

MEETING	STANDARDS COMMITTEE
DATE	28, JANUARY, 2013
TITLE	LOCAL GOVERNMENT (DEMOCRACY)WALES BILL
AUTHOR	DILYS PHILLIPS, MONITORING OFFICER.

1. There is a Bill before the Assembly at present which contains a number of matters dealing with local government legislation. One clause (Clause 63) deals with the establishing of joint standards committees.
2. I attach part of the Explanation which explains what is intended in relation to standards committees, and in paragraph 58 you can see the reasoning of Welsh Government for introducing this clause in the bill.
3. It appears from the wording that there would be a power to establish a joint standards committee and not a compulsion, but it would have to operate in accordance with the guidelines presented by the Welsh Government.
4. The Bill is out to consultation at present and there is an opportunity for the Standards Committee to give their opinion on the proposal.
5. Some of the matters that the committee could consider are :-
 - (a) How easy it is to attract members to serve on the standards committee.
 - (b) How much work is there for the committee in order to maintain expertise?
 - (c) How important it is for the committee to be associated with one authority only and therefore keep the decisions locally.
 - (ch) Are there differences between authorities that would make it impractical to one have committee.
 - (d) Any geographical or linguistic matters that could affect the implementation of the joint committee.
6. **RECOMMENDATION.**

The committee is asked whether they wish to express an opinion in response to the consultation.

Standards Committees

54 The Local Government Act 2000 (“the 2000 Act”) established the current ethical framework that promotes the observance of consistent standards of conduct by local government members in England and Wales. It places a duty on every relevant authority (for this purpose a county/county borough council, National Park Authority, Fire and Rescue Authority and a Police Authority) to establish a standards committee.

55 The general functions of standards committee are:

- Promoting and maintaining high standards of conduct by the members and co-opted members of the authority; and
- Assisting members and co-opted members of the authority to observe the authority’s code of conduct.

56 Without prejudice to its general functions, a standards committee has the following specific functions:

- Advising the authority on the adoption or revision of a code of conduct;
- Monitoring the operation of the authority’s code of conduct;
- Advising, training or arranging to train members and co-opted members of the authority on matters relating to the authority’s code of conduct.

57 The county/county borough council’s standards committee exercises these functions in relation to community and town councils in its area.

58 The Welsh Government believes that there would be benefit from relevant authorities in Wales collaborating to establish joint standards committees based upon the ‘Welsh Government’s Collaboration Footprint for Public Services’. Some of these benefits include:

- Helping to overcome problems experienced in some areas in finding suitable independent people to sit on standards committees;
- Making more efficient and effective use of resources and providing flexibility to deal with alleged failures to comply with the code of conduct;
- Avoiding potential conflicts of interest and enhancing public confidence in the complaints process by creating distance between committees and complainants / subjects of complaints;
- Facilitating consistent responses to complaints across Wales, especially where action is taken through local resolution processes; and
- Facilitating the spread of good practice in promoting high standards of conduct.

59 The Bill amends Part III of the 2000 Act to facilitate the establishment by local authorities of joint standards committees for the purposes of exercising functions under that Act.