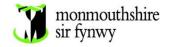
### **Public Document Pack**



County Hall Rhadyr Usk NP15 1GA

Friday, 6 September 2024

### **Notice of meeting**

### **Standards Committee**

Monday, 16th September, 2024 at 10.00 am, Conference Room, County Hall, Usk.

### **AGENDA**

| Item No | Item   | Pages   |
|---------|--|---------|
| 1.      | Apologies for absence  |         |
| 2.      | Declarations of interest   |         |
| 3.      | Minutes of previous meeting                                      | 1 - 4   |
| 4.      | Annual Letter from PSOW 2023/24                                  | 5 - 16  |
| 5.      | Chair's update: National Forum for Chairs of Standards Committee | 17 - 18 |
| 6.      | Standards Committee Annual Report 2023/24                        | 19 - 20 |
| 6.1.    | Appendix 1   | 21 - 24 |
| 7.      | Date of next meeting - 16th December 2024                        |         |

**Paul Matthews Chief Executive** 

#### MONMOUTHSHIRE COUNTY COUNCIL CYNGOR SIR FYNWY

#### THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors: Frances Taylor

Fay Bromfield Catherine Fookes

Independent Members: Peter Easy (Chair)

**Ruth Price** 

Andrew Blackmore Michael John

Rhian Williams-Flew

Marion Gibson

#### **Public Information**

#### Access to paper copies of agendas and reports

A copy of this agenda and relevant reports can be made available to members of the public attending a meeting by requesting a copy from Democratic Services on 01633 644219. Please note that we must receive 24 hours notice prior to the meeting in order to provide you with a hard copy of this agenda.

#### Watch this meeting online

This meeting can be viewed online either live or following the meeting by visiting <a href="https://www.monmouthshire.gov.uk">www.monmouthshire.gov.uk</a> or by visiting our Youtube page by searching MonmouthshireCC.

#### Welsh Language

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

### **Aims and Values of Monmouthshire County Council**

#### Our purpose

• to become a zero-carbon county, supporting well-being, health and dignity for everyone at every stage of life.

Objectives we are working towards

- Fair place to live where the effects of inequality and poverty have been reduced;
- Green place to live and work with reduced carbon emissions and making a positive contribution to addressing the climate and nature emergency;
- Thriving and ambitious place, where there are vibrant town centres and where businesses can grow and develop
- Safe place to live where people have a home where they feel secure in;
- Connected place where people feel part of a community and are valued;
- Learning place where everybody has the opportunity to reach their potential

#### **Our Values**

**Openness**. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help — building trust and engagement is a key foundation.

**Fairness**. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

**Flexibility**. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

**Teamwork**. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

**Kindness**: We will show kindness to all those we work with putting the importance of relationships and the connections we have with one another at the heart of all interactions.

# Public Document Pack Agenda Item 3 MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at Conference Room - Usk, NP15 1AD on Monday, 10th June, 2024 at 10.00 am

PRESENT: County Councillors: Frances Taylor, Fay Bromfield,

Catherine Fookes

Independent Members: Ruth Price, Michael John, Rhian Williams-

Flew, Peter Easy (Chair), Marian Gibson

#### **OFFICERS IN ATTENDANCE:**

Nicola Perry Senior Democracy Officer
James Williams Chief Officer Law & Governance

#### **APOLOGIES:**

Councillors A. Blackmore

#### 1. Election of Chair

Peter Easy was elected as Chair of Standards Committee for the year 2024/25.

#### 2. Election of Vice Chair

Rhian Williams Flew was elected as Vice Chair of Standards Committee for the year 2024/25.

#### 3. <u>Declarations of Interest</u>

County Councillor Frances Taylor declared a prejudicial interest in relation to item 8 and agreed to leave the meeting for the duration of that item.

#### 4. Minutes of the Previous Meeting

The minutes of the meeting held on 9th October 2023 were accepted as an accurate record.

#### 5. Local Resolution Protocol

Deferred.

#### 6. Planning Code of Practice

The Chief Officer for Law and Governance, and Monitoring Officer presented the report to provide an update to Standards Committee in relation to the Planning Code of Practice.

It was explained that the Planning Code of Practice had been updated and approved by Planning Committee. Next steps, to go to Democratic Services Committee on 14<sup>th</sup> October 2024, be added to the Constitution, and be approved at Full Council in October 2024.

The Committee resolved to accept the recommendation that Standards Committee notes the position in relation to the Planning Code of Practice, attached at Appendix 1.

#### MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held at Conference Room - Usk, NP15 1AD on Monday, 10th June, 2024 at 10.00 am

#### 7. <u>Adoption of Procedure for dealing with referrals from the Public Services</u> Ombudsman for Wales

The report was presented for the Standards Committee to adopt a procedure to deal with investigation reports referred to it by the Public Services Ombudsman for Wales (PSOW).

The Committee resolved to accept the recommendation that the Standards Committee adopts the procedure for dealing with referrals from the Public Services Ombudsman for Wales, attached to the report as Appendix 1.

#### 8. PSOW Decision Notices

The report was presented to provide the Standards Committee with the decision notices issued by the Public Services Ombudsman for Wales ("the Ombudsman") following complaints against elected members in respect of breaches of the Member Code of Conduct.

The Committee resolved to note the contents of this report and the decision notices attached at Appendices 1-3.

#### 9. Referral from the PSOW

The report was presented for the Standards Committee to consider a referral from the Public Services Ombudsman for Wales and to decide arrangements for it to be dealt with under its adopted procedure.

The Committee resolved to establish a Panel to deal with the Ombudsman referral in accordance with its adopted procedure; and instruct the Monitoring Officer to make arrangements for the hearing of the complaint.

It was noted the Michael John must be a member of the panel. Marion Gibson, Ruth Price and Andrew Blakemore were happy to be selected for the panel.

#### 10. Verbal Update: PSOW Independent Review

The Ombudsman had announced there would be an independent investigation following the suspension and resignation of a senior member of staff.

Dr Melissa McCulloch has been appointed to conduct the review. The terms of reference were shared with the Monitoring Officer Group and Senedd Finance Committee prior to being finalised.

The terms of reference were highlighted as:

- 1. To review the code of conduct, processes, and delegations to ensure they are appropriate, fair and impartial and free from political bias.
- 2. To review the decisions taken by the former team leader and her team, between 1<sup>st</sup> April 2021 and 22<sup>nd</sup> October 2022.
- 3. To review cases, where the former team leader was the case owner, which were investigated and closed without reference to a Standards Committee.
- 4. To establish whether there is evidence that the team expressed personal views on political matters.
- 5. To make recommendations which Dr. McCulloch considers appropriate.

#### MONMOUTHSHIRE COUNTY COUNCIL

# Minutes of the meeting of Standards Committee held at Conference Room - Usk, NP15 1AD on Monday, 10th June, 2024 at 10.00 am

A final report will be shared with Standards Committee in due course.

11. Next Meeting 16th September 2024

Noted.

The meeting ended at Time Not Specified

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# Agenda Item 4



Ask for: Communications

**a** 01656 641150

Councillor Mary Ann Brocklesby Monmouthshire County Council

By email only

maryannbrocklesby@monmouthshire.gov.uk paulmatthews@monmouthshire.gov.uk JamesWilliams@monmouthshire.gov.uk

#### Annual Letter 2023/24

**Dear Councillor Brocklesby** 

#### Role of PSOW

As you know, the role of the Public Services Ombudsman for Wales is to consider complaints about public services, to investigate alleged breaches of the councillor Code of Conduct, to set standards for complaints handling by public bodies and to drive improvement in complaints handling and learning from complaints. I also undertake investigations into public services on my own initiative.

#### **Purpose of letter**

This letter is intended to provide an update on the work of my office, to share key issues for local government in Wales and to highlight any particular issues for your organisation, together with actions I would like your organisation to take.

#### Overview of 2023/24

This letter, as always, coincides with my Annual Report – "A New Chapter Unfolds" – and comes at a time when public services continue to be in the spotlight, and under considerable pressures. My office has seen another increase in the number of people asking for our help – a 17% increase in overall contacts compared to the previous year, with nearly 10,000 enquiries and complaints received. Our caseload has increased substantially - by 37% - since 2019.

Page 1 of 12

ombwdsmon.cymru
holwch@ombwdsmon.cymru
0300 790 0203
1 Ffordd yr Hen Gae, CF 35 5LJ
Rydym yn hapus i dderbyn ac
ymateb i ohebiaeth yn y Gymraeg.

ombudsman.wales
ask@ombudsman.wales
0300 790 0203
1 Ffordd yr Hen Gae, CF 35 5LJ
WePagepby to accept and respond
to correspondence in Welsh.

During 2023/24 we considered and closed more enquiries and complaints than we ever have done before, and we reduced the average cost for each case and investigation. We started the year with a focus on reducing our aging cases, those over 12 months old, by 50% by the end of the year. These cases are often the most complex and distressing for the people making the complaint. I am extremely pleased to say we exceeded this target, reducing our aged investigations by over 70%. We are now well on track to meeting our objective to complete investigation of complaints within 12 months.

#### **Public Services Complaints and compliance with recommendations**

In total 1,108 complaints about local authorities were made to us last year – broadly the same number as the previous year. During this period, we intervened in (upheld, settled or resolved at an early stage) 14% of local authority complaints – a similar proportion to recent years.

We received 29 complaints about Monmouthshire County Council in 2023/24 and closed 32 - some complaints were carried over from the previous year. Monmouthshire County Council's intervention rate was 9%. Further information on complaints about your organisation can be found in the appendices.

We made 4 recommendations to your council during the year. To ensure that our investigations and reports drive improvement, we follow up compliance with the recommendations agreed with your organisation. In 2023/24, 4 recommendations were due and 25% were complied with in the timescale agreed. The remainder were complied with, but outside the timescales agreed or remain outstanding as at 9 April 2024.

Recommendations and timescales for complying with recommendations are always agreed with the public body concerned before being finalised, and we therefore expect organisations to comply within the timescales agreed.

#### **Our Code of Conduct work**

My role is to investigate allegations that councillors have breached their Code of Conduct. Where an investigation finds evidence to support the complaint on a matter which is serious enough to require a referral in the public interest, these cases are referred either to the local Standards Committee or to the Adjudication Panel for Wales for consideration.

In 2023/24, we received 16% more Code of Conduct complaints than the previous year, relating to both Principal Councils and Town and Community Councils. My office made 21 referrals – to Standards Committees or the Adjudication Panel for Wales, an increase from 12 the previous year.

I am grateful to your Monitoring Officer for their positive engagement with my office over the last year. We will continue to engage with them on matters relating to the ethical standards framework, including Local Resolution Procedures this year.

#### **Independent Review**

As you will be aware, I became aware of inappropriate comments, of a political nature, made by a member of my staff via social media. These comments were widely reported in the media. The member of staff in question was suspended and subsequently resigned. However, the comments prompted questions about my office's work on councillor Code of Conduct cases.

In view of the seriousness of the matter, I commissioned Dr Melissa McCullough to conduct an independent review of our Code of Conduct work, and I have published the full <u>Terms of Reference</u> for that review. I and my staff are engaging closely with the Monitoring Officer Group and the National Forum for Standards Committee Chairs in relation to this matter. I will be publishing Dr McCullough's final report on completion of the review and sharing it with the Senedd's Finance Committee this Autumn.

#### Supporting improvement of public services

We continued our work on supporting improvement in public services last year and worked on our second wider Own Initiative investigation. The investigation includes four local authorities and considers carers' needs assessments. I am grateful to the investigated authorities for their co-operation and candour throughout the year, and we look forward to sharing our finalised report this Autumn. This will make recommendations to the investigated authorities and will ask all local authorities across Wales to make similar improvements.

We have continued our work on complaints handling standards for public bodies in Wales and now have 56 public bodies following our model complaints handling policy. These public bodies account for around 85% of the complaints we receive. We have continued our work to publish complaints statistics, gathered from public bodies, with data published twice a year.

We continued our work to publish complaints statistics into a third year, with data now published twice a year. This data allows us to see information with greater context – for example, last year 15% of complaints made to Monmouthshire County Council's went on to be referred to PSOW.

#### Action we would like your organisation to take

Further to this letter can I ask that your Council takes the following actions:

- Present my Annual Letter to the Cabinet and to the Governance and Audit Committee at the next available opportunity and notify me of when these meetings will take place.
- Consider the data in this letter, alongside your own data, to understand more about your performance on complaints, including any patterns or trends and your organisation's compliance with recommendations made by my office.

• Inform me of the outcome of the Council's considerations and proposed actions on the above matters at the earliest opportunity.

I would like to thank you, and your officers, for your continued openness and engagement with my office. Our information shows that local authorities are looking into more complaints than ever before and are using information from complaints to deliver better outcomes for the people of Wales.

Yours sincerely,

MM. Manis.

**Michelle Morris** 

Public Services Ombudsman

Cc. Paul Matthews, Chief Executive, Monmouthshire County Council James Williams, Monitoring Officer, Monmouthshire County Council



### **Factsheet**

### Appendix A - Complaints Received

| Local Authority                               | Complaints<br>Received | Received<br>per 1,000<br>residents |
|---|------------------------|------------------------------------|
| Blaenau Gwent County Borough Council          | 15                     | 0.22                               |
| Bridgend County Borough Council               | 59                     | 0.41                               |
| Caerphilly County Borough Council             | 56                     | 0.32                               |
| Cardiff Council*                              | 149                    | 0.41                               |
| Carmarthenshire County Council                | 69                     | 0.37                               |
| Ceredigion County Council                     | 32                     | 0.45                               |
| Conwy County Borough Council                  | 36                     | 0.31                               |
| Denbighshire County Council**                 | 31                     | 0.32                               |
| Flintshire County Council                     | 51                     | 0.33                               |
| Cyngor Gwynedd                                | 38                     | 0.32                               |
| Isle of Anglesey County Council               | 38                     | 0.55                               |
| Merthyr Tydfil County Borough Council         | 12                     | 0.20                               |
| Monmouthshire County Council                  | 29                     | 0.31                               |
| Neath Port Talbot Council                     | 35                     | 0.25                               |
| Newport City Council                          | 52                     | 0.33                               |
| Pembrokeshire County Council                  | 40                     | 0.32                               |
| Powys County Council                          | 54                     | 0.41                               |
| Rhondda Cynon Taf County Borough Council      | 64                     | 0.27                               |
| Swansea Council                               | 81                     | 0.34                               |
| Torfaen County Borough Council                | 14                     | 0.15                               |
| Vale of Glamorgan Council                     | 77                     | 0.58                               |
| Wrexham County Borough Council                | 76                     | 0.56                               |
| Total   | 1108                   | 0.36                               |
| * inc 2 Rent Smart Wales                      |                        |                                    |
| ** inc 1 Wales Penalty Processing Partnership |                        |                                    |



### Appendix B - Received by Subject

| <b>Monmouthshire County Council</b>          | Complaints Received | % share |
|--|---------------------|---------|
|  |                     |         |
| Adult Social Services                        | 0                   | 0%      |
| Benefits Administration                      | 1                   | 3%      |
| Children's Social Services                   | 7                   | 24%     |
| Community Facilities, Recreation and Leisure | 0                   | 0%      |
| Complaints Handling                          | 5                   | 17%     |
| Covid-19                                     | 0                   | 0%      |
| Education                                    | 0                   | 0%      |
| Environment and Environmental Health         | 0                   | 0%      |
| Finance and Taxation                         | 1                   | 3%      |
| Housing                                      | 3                   | 10%     |
| Licensing                                    | 0                   | 0%      |
| Planning and Building Control                | 4                   | 14%     |
| Roads and Transport                          | 4                   | 14%     |
| Various Other                                | 4                   | 14%     |
| Total  | 29                  |         |



Appendix C - Complaint Outcomes (\* denotes intervention)

| Monmouthshire County Council                   |    | % Share |
|--|----|---------|
| Out of Jurisdiction                            | 6  | 19%     |
| Premature                                      | 10 | 31%     |
| Other cases closed after initial consideration | 13 | 41%     |
| Early Resolution/ voluntary settlement*        | 3  | 9%      |
| Discontinued                                   | 0  | 0%      |
| Other Reports - Not Upheld                     | 0  | 0%      |
| Other Reports Upheld*                          | 0  | 0%      |
| Public Interest Reports*                       | 0  | 0%      |
| Special Interest Reports*                      | 0  | 0%      |
| Total  | 32 |         |



### Appendix D - Cases with PSOW Intervention

|   | No. of interventions | No. of<br>closures | % of interventions |
|---|----------------------|--------------------|--------------------|
| Blaenau Gwent County Borough Council        | 1                    | 16                 | 6%                 |
| Bridgend County Borough Council             | 8                    | 59                 | 14%                |
| Caerphilly County Borough Council           | 3                    | 48                 | 6%                 |
| Cardiff Council                             | 28                   | 144                | 19%                |
| Cardiff Council - Rent Smart Wales          | 0                    | 3                  | 0%                 |
| Carmarthenshire County Council              | 8                    | 60                 | 13%                |
| Ceredigion County Council                   | 7                    | 32                 | 22%                |
| Conwy County Borough Council                | 0                    | 37                 | 0%                 |
| Denbighshire County Council                 | 2                    | 32                 | 6%                 |
| Denbighshire County Council - Wales Penalty |                      |                    |                    |
| Processing Partnership                      | 0                    | 1                  | 0%                 |
| Flintshire County Council                   | 8                    | 57                 | 14%                |
| Cyngor Gwynedd                              | 6                    | 39                 | 15%                |
| Isle of Anglesey County Council             | 10                   | 41                 | 24%                |
| Merthyr Tydfil County Borough Council       | 3                    | 14                 | 21%                |
| Monmouthshire County Council                | 3                    | 32                 | 9%                 |
| Neath Port Talbot Council                   | 5                    | 34                 | 15%                |
| Newport City Council                        | 5                    | 51                 | 10%                |
| Pembrokeshire County Council                | 7                    | 38                 | 18%                |
| Powys County Council                        | 7                    | 53                 | 13%                |
| Rhondda Cynon Taf County Borough Council    | 11                   | 63                 | 17%                |
| Swansea Council                             | 12                   | 77                 | 16%                |
| Torfaen County Borough Council              | 2                    | 14                 | 14%                |
| Vale of Glamorgan Council                   | 15                   | 71                 | 21%                |
| Wrexham County Borough Council              | 7                    | 79                 | 9%                 |
| Total                                       | 158                  | 1095               | 14%                |



# Appendix E – Compliance performance comparison

| Local Authority         | Number of recommendations | Number of recommendations | % of recommendations, |  |  |
|-------------------------|---------------------------|---------------------------|-----------------------|--|--|
|                         | made in 2023-24           | falling due in 2023-24    | complied with on time |  |  |
| Blaenau Gwent County    | 4                         | 4                         | 4000/                 |  |  |
| Borough Council         | 1                         | 1                         | 100%                  |  |  |
| Bridgend County         | 40                        | 00                        | 050/                  |  |  |
| Borough Council         | 18                        | 20                        | 35%                   |  |  |
| Caerphilly County       |                           |                           |                       |  |  |
| Borough Council         | 9                         | 9                         | 11%                   |  |  |
| Cardiff Council         | 74                        | 75                        | 92%                   |  |  |
| Carmarthenshire         |                           |                           |                       |  |  |
| County Council          | 25                        | 25                        | 52%                   |  |  |
| Ceredigion County       |                           |                           |                       |  |  |
| Council                 | 23                        | 23                        | 78%                   |  |  |
| Swansea Council         | 29                        | 32                        | 63%                   |  |  |
| Conwy County Borough    |                           |                           |                       |  |  |
| Council                 | 0                         | 1                         | 0%                    |  |  |
| Denbighshire County     |                           |                           |                       |  |  |
| Council                 | 5                         | 6                         | 67%                   |  |  |
| Flintshire County       |                           |                           |                       |  |  |
| Council                 | 17                        | 17                        | 59%                   |  |  |
| Cyngor Gwynedd          | 12                        | 19                        | 74%                   |  |  |
| Isle of Anglesey County |                           |                           |                       |  |  |
| Council                 | 26                        | 24                        | 92%                   |  |  |
| Merthyr Tydfil County   |                           |                           |                       |  |  |
| Borough Council         | 11                        | 9                         | 56%                   |  |  |
| Monmouthshire County    |                           |                           |                       |  |  |
| Council                 | 4                         | 4                         | 25%                   |  |  |
| Neath Port Talbot       |                           |                           |                       |  |  |
| Council                 | 14                        | 14                        | 29%                   |  |  |
| Newport City Council    | 10                        | 7                         | 43%                   |  |  |
| Pembrokeshire County    |                           |                           |                       |  |  |
| Council                 | 24                        | 23                        | 96%                   |  |  |
| Powys County Council    | 18                        | 16                        | 31%                   |  |  |
| Rhondda Cynon Taf       |                           |                           |                       |  |  |
| County Borough          |                           |                           |                       |  |  |
| Council                 | 26                        | 26                        | 77%                   |  |  |
| Torfaen County          |                           |                           |                       |  |  |
| Borough Council         | 3                         | 3                         | 67%                   |  |  |
| Vale of Glamorgan       |                           |                           |                       |  |  |
| Council                 | 50                        | 48                        | 92%                   |  |  |
| Wrexham County          |                           |                           |                       |  |  |
| Borough Council         | 16                        | 19                        | 42%                   |  |  |



Appendix F - Code of Conduct Complaints

| Monmouthshire | County |
|---------------|--------|
| Council       | _      |

| <b>ி</b> d/estigations |
|------------------------|
| lge                    |
|                        |

| Decision not to investigate  | 15 |
|------------------------------|----|
| Discontinued                 | 0  |
| No evidence of breach        | 0  |
| No action necessary          | 1  |
| Refer to Adjudication Panel  | 0  |
| Refer to Standards Committee | 0  |
| Total                        | 16 |



# Appendix G - Town/Community Council Code of Complaints

|                                       |                             |              | Investigations        |                     |                                   |                                    |       |
|---------------------------------------|-----------------------------|--------------|-----------------------|---------------------|-----------------------------------|------------------------------------|-------|
| Town/Community Council                | Decision not to investigate | Discontinued | No evidence of breach | No action necessary | Refer to<br>Adjudication<br>Panel | Refer to<br>Standards<br>Committee | Total |
| Caerwent Community Council            | 0                           | 0            | 0                     | 0                   | 0                                 | 0                                  | 0     |
| Llantilio Pertholey Community Council | 0                           | 0            | 0                     | 0                   | 0                                 | 1                                  | 1     |
| Monmouth Town Council                 | 0                           | 0            | 0                     | 0                   | 0                                 | 0                                  | 0     |
| Raglan Community Council              | 1                           | 0            | 0                     | 0                   | 0                                 | 0                                  | 1     |



#### **Information Sheet**

**Appendix A** shows the number of complaints received by PSOW for all Local Authorities in 2023/24. These complaints are contextualised by the population of each authority.

**Appendix B** shows the categorisation of each complaint received, and what proportion of received complaints represents for the Local Authority.

**Appendix C** shows outcomes of the complaints which PSOW closed for the Local Authority in 2023/24. This table shows both the volume, and the proportion that each outcome represents for the Local Authority.

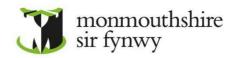
**Appendix D** shows Intervention Rates for all Local Authorities in 2023/24. An intervention is categorised by either an upheld complaint (either public interest or non-public interest), an early resolution, or a voluntary settlement.

**Appendix E** shows the compliance performance of each Local Authority.

**Appendix F** shows the outcomes of Code of Conduct complaints closed by PSOW related to Local Authority in 2023/24. This table shows both the number, and the proportion that each outcome represents for the Local Authority.

**Appendix G** shows the outcomes of Code of Conduct complaints closed by PSOW related to Town and Community Councils in the Local Authority's area in 2023/24. This table shows both the number, and the proportion that each outcome represents for each Town or Community Council.

# Agenda Item 5



**SUBJECT:** Chair's Update: National Forum for Chairs

of Standards Committees

MEETING: Standards Committee
DATE: 16<sup>th</sup> September 2024
DIVISION/WARDS AFFECTED: All

#### 1. PURPOSE

For the Chair to update Standards Committee members following his attendance at the National Forum for Chairs of Standards Committees on 24<sup>th</sup> June 2024.

#### 2. RECOMMENDATION

That the Committee notes the contents of the report.

#### 3. KEY ISSUES

3.1 The Chair attended the National Forum for Chairs of Standards Committees on 24th June 2024. The major points of discussion are set out below.

#### Adjudication Panel for Wales

Judge Claire Sharp, the outgoing APW President, spoke about the nature and conduct of hearings by Standards Committees, and appeals against the findings of those hearings. She stressed that the record of the hearing should be comprehensive, and that the reasoning behind a committee's decisions must be clear and detailed. In relation to appeals against the findings of a Standards Committee, Judge Sharp noted that this was a paper process only and was driven by the question: "does the appeal or part of it have a reasonable prospect of success?" It was also emphasized that, in applying sanctions following a hearing, a Standards Committee should use the APW guidance to ensure a level of consistency. She noted that amongst the most common deficiencies in the findings of hearings held by Standards Committees was the lack of a clear record of the reasoning behind a decision or indication of the weight placed on particular evidence.

#### One Voice Wales

3.3 Paul Egan, the OVW Deputy Chief Executive gave a presentation which covered the support offered by OVW to Town and Community Councils; and the training, support and information provided by OVW in relation to standards of behaviour and code of conduct matters.

#### Public Services Ombudsman for Wales

3.4 The Public Services Ombudsman of Wales, Michelle Morris, discussed the PSOW's increasing case load and its impact on the time available to investigate

complaints. She also covered the independent review set up, after a complaint about a PSOW Team Leader, to check for any political bias in the work of the PSOW. The final report of the review is due in the autumn.

#### Issues raised by Chairs of Standards Committees

3.5 There was a brief discussion on the duties of Group Leaders in relation to standards and how these duties were being carried out.

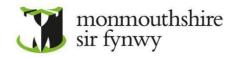
#### Any Other Business

3.6 There was a discussion of the basis for the Forum's meetings and whether the matters covered were on or off the record. It was agreed that notes of the meetings could be shared with Standards Committees but not be placed in the public domain. It was suggested that a two-part format to meetings could be adopted with the second part containing confidential business.

#### 4. REPORT AUTHOR

Peter Easy, Chair, on behalf of the Standards Committee

# Agenda Item 6



**SUBJECT:** Annual Report of the Standards Committee

for 2023/24

MEETING: Standards Committee
DATE: 16<sup>th</sup> September 2024
DIVISION/WARDS AFFECTED: All

#### 1. PURPOSE

To present the Standards Committee Annual Report 2023/24 for approval prior to reporting to a meeting of Council.

#### 2. RECOMMENDATION

That the Standards Committee approves the draft annual report at Appendix 1.

#### 3. INTRODUCTION

- 3.1 Section 63 of the Local Government and Elections (Wales) Act 2021 ("LGE 2021") created a new requirement for standards committees to make an annual report to their authority.
- 3.2 Section 63 LGE 2021 prescribes the required content of the annual report which is reflected in the draft report attached at Appendix 1.

#### 4. RESOURCE IMPLICATIONS

None.

#### 5. CONSULTEES

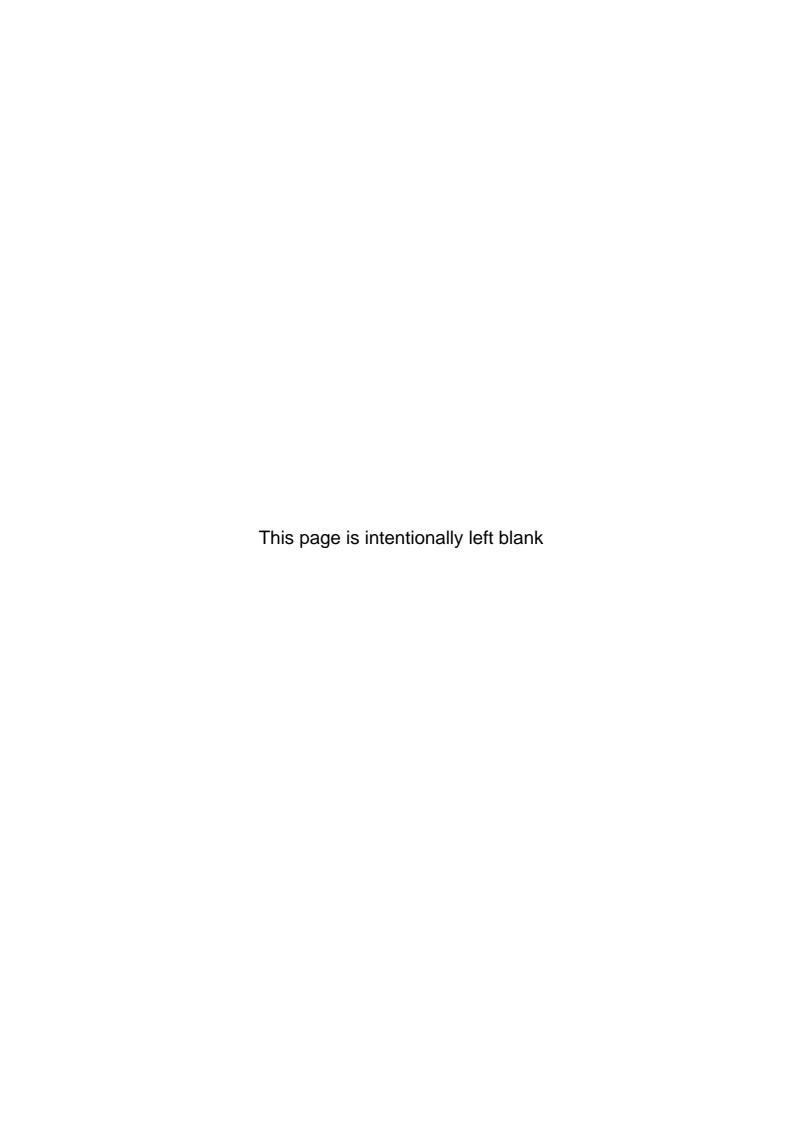
Standards Committee Monitoring Officer – James Williams

#### 6. AUTHOR AND CONTACT DETAILS

Peter Easy, Chair, on behalf of the Standards Committee

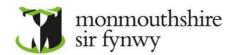
#### 7. BACKGROUND PAPERS

Appendix 1 - Annual Report of the Standards Committee for 2023/24



# Agenda Item 6a

#### **APPENDIX 1 – Draft Annual Report**



**SUBJECT:** Annual Report of the Standards Committee

for 2023/24

MEETING: Council

DATE: 24<sup>th</sup> October 2024 DIVISION/WARDS AFFECTED: All

#### 1. PURPOSE

To present the 2023/24 annual report of the Council's Standards Committee.

#### 2. RECOMMENDATION

That Council notes the contents of the report.

#### 3. INTRODUCTION

- 3.1 The Standards Committee is required by Section 63 of the Local Government and Elections (Wales) Act 2021 ("LGE 2021") to make an annual report to their authority.
- 3.2 Section 63 LGE 2021 prescribes the content of the annual report as set out below.

#### 4. DISCHARGE OF THE COMMITTEE'S FUNCTIONS

- 4.1 The Standards Committee is composed of nine members: three County Councillors, one community member and five independent members.
- 4.2 The Committee met twice in 2023/24 on Monday 12<sup>th</sup> June 2023 and on Monday 9th October 2023.
- 4.3 The functions of the Committee are defined in sections 54 and 56 of the Local Government Act 2000 ("LGA 2000"). The primary function is to

#### **APPENDIX 1 – Draft Annual Report**

promote and maintain high standards of conduct by the members and co- opted members of the authority, and by the members of community councils in Monmouthshire.

# 5. REPORTS AND RECOMMENDATIONS FROM THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW)

- 5.1 The Standards Committee received one report from the Public Services Ombudsman for Wales ("PSOW") during the year 2023/24 following an investigation into allegations that a member of Llantilo Petholey Community Council had breached their authority's member code of conduct.
- 5.2 The matter was referred to a hearing of a Standards Committee Panel on 28<sup>th</sup> August 2024 and the outcome was reported on the Council's website in accordance with the Committee's procedure.
- 5.3 The PSOW's annual letter to the Council for the year 2023/24 is attached to this report as Appendix 1.

# 6. ACTIONS TAKEN BY THE COMMITTEE FOLLOWING CONSIDERATION OF PSOW REPORTS AND RECOMMENDATIONS

6.1 Not applicable.

# 7. NOTICES GIVEN TO THE COMMITTEE BY THE ADJUDICATION PANEL FOR WALES

- 7.1 No notices regarding member conduct were received from APW during the year.
- 7.2 No member of the County Council and no member of any community council in the area of Monmouthshire were respondents at APW tribunals.

#### 8. TRAINING FOR MEMBERS

- 8.1 All members of the Council are required to undergo Code of Conduct training. Code of Conduct training was provided for all members at County Hall on 12th May 2022 in person. Further training has been made available for those members who were unable to attend this training, or who have been co-opted to the Council since this date.
- 8.2 All members and co-opted members have received training on the Code of Conduct, either in person or via the online format.

# 9. COMPLIANCE OF POLITICAL GROUP LEADERS WITH NEW CONDUCT DUTIES s 52A(1) LGA 2000

9.1 The Monitoring Officer is satisfied that all three MCC political group leaders complied with the duties set out above in s 52A(1) of LGA 2000 during the year ending 31st March 2024.

#### 10. RECOMMENDATIONS TO THE AUTHORITY

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10.1 Section 56B(5) of LGA 2000 states that:

#### **APPENDIX 1 – Draft Annual Report**

An annual report by a standards committee of a relevant authority may include recommendations to the authority about any matter in respect of which the committee has functions.

10.2 The committee has no recommendations for the authority.

#### 11. CONCLUSION

11.1 The standards committee strongly commends all members of the authority for continuing to maintain high standards of conduct throughout 2023/24.

#### 12. RESOURCE IMPLICATIONS

None.

#### 13. BACKGROUND PAPERS

Appendix 1 - PSOW's annual letter to the Council for the year 2023/24

#### 14. CONSULTEES

Standards Committee Monitoring Officer – James Williams

#### 15. AUTHOR AND CONTACT DETAILS

Peter Easy, Chair, on behalf of the Standards Committee

