

STANDARDS AND ETHICS COMMITTEE

30th SEPTEMBER 2020

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

AGENDA ITEM:

**ADJUDICATION PANEL FOR WALES – PRESIDENTIAL
GUIDANCE**

Reason for this Report

1. To allow Members to consider the Presidential Guidance which has been updated and issued by the President of the Adjudication Panel for Wales (APW).

Background

2. The ethical framework set under Part III of the Local Government Act 2000 included the establishment of the Adjudication Panel for Wales (APW) as an independent, judicial body with powers to form tribunals to deal with alleged breaches of the Members' Code of Conduct. The operation of the Panel is governed by Regulations issued by the Welsh Government.

Issues

3. The Adjudication Panel for Wales has issued updated Presidential Guidance on:
 - (i) The Role of the Monitoring Officer (**Appendix A**);
 - (ii) Anonymity (**Appendix B**); and
 - (iii) Disclosure of evidence (**Appendix C**),within APW proceedings ('the APW Guidance').
4. The Guidance is not legally binding and is provided to assist monitoring officers, the parties, relevant authorities and their members, and the wider public to understand their role within Adjudication Panel for Wales ("APW") proceedings:

5. Although the APW Guidance does not apply to proceedings before the Committee's Hearings Panel, the Committee may nevertheless find it helpful to consider the general principles it sets out.

Legal Implications

6. There are no direct legal implications arising from the report.

Financial Implications

7. There are no direct financial implications arising from the content of this report.

Recommendations

The Committee is recommended to note the updated Presidential Guidance issued by the Adjudication Panel for Wales.

DAVINA FIORE
DIRECTOR OF GOVERNANCE AND LEGAL SERVICES AND MONITORING
OFFICER

22nd September 2020

APPENDICES

- Appendix A – Adjudication Panel for Wales, Presidential Guidance on the Role of the Monitoring Officer, September 2020
- Appendix B - Adjudication Panel for Wales, Presidential Guidance on, Anonymity, September 2020
- Appendix C – Adjudication Panel for Wales, Presidential Guidance on Disclosure, September 2020