

COUNCIL:

26 OCTOBER 2023

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

**STANDARDS & ETHICS COMMITTEE - INDEPENDENT MEMBER
RE-APPOINTMENTS**

Reason for this Report

1. To seek Council's approval for the re-appointment of three independent members of the Standards and Ethics Committee.

Background

2. The Constitution provides that the Standards & Ethics Committee shall have five independent members, three county councillors and one community councillor – Constitution Article 9.2(a).
3. The size, composition, appointments process and proceedings of standards committees are governed by the Standards Committees (Wales) Regulations 2001, as amended ("the Regulations"). Under the Regulations, an independent member cannot be either a councillor or an employee or the spouse of a councillor or an employee of the authority or any other 'relevant authority' (as defined by the Local Government Act 2000); and must be appointed in accordance with the procedure set out in the Regulations.

Issues

4. The first terms of office of three of the independent members of the Committee, Jason Bartlett (Chair), Chrissie Nicholls (Vice-Chair) and Arthur Hallett, are due to expire on 28th November 2023. All three independent members were appointed to the Standards & Ethics Committee by full Council in November 2019, following public advertisement of the vacancies through a range of media channels aimed at encouraging applications from all sections of the community, and a public appointments process carried out in accordance with the Regulations.
5. The remaining two independent members (David Mills and Rashpal Singh) were appointed by Council in January 2022 (following a similar public appointments process), and their first terms of office are due to expire on 27th January 2026 and 22nd June 2026 respectively.

6. The Regulations (Regulation 21(2)) provide that an independent member of a standards committee may be reappointed by the authority, without a further public appointments process, for one further consecutive term of four years.
7. Each of the three independent members whose first term of office is due to expire on 28th November 2023 has indicated that they are willing to stand for re-appointment for a further four year term. The party group leaders have been informally consulted and have indicated that they are in agreement with the proposal to reappoint for a further four year term.
8. Council approval is required for any appointment or reappointment of an independent member to the Standards and Ethics Committee.

Legal Implications

9. Relevant legal provisions are set out within the body of the report.
10. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of religion or belief.

Financial Implications

11. There are no direct financial implications arising from this report. Independent Member remuneration payments are made in accordance with the rates applicable through the Members' Schedule of Remuneration, and contained within the allocated budget.

RECOMMENDATIONS

Council is recommended to approve the re-appointment of (1) Jason Bartlett (2) Chrissie Nicholls and (3) Arthur Hallett, as independent members of the Standards and Ethics Committee, for a further consecutive four year term, expiring in each case, on 28th November 2027.

Davina Fiore

Director of Governance and Legal Services and Monitoring Officer

5 October 2023

Background papers

Council report, 'Standards & Ethics Committee - Independent Member Appointments', 28 November 2019: [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](https://www.moderngov.co.uk/city-and-county-of-cardiff)

Council report, 'Standards & Ethics Committee - Independent Member Appointments', 27 January 2022: [CITY AND COUNTY OF CARDIFF \(moderngov.co.uk\)](https://www.moderngov.co.uk/city-and-county-of-cardiff)