

SUBJECT:	Annual Report of the Standards Committee for 2022/23
MEETING:	Council
DATE:	21st September 2023
DIVISION/WARDS AFFECTED:	All

1. PURPOSE

To present the 2022/23 Annual Report of the Council's Standards Committee, which the Committee endorsed at its meeting on 12th June 2023.

2. RECOMMENDATION

That Council considers the conclusion and observations set out within this Annual Report.

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. This duty came into force on 5th May 2022. To comply with this duty, this is the first annual report made by MCC's standards committee. It covers the year ending on 31st March 2023.

3.2 Section 63 LGE 2021 prescribes the required content of the annual report and provides the headings of sections 4 to 10 inclusive listed below.

4. DISCHARGE OF THE COMMITTEE'S FUNCTIONS

4.1 The standards committee is composed of nine members: three county councillors, one community committee member and five independent members. There is currently one vacancy for an independent member.

4.2 The committee met twice in 2022/23 - on Monday 10th October 2022 (five members present, two apologies) and Monday 6th February 2023 (eight members present, no apologies).

4.3 The functions of standards committees are defined in sections 54 and 56 of the Local Government Act 2000 ("LGA 2000"). The primary function is to

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.

- 4.4 The committee is therefore accountable for the volume, nature and outcome of conduct complaints. Conduct complaints can be formal and submitted to the Public Services Ombudsman for Wales (PSOW), or informal and submitted to the monitoring officer.
- 4.5 PSOW data for 2022/23 contained in their Annual Letter to MCC dated 17th August 2023 shows that one complaint about a member of MCC was closed with the outcome "discontinued". During the year the PSOW closed 5 complaints about members of town & community councils in Monmouthshire, in all 5 cases the outcome was "decision not to investigate".
- 4.6 The monitoring officer reported to the committee on 12th June 2023 that throughout the year 2022/23 he maintained his approach to potential conduct matters by seeking to operate an open and trusted relationship with all councillors and, when necessary, looking to deal with matters in an informal and proportionate way. There were no matters that escalated to the point of requiring the instigation of the protocol for self-regulation of member conduct in the constitution.
- 4.7 The standards committee reviewed the protocol for self-regulation of member conduct on 6th February 2023 and did not recommend any changes.

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

- 5.1 No conduct complaints were referred by PSOW to the standards committee during the year.
- 5.2 No councillor has been required to attend a hearing at the standards committee.

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 MCC members or Monmouthshire community councillors were respondents at APW tribunals.

8. TRAINING FOR MEMBERS

- 8.1 Code of conduct training was provided for all councillors at County Hall on 12th May 2022. All forty six county councillors elected in May attended this training

or the online follow-up sessions. All four independent members of standards committee attended the training on 12th May in person. Co-opted members who did not attend the 12th May training or view it online were reminded about the recording by the monitoring officer in March 2023, and offered a further group session.

- 8.2 All committee meetings have a standing agenda item to consider “code of conduct training delivered, scheduled and requested” since the previous meeting.

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

- 9.1 Section 52A(1) of LGA 2000 states that:

A leader of a political group consisting of members of a county council or county borough council in Wales -

(a) must take reasonable steps to promote and maintain high standards of conduct by the members of the group, and

(b) must co-operate with the council’s standards committee (and any sub-committee of the committee) in the exercise of the standards committee’s functions.

- 9.2 The monitoring officer has corresponded with the group leaders who are all content that they have carried out their new duties regarding standards, and have no issues to raise. Based on the advice given, monthly and pre-council meetings, and informal communication throughout the year, the monitoring officer is satisfied that all three MCC political group leaders complied with the two duties set out above in s 52A(1) of LGA 2000 during the year ending 31st March 2023.

10. RECOMMENDATIONS TO THE AUTHORITY

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

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 2022/23, which was a particularly challenging year.

12. RESOURCE IMPLICATIONS

None.

13. CONSULTEES

Standards Committee
Monitoring Officer - Matt Phillips
Acting Monitoring Officers – Joanne Chase & Ben Davies

14. RESULTS OF CONSULTATION:

Report approved at Standards Committee on 12th June 2023.

15. BACKGROUND PAPERS

Papers for the two Standards Committee meetings during 2022/23.

16. AUTHOR AND CONTACT DETAILS

Richard Stow, Chair, on behalf of the Standards Committee

richard@sunnybankvines.co.uk