

Draft Statutory Guidance – Standards of conduct

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Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

Question 1: Does the draft guidance make it clear what is expected of leaders of political groups in principal councils as set out in the provisions of Part 4 of the Local Government and Elections (Wales) Act 2021 in a way that can be understood by leaders of political groups in principal councils?
If not, why not?

Response: *The new duties and the draft guidance broadly reflects established informal practice in Cardiff, and is a welcome endorsement. The list of reasonable steps the group leaders may undertake to promote and maintain high standards of conduct is helpful in clarifying the expectations of group leaders. Whilst it is acknowledged that the group leaders' duty to co-operate with the standards committee is a separate duty, it may be helpful to have one composite list of actions group leaders may undertake to fulfil their new duties under the 2021 Act (to include reporting to the standards committee on compliance with their duty, to assist the committee to discharge its monitoring function).*

Question 2: Does the draft guidance make it clear what is expected of Standards Committees in principal councils as set out in the provisions of Part 4 of the Local Government and Elections (Wales) Act 2021 in a way that can be understood by Standards Committees?
If not, why not?

Response: *The guidance in relation to how the committee may discharge its monitoring role (by considering a compliance report prepared by each group leader) is helpful.*

However, whilst the legislation places two separate duties on group leaders ((i) promoting and maintaining high standards of conduct; and (ii) co-operating with standards committees in relation to their functions – LGA 2000, s52A(1)), and gives the standards committee responsibility for monitoring compliance with, and providing training for, both of these duties (LGA 2000, s54(2A)), the guidance for standards committees appears to refer only to the group leaders' duty in relation to promoting and maintaining high standards of conduct. This should be corrected / clarified.

The timescale for this consultation has, unfortunately, not allowed sufficient time for our Standards and Ethics Committee to formally consider the draft guidance. This matter will be reported to the next Committee meeting, which is scheduled for 22nd June.

Question 3: We would like to know your views on the effects that the guidance would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Response: *We are not aware of any differential effect.*

Question 4: Please also explain how you believe the guidance could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and have no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Response: *To promote a positive effect, the guidance could reiterate that Members must, when carrying out their duties, have regard to the principle of equal opportunity for all people, and note that this includes ensuring equal opportunities for Welsh language speakers.*

Question 5: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use the consultation response to express your views.

Response: *No further comments.*