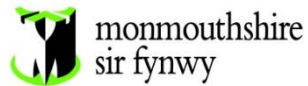


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County Hall
Rhadyr
Usk
NP15 1GA

Friday, 16 January 2026

Notice of meeting

Standards Committee

**Monday, 26th January, 2026 at 11.00 am,
Council Chamber, County Hall, Usk**

AGENDA

Item No	Item	Pages
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Minutes of the meeting held on 15th September 2025	1 - 2
4.	Local Resolution Protocol	3 - 10
5.	Frequency and sequencing of meetings	

**Paul Matthews
Chief Executive**

MONMOUTHSHIRE COUNTY COUNCIL CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

Fay Bromfield
Frances Taylor
Peter Strong

Co-opted Members

Ruth Price
Andrew Blackmore
Michael John
Rhian Williams-Flew
Peter Easy
Marion Gibson

Public Information

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Watch this meeting online

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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
on Monday, 15th September, 2025 at 10.00 am**

PRESENT: County Councillors: Frances Taylor and Peter Strong

Independent Members:

Ruth Price, Andrew Blackmore, Rhian Williams-Flew, Peter Easy
(Chair) and Marion Gibson

OFFICERS IN ATTENDANCE:

Nicola Perry
Geraint Edwards

Senior Democracy Officer
Head of Litigation and Deputy Monitoring Officer

APOLOGIES:

Councillor Fay Bromfield and Michael John

1. Declarations of Interest

County Councillor Frances Taylor declared a non-prejudicial interest in relation to Item 5 on the agenda as a member of Magor with Undy Town Council.

County Councillor Peter Strong declared a non-prejudicial interest in relation to Item 5 on the agenda as a member of Caldicot Town Council.

2. Minutes of the meeting held on 16th December 2024

The minutes of the meeting held on 16th December 2024 were confirmed as an accurate record.

We noted that there had been discussion around code of conduct training for Community and Town Councils. This Deputy Monitoring Officer agreed to raise this with the Monitoring Officer following the meeting.

We also noted that the Committee had agreed to continue holding the meetings at 10am but looked to change the date of the December meeting.

3. Annual Report of the Standards Committee

The Deputy Monitoring Officer presented the Standards Committee Annual Report 2024/25 for approval prior to reporting to a meeting of Council.

County Councillor Taylor suggested that consideration be given to holding refresher sessions for code of conduct training during the term of Council, rather than only during the induction period.

The Committee requested that this discussion be added to the agenda of the next meeting.

The Committee resolved to accept the recommendation the Standards Committee approves the draft annual report at Appendix 1.

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Standards Committee held on Monday, 15th September, 2025 at 10.00 am

4. Local Resolution Protocol - verbal update

Guidance states that local authorities should have in place a process for dealing with low level, member on member complaints and a route to allow these complaints to be resolved internally, informally and quickly.

MCC does have a local resolution protocol within the current constitution, but through discussions with the All-Wales Monitoring Officers Group it was noted that there were variations between councils, both in terms of the processes associated with local resolution protocols, and with the sanctions that could be imposed under these more informal arrangements. Therefore, Welsh Government are looking to organise workshops for officers to improve the protocols with the aim of setting a standardised approach.

It was hoped that the new Local Resolution Protocol would be brought to the December meeting.

5. Notes from the National Forum of the Chairs of Standards Committees (January 2025 and June 2025) - Chair's update

The Chair presented notes from the National Forum of Chairs of Standards Committees and welcomed comments from the Committee.

The Ombudsman had attended the June 2025 meeting, and an issue had arisen around whether a member should be notified at the point the complaint is made, rather than later. The process in place at that time was that a member wasn't informed at the point of the complaint being made but was only informed if the complaint proceeded further. They are now committed to informing members at the point where the complaint has been made rather than later in the process.

6. Decision Notices - Public Services Ombudsman for Wales (exempt)

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

The Committee resolved to accept the recommendation that the Standards Committee notes the contents of this report and the decision notices attached at Appendices 1-6.

7. Next Meeting - 15th December 2025

The Committee resolved to move the date of the next meeting to Monday 24th November 2025 at 10:00am.

The meeting ended at 11.15 am



Subject: Local Resolution Protocol

Meeting: Standards Committee

Date: 26th January 2026

Divisions/Wards Affected: All

1. PURPOSE:

- 1.1 To seek the endorsement of the Standards Committee of a proposed Local Resolution Protocol (“LRP”) to deal with low level member on member complaints in accordance with the guidance of the Public Services Ombudsman for Wales (“the Ombudsman”).

2. RECOMMENDATIONS:

- 2.2 That the Standards Committee endorses the LRP attached at Appendix 1, subject to the approval of Council.

3. KEY ISSUES:

- 3.1 The Ombudsman expects Councils to establish an LRP to reduce the number of complaints referred to the Ombudsman relating to ‘low-level’ behavioural issues between members, which in acknowledges typically arise in the “cut and thrust” of normal Council debates and local politics.
- 3.2 In the Ombudsman’s guidance on the Members’ Code of Conduct (paragraphs 1.17 and 1.18), the Ombudsman states that *“In my view such complaints are more appropriately resolved informally and locally in order to speed up the complaints process and to ensure that my resources are devoted to the investigation of serious complaints. The aim of local resolution is to resolve matters at an early stage so as to avoid the unnecessary escalation of the situation which may damage personal relationships within the authority and the authority’s reputation.”*
- 3.3 Each Council in Wales has adopted its own processes to comply with the guidance. Monmouthshire currently has provision for informal resolution of disputes within the constitution (the Protocol for Self-Regulation of Member Conduct).
- 3.4 The all Wales Monitoring Officers group set up a working group to consider the operation of local resolution protocols and to advise on best practice. The working group considered all available LRPs in Wales and instructed Counsel to advise on the operation and extent of LRPs. Following this review, the working group recommended that all Councils review their local resolution protocols against the following criteria:

- 1) The LRP should only apply to low level, member on member complaints;

- 2) The LRP may but does not need to include complaints by officers within its scope;
 - 3) The LRP should specify the standards of behaviour expected of members (and a list of such behaviour was provided and suggested for inclusion);
 - 4) Although examples of matters which are not 'low level' may be included, the protocol should state that advice should be sought from the Monitoring Officer on the remit of the LRP;
 - 5) In the event that a member wishes to refer the matter to the PSOW following the application of the LRP, then they must do this themselves to ensure that the Monitoring Officer's role remains impartial;
 - 6) The LRP should state that the complainant and the member must agree to use the LRP;
 - 7) The LRP should not apply to:
 - a. complaints from members of the public; or
 - b. complaints by members about an officer.
 - 8) Use of the LRP cannot exclude the statutory right of the complainant to complain to the PSOW at any time they choose;
 - 9) The number of stages within the LRP is up to each Council but the Group noted that two stages were the most common across Councils in Wales;
 - 10) Whether the LRP includes group leaders is up to each council but it should be borne in mind that they have a duty to assist the Standards Committee in its duties. The Group noted that it is more common for them to be called in at the second stage if initial attempts at resolution by the Monitoring Officer have not been successful;
 - 11) The inclusion of a hearing stage is not advisable because of perceived predetermination and a lack of statutory basis.
- 3.6 A draft LRP has been prepared in accordance with the guiding principles set out above. A copy is attached to this report as Appendix 1.
- 3.7 The LRP provides for a two-stage process for the local resolution of low level disputes. Stage One will involve the Monitoring Officer (or his/her representative) attempting to resolve the matter informally with the agreement of all parties concerned. If it is not possible to resolve the matter at Stage 1, the matter may proceed to Stage 2, which involves mediation between all parties, including Group Leaders. The Chair of the Standards Committee may also attend if they wish.
- 3.9 Whilst members are not obliged to use the Local Resolution Protocol, and can elect at any time to refer the matter to the Ombudsman instead, the Ombudsman has made clear that members are in the first instance expected to exhaust local processes in relation to low level issues before referring a matter to the Ombudsman.

- 3.10 The Welsh Government recently held a series of workshops in relation to LRPs as part of an information gathering exercise on the application and effectiveness of these in practice. The Monitoring Officer attended one of these workshops in December. Enquiries were made as to whether Welsh Government intended to produce guidance on LRPs or a model LRP for Councils to adopt. However, the Monitoring Officer was informed that the review is at an early stage and that it was not possible to advise when, or indeed if at all, any such guidance or draft LRP would be produced.
- 3.11 If members endorse the attached LRP, then it will be considered by Council who will be asked to adopt it in place of the current 'Protocol for Self-Regulation of Member Conduct' within the Council's constitution.

4. REASONS

- 4.1 To update the Council's Local Resolution Protocol.

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

- 6.1 No implications.

7. BACKGROUND PAPERS

Appendix 1 – Local Resolution Protocol

AUTHOR:

James Williams
Chief Officer Law & Governance (Monitoring Officer)
Email: Jameswilliams@monmouthshire.gov.uk

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Monmouthshire County Council

Local Resolution Protocol

1. Introduction

- 1.1 This Local Resolution Protocol ("the Protocol") has been established in accordance with the Ombudsman's guidance on the Code of Conduct for Members ("the Code") which states that *'low-level, member-on member'* complaints relating to breaches of the Code should be dealt with at a local level. The aim of the Protocol is to avoid the unnecessary escalation of situations which may damage personal relationships within the Council and the Council's reputation.
- 1.2 This Protocol does not prevent members from referring any complaint to the Ombudsman if they wish. However, members should be aware that the Ombudsman has made it clear that, in normal circumstances, it is expected that in the first instance members should exhaust the procedures set out in this Local Resolution Protocol before referring low-level complaints to the Ombudsman.
- 1.3 Whether or not a complaint is 'low level' in nature will depend upon the individual circumstances of each case. However, the Ombudsman's guidance states: *'typically these complaints will be about alleged failures to show respect and consideration for others as required by paragraph 4(b) of the Code or the duty not to make vexatious, malicious or frivolous complaints against other members under paragraph 6(1)(d) of the Code.'*
- 1.4 If you are unsure whether a matter you wish to complain about is within the remit of this protocol, then you should seek advice from the Monitoring Officer.

2. Scope

- 2.1 In order to fall within the scope of this Protocol complaints must meet all three of the following criteria:
 - be made by a member of the Council and relate to a breach of the Member Code of Conduct;
 - be low-level in nature; and
 - not relate to repeated occurrences of similar conduct that has already been dealt with under this Protocol or by the Ombudsman.

3. Procedure

- 3.1 Complaints will be dealt with in accordance with the procedures set out below.
- 3.2 It is important that any allegations made under the Protocol are dealt with quickly and effectively with the co-operation of all parties involved. Each party must make themselves available to attend any meetings arranged under the Protocol as a matter of priority.

- 3.3 Both parties must agree to use the Protocol at the outset. If any member elects at any time to refer the matter to the Ombudsman for investigation, the Protocol process will be discontinued and cannot subsequently be resumed.
- 3.4 References within this protocol to the Monitoring Officer shall also include any other appropriate officer appointed in their place.

Stage One - Making The Complaint And Informal Resolution

- 3.5 Any member who wishes to submit an allegation under the Protocol should send the complaint to the Monitoring Officer. The complaint must be submitted to the Monitoring Officer within 30 days of the event that has given rise to the complaint occurring, or within 30 days of the substance of the complaint coming to the attention of the member submitting the allegation.
- 3.6 The complaint must set out the relevant details of the behaviour or conduct complained of and which paragraphs of the Code the member believes has been breached.
- 3.7 Following receipt of the complaint the Monitoring Officer will advise whether the allegation falls within the Protocol or whether the complainant(s) should instead consider referring the matter to the Ombudsman.
- 3.8 If the Monitoring Officer determines that the allegation falls within the remit of the Protocol he/she will seek to try and resolve the matter informally with the agreement of all parties concerned.
- 3.9 All parties involved at Stage one will take into account any advice and guidance of the Monitoring Officer.
- 3.10 If the matter is not capable of resolution at Stage One the complainant may ask that the matter proceed to Stage two.

Stage Two – Mediation

- 3.11 Where informal attempts to resolve the complaint have been unsuccessful, and where the complainant wishes to continue to stage 2 of the Protocol, the Monitoring Officer shall convene a meeting of all relevant parties, including the complainant, the member who is the subject of the complaint and the relevant Group Leader(s).
- 3.12 The Chair of the Standards Committee may also attend this meeting at their discretion.
- 3.13 The purpose of the meeting shall be for the parties to attempt to agree a resolution of the complaint to the satisfaction of both parties.
- 3.14 All members shall engage constructively with mediation and make every reasonable effort to resolve the complaint.

- 3.15 Group Leaders shall have regard to their statutory obligation pursuant to s.52A Local Government Act 2000 to take reasonable steps to promote and maintain high standards of conduct by the members of their group.
- 3.16 Where a complaint remains unresolved following stage two, either member may refer the complaint to the Ombudsman.

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