

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO STANDARDS COMMITTEE

11 FEBRUARY 2016

### REPORT OF THE MONITORING OFFICER

#### LOCAL GOVERNMENT (WALES) BILL

##### 1. Purpose of Report

- 1.1 To consider Part 4 of the Local Government (Wales) Bill, published by Welsh Government which relates to the Standards Committee.

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 Standards are an implicit requirement in the successful implementation of the Corporate Themes.

##### 3. Background

- 3.1 The Draft Local Government (Wales) Bill is the Minister for Public Services' version for Local Government in Wales and proposes fundamental reforms to the Local Government in Wales. The Bill closely aligns with the Well-being of Future Generations (Wales) Act 2015, the Social Services and Wellbeing (Wales) Act 2014 and the performance management framework for Local Government in Wales.

##### 4. Current Situation / Proposal

- 4.1 The objective of the Draft Bill is to complete the programme of Local Authority Mergers and set out a new and reformed legislative framework for Local Authority democracy, accountability, performance, some elements of finance and establish a Statutory Public Service Staff Commission.

- 4.2 The Bill contains a range of legislative provisions relating to the governance of both County and Community Councils:

Part1 Local Government Areas and County Councils  
Part 2 General Powers of Competence  
Part 3 Promoting Access to Local Government  
Part 4 Functions of County Councils and their Members  
Part 5 County Councils Improvement of Governance  
Part 6 Community Councils  
Part 7 Workforce matters.

- 4.3 Part 4 of the draft Bill (attached as **Appendix 1**) proposes statutory duties upon the Members of the proposed new County Councils relating to the performance of their functions. Members would be placed under a statutory obligation to attend all relevant meetings, hold ward surgeries at least four times in every relevant 12 month period, answer correspondence sent to his/her official address within 14 days of receipt, complete all compulsory training courses and make an annual report. Leaders of political groups would be required to take reasonable steps to promote and maintain high standards of conduct by Members of their group.

- 4.4 Standards Committees would be given new functions to handle complaints that Councillors

have breached statutory duties imposed on them, and to monitor compliance of group leaders with the duties imposed on them and to advise on, and arrange, relevant training. Section 109 of the draft Bill place a duty on the Committee to make an annual report which will include the Committee's assessment of the extent to which Leaders of the political groups on the Council have complied with their duties.

- 4.5 Part 4 of the Bill also deals with the procedure for handling complaints about an alleged failure by a Councillor to abide by the duties imposed. The Monitoring Officer is required to refer the matter to the Chair of the Standards Committee. If the Monitoring Officer and the Chair both consider that a matter should not be investigated, no investigation may take place. If either the Monitoring Officer or the Chair considers it a matter that should be investigated, the Monitoring Officer must provide the Committee with a report of the investigation.

## **5. Effect upon Policy Framework& Procedure Rules**

- 5.1 None.

## **6. Equality Impact Assessment**

- 6.1 Consideration to equality issues is contained within the Draft Bill. There is an accompanying Equality Impact Assessment to the consultation document.

## **7. Financial Implications**

- 7.1 There are no immediate budgetary implications arising from this report.

## **8. Recommendation**

- 8.1 It is recommended that the Committee note the report and that any views of the Committee be forwarded to Welsh Government.

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## **Background documents**

Consultation Documents, Local Government (Wales) Bill