

SUBJECT: STANDARDS COMMITTEE PROGRAMME

MEETING: STANDARDS COMMITTEE

DATE: 16 MARCH 2020

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE

- 1.1 To set out the programme for the Standards Committee, including reports to be received and produced.

2. RECOMMENDATION

- 2.1 The Standards Committee approves that:
- a. the Standards Committee will meet twice a year; it is anticipated this will be in April and October though the final decision will rest with the Chair;
 - b. the Standards Committee will convene outwith these set meetings as required to deal with matters arising, hearings and dispensation requests;
 - c. the Standards Committee will receive those reports set out at 3.7;
 - d. the Standards Committee will, on assent of the Local Government and Elections (Wales) Act, present a report to Council in the first meeting after the AGM annually.

3. KEY ISSUES

- 3.1 Section 53 of the Local Government Act 2000 established that each Local Authority should have a Standards Committee, providing for Ministers to furnish further details on composition, terms, membership etc through secondary legislation.
- 3.2 Section 54 of the Act directs that the function of a Standards Committee are:
- (a) promoting and maintaining high standards of conduct by the members and co-opted members of the authority, and
 - (b) assisting members and co-opted members of the authority to observe the authority's code of conduct.
- 3.3 Specifically, this requires the Standards Committee to advise on the adoption or revision of a Code of Conduct, monitor the operation of the Code and train, or arrange to train, Members on matters relating to the Code. It is for the authority to determine such other functions for the Committee as it considers appropriate.
- 3.4 The Committee must meet at least once every year.
- 3.5 There are a number of factors that contribute to the need for this report:

- a. a full review and revision of the Council's Constitution is currently being carried out by the Monitoring Officer; the intent is to present it to Council in May;
- b. the Local Government and Elections (Wales) Bill is likely to receive assent in the Summer with a raft of changes that are relevant to Local Authorities. Key changes are:
 - i. Standards Committees will be required to monitor compliance by Leaders of political groups of their duty to promote and maintain high standards of conduct;
 - ii. Standards Committees will be required to submit a report to Council annually detailing the discharge of its functions;
 - iii. Audit Committees are to become Audit and Governance Committees with specific direction to review an authority's complaints processes;
- c. a recent Wales Audit Office (WAO) visit and subsequent appearance at Audit Committee on 9 January that considered the whistleblowing regime in the authority.

3.6 There have been a number of reports submitted to Standards Committee in the past that have duplicated work conducted in other committees. Some of the factors in 3.5, combined with the functions detailed in 3.2, provide clarity on the correct forum for those reports:

- a. Annual Governance Statement. Presented to Audit Committee and intrinsically linked to the approval of MCC's accounts;
- b. Whistleblowing report. Following the WAO visit and subsequent decision presented to the Audit Committee to follow the WAO and Wales Assembly regimes, Member oversight will be provided through presentation to the Audit Committee;
- c. Whole Authority Complaints, Compliments and Comments Report. Presented to Audit Committee.

3.7 The following reports will be submitted to Standards Committee:

- a. Public Services Ombudsman for Wales annual letter. This will specifically address the Code of Conduct element, not the Corporate Complaints element which will feature as part of 3.6.c;
- b. Adjudication Panel for Wales annual letter;
- c. feedback report from the Standards Conference when held.

3.8 It is anticipated that in years when the Standards Conference is not held, the October Standards Committee meeting may be substituted either for Standards Committee training, or in order to hold a Town and Community Council Clerks Conference, with attendance by lay members of the Standards Committee.

3.9 The Constitution will be amended to reflect the above.

4. OPTIONS APPRAISAL

4.1 To do nothing will cease to be an option on the introduction of the Local Government and Elections Act in the Summer, and would continue to duplicate work being conducted primarily by the Audit Committee.

5. RESOURCE IMPLICATIONS

- 5.1 The changes should have a gain for Committee Members and Officers with regards to demands on time. As a cost, it is likely to be a relatively small benefit in budgetary terms owing to the reduced timetable; however, there is scope for this to be neutral if additional funding is put towards training during years when the Standards Conference is not held.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)

- 6.1 No negative impacts are identified and there are no safeguarding and corporate parenting implications to be considered.

7. CONSULTEES

Cabinet Member for Governance
Chair of Standards Committee
Head of Democratic Services
Chief Internal Auditor
Head of Human Resources
Customer Relations Manager

8. AUTHOR

Matt Phillips
Head of Law and Monitoring Officer

9. CONTACT DETAILS

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