

STANDARDS AND ETHICS COMMITTEE:

25 JULY 2023

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

STANDARDS COMMITTEES FORUM - WALES

Reason for this Report

1. To provide the Committee with information about the second meeting of the national Standards Committees 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. The Committee received a report on the proposed establishment of a National Standards Committee Forum, comprised of the Chairs of each Standards Committee in Wales, and its terms of reference at its meeting in October 2022. The purpose of the Forum is to share best practice and provide a forum for problem solving across the:
 - 1) 22 principal councils
 - 2) 3 fire and rescue authorities
 - 3) 3 national park authorities,

in relation to the work of Standards Committees, in accordance with its terms of reference (**Appendix A** to this report).

Issues

4. The Standards & Ethics Committee Chair, who has been elected as the Vice-Chair of the Standards Committees Forum, Wales ('the Forum'), attended the second meeting of the Forum, which was held remotely on 30th June 2023.

The Monitoring Officer of Cardiff Council also attended the meeting as the legal advisor to the Forum. At the meeting, the Chairs confirmed their wish to share as much information as possible with their standards committees and the public and it was therefore agreed that the notes would be circulated to standards committees, provided that no individual complainant or councillor complained of could be identified. The notes of the meeting are attached as **Appendix B** to this report.

5. The Committee will note that the Forum meeting received a presentation from the Chair of the Committee on Standards in Public Life Research Advisory Board in relation to the standards regime in England; and an update from the Public Services Ombudsman for Wales on her annual report for 2022/23. The Forum also discussed various topical issues, including the new statutory duties of political group leaders and the support provided to Town and Community Councils.
6. In relation to the support provided to Town and Community Councils, the Committee may wish to note that the arrangements adopted in Cardiff to support and promote high standards of conduct include the following:
 - (i) Community Councils Charter – in line with guidance from the Welsh Government and best practice, the Council has adopted a charter with the 6 Community Councils in Cardiff, which sets out how we will seek to work together for the benefit of local communities, embracing the shared principles of openness, respect and honesty. The Charter was originally adopted in 2012 and was updated and re-affirmed in 2019, in line with the recommendations of this Committee. The Charter is enshrined within Part 5 of the Constitution, published online: [Community Councils Charter.pdf \(moderngov.co.uk\)](https://www.moderngov.co.uk/~/media/2019/07/Community-Councils-Charter.pdf)
 - (ii) Member Enquiry Service – in recognition of the importance of timely, clear and relevant information and communication with Community Councils, Cardiff Council grants the Community Council Clerks with access to the Council's Member Enquiry Service (and this commitment is confirmed within the Community Councils Charter referred to in point (i) above).
 - (iii) Regular meetings between the Monitoring Officer and Community Council Clerks – the Monitoring Officer continues to hold regular meetings with the Clerks to discuss any issues of concern in relation to Member conduct and associated matters.
 - (iv) Observation of Community Council meetings – as the Committee will be aware, the Independent members of the Committee continue to attend Community Council meetings to observe standards of conduct and any associated issues and provide feedback, which is then discussed at Committee meetings. The Committee's observations and comments are shared with the Community Councils.
 - (v) Presentation for Community Councils – the Community Council member of the Committee, Community Councillor Julia Charles, in consultation with the Monitoring Officer, has developed a presentation on the role of

the Standards & Ethics Committee, explaining the principles of the Members' Code of Conduct and the statutory complaints process. The presentation is attached as **Appendix C** to this report. With the full support of the Standards and Ethics Committee Chair, Community Councillor Julia Charles will be delivering this presentation to her own Community Council, Radyr and Morganstown, at its next meeting. It is proposed that this presentation will also then be offered to the other Community Councils in Cardiff. The Chair has fully endorsed the presentation, as a proactive way to inform and educate Community Councils and their Members about the work of the Committee. The Chair has confirmed his willingness to attend any appropriate Community Council meetings when the presentation is being delivered, and wishes to encourage other Independent members to also make themselves available, as they do currently for observing meetings.

7. The Forum is to meet biannually, and its next meeting is to be scheduled for January 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. In relation to Community Councils and their Members, the Standards and Ethics Committee has the same statutory functions as it has in relation to Cardiff Council and its Members (pursuant to section 56(1) of the Local Government Act 2000).
10. There are no other direct legal implications arising from the recommendations of this report.

Financial Implications

11. There are no direct financial implications arising from this report. Any relevant payments and allowances associated with the activities of the Standards Committees Forum – Wales would be payable in accordance with the rates set by the Independent Remuneration Panel for Wales and met from the allocated budget.

RECOMMENDATIONS

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

Davina Fiore

Director of Governance and Legal Services and Monitoring Officer

18 July 2023

Appendices

- Appendix A: Standards Committees Forum, Wales, Terms of Reference
- Appendix B: Standards Committees Forum – Wales, Notes of meeting held on 30th June 2023
- Appendix C: Cardiff Council Standards and Ethics Committee, Presentation by Community Councillor Julia Charles, Community Council member of the Committee, July 2023

Background papers

Standards and Ethics Committee report, 'National Standards Committee Forum', 25th October 2022: [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](https://www.moderngov.co.uk/city-and-county-of-cardiff)

Cabinet report, 'Community Councils Charter', 13 December 2018 [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](https://www.moderngov.co.uk/city-and-county-of-cardiff)