

STANDARDS AND ETHICS COMMITTEE: 6TH FEBRUARY 2024

REPORT OF THE INTERIM MONITORING OFFICER

NATIONAL STANDARDS COMMITTEE CHAIRS FORUM, WALES - UPDATE

Reason for this Report

1. To provide the Committee with information about the January 2024 meeting of the National Standards Committee Chairs Forum, Wales, and an opportunity to consider the issues raised.

Background

2. One of the recommendations made following the independent review of the ethical standards framework for Wales ('the Independent Review Report', published on 14th October 2021: Local Government Ethical Standards framework: review | GOV.WALES) was that there should be an All-Wales Forum for Independent Chairs of Standards Committees, to encourage consistency of approach and the adoption of best practice across Wales (Independent Review Report, paragraph 5.5.4).
3. A National Standards Committee Forum, comprised of the Chairs of each Standards Committee in Wales, has accordingly been set up, with the terms of reference set out in **Appendix A** to this report, which were approved at the Committee's meeting in October 2022. The purpose of the Forum is to share best practice and provide a forum for problem solving across the 22 principal councils; 3 fire and rescue authorities; and 3 national park authorities, in relation to the work of Standards Committees. It has no formal decision making powers.
4. The Committee considered a report following the second meeting of the National Standards Committee Chairs Forum at its meeting on 25th July 2023

Issues

5. The National Standards Committee Chairs Forum ('the Forum') met on 29th January 2024 to discuss the matters set out in the agenda attached as **Appendix B**. The Chair of this Committee, Jason Bartlett, who has been elected as the Vice-Chair of the Forum, attended the meeting, which was held remotely, and will be invited to provide verbal feedback at the meeting.
6. In relation to the matters discussed, the Committee may wish to note the following:
 - (i) The Welsh Government's Summary of Consultation Responses to its consultation on the Independent Review of the Ethical Standards Framework is reported under the Committee's separate agenda item 5 for this Committee meeting.
 - (ii) Corporate Joint Committees (CJCs) and Joint Standards Committees (Forum agenda item 5) – Members will recall that Cardiff has agreed for this Standards & Ethics Committee to act as the standards sub-committee for the South East Wales Corporate Joint Committee (SEWCJC) on a temporary initial basis until the SEWCJC is ready to establish its own standards sub-committee, subject to costs recovery and review after 12 months, with the arrangements to be agreed and set out in a Service Level Agreement (SLA). The terms of the SLA are still being prepared, but once agreed, the Committee will receive a report from the Interim Monitoring Officer for the SEWCJC setting out issues for consideration and determination. The Committee may be interested to hear the Chair's feedback on other authorities' experiences and views in relation to joint standards committees for CJCs.
 - (iii) Remuneration for Independent Members (Forum agenda item 6b) – as Members may be aware, the Independent Remuneration Panel for Wales (IRPW) has statutory responsibility for prescribing Members' remuneration, including for co-opted members such as independent members of standards committees. The IRPW sets out its determinations within its Annual Report for each year. The draft IRPW Annual Report 2024/25 <https://www.gov.wales/independent-remuneration-panel-wales-draft-annual-report-2024-2025> makes no changes to the half / full day rates currently provided, but notes that an hourly rate may sometimes be more cost effective and fairer than the current full / half day rates, taking account of changes to working practices, and proposes that local authorities should be given local flexibility to decide when it will be more appropriate to apply a full/ half day or hourly rate, for example, when it may be sensible to aggregate a few short meetings. The IRPW proposals were considered by the Democratic Services Committee in November 2023 and the Committee agreed the importance of appropriate remuneration for recruitment and retention purposes. The proposed changes, if finalised by the IRPW, will take effect from 1st April 2024 and the Head of Democratic Services will consult with all relevant parties in developing guidelines for determining appropriate rates, within the IRPW's permitted local flexibility, for inclusion in Cardiff Council's Schedule of Members' Remuneration.

- (iv) Local Resolution Protocol (Forum agenda item 7) – the Committee will note that Cardiff’s Local Resolution Protocol appears to be working well, with a significant proportion of complaints being informally resolved by the Monitoring Officer under the Protocol, as noted in the Committee’s quarterly Member Conduct Complaints Update report. The Committee may recall that, in response to concerns about the significant resource involved in arranging a formal hearing, the Protocol was amended in 2023 to provide that complaints shall not be referred to the Hearings Panel unless the Monitoring Officer is satisfied that there is direct evidence of a breach of the Code and that it is in the public interest to do so. No complaints have been referred to the Hearings Panel since January 2022. The Committee will also recall that Community Councils in Cardiff have been encouraged to adopt their own local resolution protocols, based on the model protocol developed by One Voice Wales in consultation with the Ombudsman.
 - (v) Group Leaders new statutory duties and membership of standards committees (Forum agenda item 8a) – the Committee will note the concerns raised by the Monitoring Officers Group about potential conflicts of interest arising from the role of standards committees to monitor compliance with Group Leaders’ new statutory duties. No Group Leaders in Cardiff currently sit on the Standards and Ethics Committee.
 - (vi) Gifts and Hospitality Registration Threshold – the Committee will be aware that the threshold adopted by Cardiff in October 2007 is £25, which reflects the proposed common national threshold of £25.
 - (vii) Social media guidance – Committee will recall that Cardiff has adopted a Social Media Code [Annex 1 - Members Social Media Code of Principles.pdf \(moderngov.co.uk\)](#) which has been incorporated, on the recommendations of this Committee, within the Members’ Code of Conduct, to provide guidance for Members’ use of social media.
 - (viii) Town and Community Councils, Civility and Respect Pledge <https://www.slcc.co.uk/news-publications/civility-respect-pledge/> – the Committee may wish to note that this is an initiative introduced by a partnership of organisations working on behalf of Town and Community Councils, the SLCC (Society of Local Council Clerks), NALC (National Association of Local Councils) and OVW (One Voice Wales), inviting Community Councils to sign the Pledge to publicly commit that it will treat councillors, clerks, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles, with a number of specific supporting commitments. The Committee may wish to consider encouraging the 6 Community Councils in Cardiff to sign up to the Pledge if they have not already done so, as part of its remit to promote and encourage high standards of conduct within the Community Councils in Cardiff.
7. The Forum is to meet biannually, and its next meeting is to be held on 24th June 2024.

Legal Implications

8. The Forum has no formal decision making powers, which means that any formal decisions required would need the approval of each individual Standards Committee.
9. There are no direct legal implications arising from the recommendations of this report.

Financial Implications

10. There are no direct financial implications arising from the recommendations of this report.

RECOMMENDATIONS

The Committee is recommended to note the information set out in the report and its appendices and make any appropriate comments.

Debbie Marles
Interim Monitoring Officer
30 January 2024

Appendices

- Appendix A: Standards Committee Chairs Forum, Wales, Terms of Reference
[Appendix A.pdf \(moderngov.co.uk\)](#)
- Appendix B: National Standards Committee Chairs Forum, Wales, Agenda for meeting on Monday 29th January 2024

Background papers

Standards and Ethics Committee report, 'Standards Committees Forum - Wales', 25th July 2023:
[CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](#)

Standards and Ethics Committee reports – 'South East Wales Corporate Joint Committee – Standards Sub-Committee, Update', 7 November 2023 [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](#); and 'Registration of Gifts and Hospitality Received by Members', 14 February 2023 [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](#)

Democratic Services Committee report, 'Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2024-25', 13 November 2023 [CARDIFF COUNCIL \(moderngov.co.uk\)](#)
Council report, 'Social Media Codes', 21 October 2021 [Ag Item 10 - Social Media Codes Report.pdf \(moderngov.co.uk\)](#)