

DRAFT AGENDA

ID	2579
Committee	Pwyllgor Safonau
Date	02/03/2023
Attendees	<p>Mr R. Alexander (Cadeirydd)</p> <p>Mr. Roy Lynch (Aelod Pwyllgor)</p> <p>Sarah Rosser (Aelod Pwyllgor)</p> <p>Mr. Stephen Williams (Aelod Pwyllgor)</p> <p>Jenny White (Aelod Pwyllgor)</p> <p>Town Councillor Roger Clark (Aelod Pwyllgor)</p> <p>Cynghorwyr Malcolm Cross (Aelod Pwyllgor)</p> <p>Councillor Jacqueline Thomas (Aelod Pwyllgor)</p> <p>Cynghorwyr Lisa Winnett (Aelod Pwyllgor)</p> <p>Deborah Jones (Secretary)</p> <p>Leeann Turner (Secretary)</p> <p>Pob Cynghorydd (Notify)</p> <p>Steve Berry (Swyddog)</p> <p>Andrea Jones (Swyddog)</p> <p>Sarah King (Swyddog)</p> <p>Louise Rosser (Swyddog)</p> <p>Gwasanaethau Democrataidd (Notify)</p>

Item ID	7116
Item Title	Cyfieithu ar y Pryd
Summary	Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfarfod, mae angen o leiaf 3 diwrnod gwaith o rybudd os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais am hynny

Item ID	7117
Item Title	Ymddiheuriadau
Summary	Derbyn ymddiheuriadau.

Item ID	7118
Item Title	Datganiadau Buddiant a Goddefebau
Summary	Derbyn unrhyw ddatganiadau buddiant a goddefebau a wnaed.

Item ID	7119
Item Title	Pwyllgor Safonau

Summary	<p>Derbyn penderfyniadau'r Pwyllgor Safonau a gynhaliwyd ar 24 Ionawr 2023.</p> <p>(Dylid nodi y cyflwynir y penderfyniadau ar gyfer pwyntiau cywirdeb yn unig).</p>
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Item ID	7120
Item Title	Dalen Weithredu
Summary	Derbyn y Ddalen Weithredu yn deillio o'r cyfarfod a gynhaliwyd ar 24 Ionawr 2021.

Item ID	7246
Item Title	Adroddiad Blynyddol y Pwyllgor Safonau 2021 - 2022
Summary	Ystyried adroddiad y Pennaeth Cydymffurfiaeth Cyfreithiol a Chorfforaethol.

STANDARDS COMMITTEE

24TH JANUARY, 2023

PRESENT: MR R. ALEXANDER (CHAIR)

Mr R. Lynch
Mr S. Williams
Councillor M. Cross
Councillor L. Winnett

WITH: Head of Legal and Corporate Compliance
(Monitoring Officer)
Data Protection & Governance Officer

1. SIMULTANEOUS TRANSLATION

No requests had been received for the simultaneous translation service.

2. WELCOME AND APOLOGIES

Apologies for absence were received from:-

Councillor S. Thomas (Leader of the Council)
Councillor J. Wilkins (Leader of the Independent Group)
Councillor J. Thomas
Ms S. Rosser

3. DECLARATIONS OF INTEREST AND DISPENSATIONS

No declarations of interest or dispensations were reported.

4. STANDARDS COMMITTEE – 18TH OCTOBER, 2022

The decisions of the Standards Committee held on the 18th October, 2022 were submitted.

The Committee AGREED that the decisions be accepted as a true record of proceedings.

5. ACTION SHEET

The Action Sheet arising from the meeting held on 18th October, 2022 was submitted.

The Committee AGREED that Group Leaders only be invited to meetings of the Standards Committee if relevant items on the agenda; and the work of the Democratic Services Team and the Monitoring Officer be noted in the Annual Report.

6. TERMS OF REFERENCE

Consideration was given to the draft Terms of Reference.

The Committee AGREED that

- the draft Terms of Reference be amended to include the word 'ethics' to reflect the Nolan Principles, the word standards precluded by the word ethics;
- the Head of Legal & Corporate Compliance to look at the involvement of the Committee in Town/Community Council work;
- the Head of Legal & Corporate Compliance to pursue attendance of the Town Council representative on the Committee.

7. STANDARDS COMMITTEE ANNUAL REPORT DRAFT TEMPLATE

Consideration was given to the Annual Report draft template.

The Committee AGREED that the Annual Report

- should report on items in the public domain;
- should include a Chair's conclusion summing up the work of the Committee for the year and the conclusion to note the work of the Democratic Services Team and the Monitoring Officer;
- a Special Standards Committee be convened on 2nd March, 2023 to approve final version of the Annual Report before being considered at Council on 30th March, 2023;

- the report to cover a calendar year i.e. January 2022 – January 2023.

8. STANDARDS COMMITTEE LAY MEMBER VACANCY APPOINTMENT UPDATE

Consideration was given to the verbal report of the Data Protection & Governance Officer.

The Committee AGREED that the verbal report be noted.

9. CODE OF CONDUCT COMPLAINTS AMENDMENT TO PROCESS

Consideration was given to the verbal report of the Monitoring Officer.

The Committee AGREED that if the new process was causing issues to advise the Ombudsman going forward.

10. FUTURE TRAINING OF MEMBERS OF THE STANDARDS COMMITTEE UPDATE

The Committee AGREED that a virtual half day training session be arranged with an external provider for existing and new Members. Torfaen and Monmouthshire Council's to be invited to attend. An internal discussion on the training session to be held once completed.

11. AOB/DATE OF NEXT MEETING

The Head of Legal & Corporate Compliance to look to establish a specific webpage promoting the work of the Standards Committee.

The next meeting to be held on 2nd March, 2023.

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Blaenau Gwent County Borough Council

Action Sheet

Standards Committee

Meeting Date	Action to be Taken	By Whom	Action Taken
24 th Jan 2023 Item 6	<u>TERMS OF REFERENCE</u>		
	Amend Terms of Reference to include the word 'ethics' so the word standards precluded by the word ethics.	Andrea Jones/ Steve Berry	Action Complete: Completed
	Look at the involvement of the Standards Committee in Town/Community Council work.	Andrea Jones	In progress Action Complete:
Item 7	<u>ANNUAL REPORT DRAFT TEMPLATE</u>		
	Annual Report to:- Include Chair's conclusion summing up the work of the Committee for the year and this conclusion note the work of the Democratic Services team and the monitoring officer. Report on items in the public domain. Cover a calendar year.	Andrea Jones	In progress, final version to be approved by SC on 2 nd March 2023 Action Complete: 2nd March 2023

Meeting Date	Action to be Taken	By Whom	Action Taken
	Special Standards Committee to be convened to discuss final version of the Annual Report before consideration at Council on 30th March.	Andrea Jones	Special Standards Committee to be held on 2 nd March, 2023. Action Complete: 24th Jan 2023.
Item 10	<u>FUTURE TRAINING REQUIREMENTS</u>		
	Virtual half day training session be arranged with external provider for existing and new Members. Torfaen and Monmouthshire Councils also to be invited to attend. Internal discussion on the training to be held once completed.	Andrea Jones/ Steve Berry	Training has been arranged and will take place on 1 st March 2023 Action Complete: 1st March 2023
Item 11	<u>AOB</u>		
	Look to establish a specific webpage promoting the work of the Standards Committee.	Andrea Jones/ Steve Berry	Under discussion Action Complete:

BLAENAU GWENT COUNTY BOROUGH COUNCIL

Standards Committee Annual Report 2021 – 2022

FOREWARD BY THE CHAIR

I am pleased to present this Annual Report of the Standards Committee for 20/22. The Annual Report provides information to the Council about the work carried out by the Committee in promoting and maintaining high standards of conduct by elected Members and co-opted Members during the past 12 months and identifies specific issues that have arisen. Standards Committees are required by virtue of Section 63 of the Local Government and Elections (Wales) Act and Part 3 of the Local Government Act 2000 to make an annual report after the end of each financial year and for full Council to consider that report within 3 months. This statutory report must describe how the Committee's functions have been discharged during the previous year and must include specific reference to any reports, actions or recommendations made or assigned to the Committee. In addition, the Annual Report for next year must include an objective assessment of the extent to which leaders of political groups on the Council have complied with their duty to promote and maintain high standards of conduct within their groups. Copies of this Annual Report must also be sent to the Public Services Ombudsman for Wales and to all local community councils.

The Standards Committee is committed to promoting high standards of ethical conduct among elected Members, co-opted Members and officers in order to maintain public confidence in local government. The Committee has, and will continue, to proactively review all ethical standards policies and procedures as part of their important forward work programme. In this reporting period, we are pleased to report that, no serious complaints of misconduct were referred to the Standards Committee by the Ombudsman during the past 12 months and no complaints were referred for determination by the Committee under Stage 3 of the Local Resolution Protocol. It is essential that the current good standards are maintained in the future and the Standards Committee needs to guard against any possible drift towards complacency. This is particularly important against the background of the numbers of newly elected Councillors, following the May 2022 local elections and the fact that we are still in the early stages of a new administration.

The training requirements for County Borough Councillors will continue to be monitored as part of the Committee's forward work programme. We will also be undertaking a review to ensure that all mandatory training has been completed and that all declarations of acceptance of office and registers of members' interests have been completed where appropriate.

Mr Stephen Williams kindly agreed to stand Vice-Chair in this reporting period to align our structure with that of most other Standards Committees in Wales. One co-opted Member of the Standards Committee stood down during 2022 and interviews took place for recruitment of a successor in December 2022. The appointment of the successful candidate, Miss Jenny White, was recently ratified by full Council. We extend a warm greeting to Jenny and are also very pleased to welcome Councillor Lisa Winnett, Councillor Jacqueline Thomas and Councillor Malcolm Cross as our new elected member representatives. In addition, we acknowledge the previous helpful contribution made to the Standards Committee by Councillor Jacqueline Thomas in a former Community Councillor role

Finally, I would like to thank all Members of the Committee and Council officers for their invaluable advice and support throughout the last 12 months.

Ronnie Alexander

1. Introduction

The Local Government Act 2000 requires Councils to establish a Standards Committee to promote and maintain high standards of conduct and probity in the conduct of Councillors. Blaenau Gwent County Borough Council established a Standards Committee in October 2000.

The Local Government & Elections (Wales) Act 2021 introduced a mandatory requirement for Standards Committees to present an annual report to full Council. This statutory report must describe how the Committee has discharged its functions during the previous year and must include a summary of any reports, actions or recommendations made or referred to the Committee. In addition, it should be noted next year's Annual Report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups.

The current terms of reference for the Standards Committee is appended to this report.

This Standards Committee Annual Report covers the period from 31st December 2021 to 31st December 2022.

2. Membership of the Standards Committee (9 Members)

The Standards Committees (Wales) Regulations 2001 sets out the statutory framework which determines the size and composition of Standards Committee Membership. It should be noted that Regulation 12 of those Regulations specifies that the rules of political proportionality do not apply to those elected representatives/members who are nominated by the County Borough Council to sit on the Standards Committee. At least half of the Committee members shall be independent (lay) members with no affiliation (within the specified rules) to the Council for whom they are appointed. Five of the nine members of Blaenau Gwent's Standards Committee are independent (lay) thus satisfying the composition requirements.

The Blaenau Gwent County Borough Council Standards Committee is comprised of the following members:

- Mr R Alexander (Chair)
- Miss H Roberts (Vice Chair until July 2022 – resigned from post at this time)
- Mr S Williams (Vice Chair from July 2022 to present)
- Mr FR Lynch
- Mrs S Rosser
- Councillor L Winnett
- Councillor M Cross
- Councillor J Thomas

- Town Councillor R Clark

Following the resignation of Miss Roberts in July 2022 a vacancy was created which following a period of advertising a recommendation of appointment was made in December 2022 and ratified by Council in January 2023 (Jenny White).

3. Term of Office - Independent Members of the Standards Committee

Regulations 18 – 21 of the Standards Committees (Wales) Regulations 2001 sets out the detailed rules in relation to the permitted terms of office of members of a Standards Committee. The term of office for an independent member of the Standards Committee is for an initial term of between 4 and 6 years. The independent member can be reappointed for a second term of no more than 4 years.

Below is a table which sets out the current position in connection with individual terms of office.

	Appointment Date	Term Time (Yrs)	End Date
1. Cllr Jacqueline Thomas	22/02/2018	4	02/05/2026
2. Mr Francis ROY Lynch	23/07/2020	6	22/07/2026
3. Mr. Stephen Williams	28/02/2019	6	27/02/2025
4. Miss Jenny White	26/01/2023	6	25/01/2029
5. Sarah Rosser	26/11/2020	6	26/11/2026
6. Mr Ronnie Alexander	01/05/2016	10	30/04/2026
7. Cllr M Cross	01/06/2022	4	01/06/2026
8. Cllr L Winnett	01/06/2022	4	01/06/2026
9. Town/Community Cllr Roger Clark	01/07/2022	4	01/07/2026

4. Term of Office - Community / Town Council Member of the Standards Committee

The term of office for a Community/Town Council Member of the Standards Committee shall be no more than 4 years or the period until ordinary elections for the community council on which the member sits, whichever is the shorter.

A member may be reappointed for a further consecutive term upon consultation with other community councils within the area.

A Community/Town Council Member shall cease to be a member of the Standards Committee if that member ceases to be a member of the Community/Town Council.

5. Meetings of the Standards Committee

In the period between 31st December 2021 and 31st December 2022 the Blaenau Gwent County Borough Council Standards Committee met a total of 3 times on the following dates:

- 28th January 2022
- 19th July 2022
- 18th October 2022

6. Detail of the Work undertaken by the Standards Committee

The following paragraphs set out the work carried out by the Standards Committee during the reporting period:

- a) No applications for dispensations were made to the Standards Committee. In certain circumstances Councillors may be granted a dispensation by the Standards Committee which enables them to take part in Council business where this would otherwise be prohibited because they have a personal interest as defined by the Members' Code of Conduct. Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the law.
- b) During the period the Committee considered the Annual Report of the Public Services Ombudsman for Wales (PSOW). This report did not raise any conduct issues for Blaenau Gwent but did report on each Local Authority's performance on code of conduct issues and it was noted that the number of complaints received had increased approximately 40% for the whole of Wales. However, Blaenau Gwent were shown to have an excellent record with only a single complaint referred to PSOW. This low figure was largely attributed to the Council's successful early resolution and prevention process using its Local Resolution Policy.
- c) No referrals were made to the Standard's Committee under the Council's Local Resolution Protocol (LRP). The LRP is set out in the Council's Constitution and is a mechanism for encouraging early resolution of internal Member Conduct complaints without the need to engage the PSOW's office.
- d) Complaints of Breach of the Code of Conduct: No conduct complaints in relation to Blaenau Gwent were taken forward for investigation by the Public Services Ombudsman for Wales during the relevant period and the PSOW made no referrals to the Standards Committee.
- e) The Committee also considered the Penn Report during this period regarding the review of the Ethical Standards Framework in Wales which was supported by the Monitoring Officers' Group. This report and the main points contained were all given appropriate consideration towards how they link with the work undertaken by the Committee and how this will fit within future work. Regional work is ongoing in connection with the Penn recommendations.
- f) Other work relating to training considerations, composition of the Committee and recruitment have also been reported and/or considered during this period.

No Adjudication Panel hearings were concluded during this period.

7. Annual Meeting with Political Group Leaders

Section 62 of the Local Government and Elections (Wales) Act imposes new duties on Leaders of political groups and they must take reasonable steps to promote and maintain high standards of conduct by the members of their group. In addition, the changes to the legislation also provide the Standards Committee with additional functions to ensure that group leaders have access to advice and training to support these new duties and to monitor their compliance with them.

The Standards Committee met with the Group Leaders of Blaenau Gwent in October 2022 to discuss the changes in legislation where it was agreed to work together on matters of standards, ethics and the code of conduct. It was agreed that Group Leaders would continue to meet with the Standards Committee at least on an annual basis and also extend an invite to all Committee meetings with a view to promoting a good working relationship.