Code:

4(b) – show respect and consideration to others

4(c) – not use bullying behaviour or harass any person

6 (1)(a) – not conduct yourself in a matter which could reasonably be regarded as bringing your office into disrepute

6(2) – comply with any request of your authority's Monitoring Officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

The Committee resolved that the Member should receive a sanction of 2 months suspension. This is in accordance with their powers under the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001. The Former Member and the PSOW were notified of the Committee's decision by Notice of Determination and the Former Member did not appeal the decision.

There is one ongoing 'live' case which has been issued by the PSOW under Section 69 of the Local Government Act 2000 at the time of this report.

The PSOW received 11 Town and Community Council Code of Conduct Complaints for 2024/25. At the time of this report, a breakdown of those complaints is not available but will be published as part of the PSOW Annual Letter in September.

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 2023-24;
- Received and investigated three s69 reports from the Ombudsman;
- Received and considered the recommendations following the Independent Review of the Ethical Standards Framework (Richard Penn, report author);
- Received a report regarding the Standards Committee Hearing Process;
- Noted update reports following observations of Town and Community Council meetings;
- Received and noted the Public Services Ombudsman for Wales Investigation Report into Codes of Conduct Complaints published in September 2024;

- Received reports from the Group Leaders outlining their compliance and support with their new duties including details of attendance at mandatory training sessions, complaints and relevant information.

Looking ahead

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

- The Committee will identify and support provision of regular training and refresher events for Elected Members of the Council;
- 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.