
REPORT OF THE INTERIM MONITORING OFFICER

**INDEPENDENT REVIEW OF THE ETHICAL STANDARDS FRAMEWORK -
SUMMARY OF CONSULTATION RESPONSES PUBLISHED BY WELSH
GOVERNMENT**

Reason for this Report

1. To inform the Committee of the Welsh Government's published Summary of Consultation Responses following the consultation issued in March 2023 on the Welsh Government's response to the recommendations of the independent review of the ethical standards framework for Wales (the Penn Report, issued in October 2021).

Background

2. The Ethical Standards Framework for Wales was established by Part 3 of the Local Government Act 2000, to promote and maintain high standards of ethical conduct by members and officers of relevant authorities in Wales. A 'relevant authority' is a county or county borough council ("a principal council"), a community council, a corporate joint committee, a fire and rescue authority and a National Park authority in Wales.
3. The Framework consists of ten general principles of conduct for members (derived from Lord Nolan's 'Seven Principles of Public Life'). These are included in the Conduct of Members (Principles) (Wales) Order 2001. Further, the Local Authorities (Model Code of Conduct) (Wales) Order 2008 ("Model Code of Conduct") provides for a set of enforceable minimum standards for the way in which Members should conduct themselves, both in terms of their official capacity and (in some instances) in their personal capacity. It also includes provisions relating to the declaration and registration of interests. The Framework has remained largely unchanged, though there have been a number of small amendments to improve the operation of the Framework over the last twenty years.
4. In March 2021, the Welsh Government commissioned an independent review of the ethical standards framework for Wales to assess whether the Framework remains fit for purpose. The review was undertaken between April and July 2021 and took into account the new legislative requirements introduced by the Local Government and Elections (Wales) Act 2021, as well as the Well-being of Future Generations (Wales) Act 2015 and the Equality Act 2010. The final report on the Independent Review of the Ethical Standards Framework in

Wales ('the Independent Review Report') was published on 14th October 2021, and was considered by the Standards and Ethics Committee at its meeting on 9th February 2022.

5. In March 2023, the Welsh Government published a consultation on its response to the recommendations of the Independent Review Report. The consultation was considered by the Standards & Ethics Committee at its meeting on 9th May 2023 and a consultation response was approved and duly submitted. A copy of the consultation response submitted on behalf of the Committee is attached as **Appendix A**.

Issues

6. On 14 November 2023, the Welsh Government published a summary of the consultation responses submitted during the consultation on its response to the recommendations of the Independent Review Report. The Summary of Consultation Responses is attached as **Appendix B**: https://www.gov.wales/recommendations-independent-review-ethical-standards-framework-richard-penn-report?_ga=2.51299689.1582720622.1698664231-743706020.1698250125&_gl=1%2Ah13cww%2A_ga%2ANzQzNzA2MDIwLjE2OTgyNTAxMjU.%2A_ga_L1471V4N02%2AMTY5ODY2NDIzMC4xLjEuMTY5ODY2NDMyNS4wLjAuMA.
7. The Committee will note that the Summary of Responses indicates that many other local authorities share the views submitted on behalf of Cardiff in relation to the issues raised in the specific consultation questions, suggesting there is a broad consensus on these issues across Wales. However, the Welsh Government has not yet published any proposals in relation to these matters. Any relevant proposals which may be brought forward in due course will be reported to a future meeting of this Committee.

Legal Implications

8. There are no direct legal implications arising from this report.

Financial Implications

9. There are no direct financial implications arising from this report.

RECOMMENDATION

The Committee is recommended to note the information set out in the report and **Appendix B** and make any appropriate comments.

Debbie Marles
Interim Monitoring Officer
30 January 2024

Appendices

Appendix A - Cardiff's response to the Welsh Government's Consultation on its response to the Independent Review of the Ethical Standards Framework (Penn Report), June 2023

Appendix B - Welsh Government Summary of Consultation Responses: Written Statement: Responses to the consultation on the review of the Local Government Ethical Standards Framework (14 November 2023) | GOV.WALES

Background papers

Standards and Ethics Committee report, 'Welsh Government Consultation – Response to the Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn Report)', 9th May 2023: [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](https://www.moderngov.co.uk/city-and-county-of-cardiff)