

<b>Committee:</b>	<b>The Standards Committee</b>
<b>Date:</b>	<b>14 February 2022</b>
<b>Title:</b>	<b>Task and Finish Group – Ethical Standards Framework</b>
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<b>Purpose:</b>	<b>To report back to the Committee</b>

## **Background**

1. The Committee considered the Monitoring Officer's report on the Review of the Ethical Standards Framework for Wales at its last meeting. The committee resolved to establish a Task and Finish Group to discuss the findings of the Review, paying particular attention to the following issues, and to make recommendations to the next meeting of the Committee: -

- The future shape of the Standards Committee;
- How the committee can be made more visible and more active within the Council; and
- How the co-ordination between the Committee and various Council services, such as Democracy Services, can be strengthened and enhanced.

2. To facilitate the discussion the following points were identified in advance as matters for the Working Group to consider:

- Consideration of the Richard Penn Report, in particular the recommendations
- Consider how the Gwynedd Standards Committee operates (strengths and weaknesses)
- Themes that the Committee could pursue in the future
- Practical ways of discharging the Committee's duties

## **Task and Finish Group Meeting 20/1/22**

3. The findings and recommendations of the Working Group are summarised below:

### Community Councils

- The biggest challenges appear to be amongst the community councils.
- The role of the clerk was key, and the type of support that could be offered to them should be explored.
- There appears to be a wide range of responsibilities, experience and remuneration amongst clerks, and further information regarding this would be helpful.
- The Committee would benefit from more specific information on where problems were occurring so that attention could be targeted where needed.

- The circumstances that tended to lead to problems with conduct in community councils should be analysed so that appropriate training and support could be planned.
- That the Chair and Community Committee Member carry out a piece of work with community and town council clerks to better understand their needs. Some specific clerks could be identified for an initial discussion, but it could then be expanded. An arrangement to enable clerks to feed back their views on an ongoing basis could also be explored.

### The Code of Conduct

The provisions of the Code of Conduct could be divided into two main categories

- (1) Personal Interests
- (2) The conduct of individuals

### Declarations of interest

- There appeared to be a lack of understanding of the requirements of the Code, especially among some town / community councillors, as to when a declaration of interest should be made and regarding participation in meetings.
- The question raised as to what extent there was consistency in the interpretation of these provisions across Wales was raised.
- The declarations of interest provisions are highly technical and require simple guidance.
- There was often frustration that members were not allowed to take part in discussions on issues where they would have a valuable contribution to make.
- Information should be made available on the Council's website about the process of applying for dispensations. This could include practical examples.

### Individual Behaviour

- What is acceptable behaviour is to some extent a matter of judgment. The Standards Committee is a body that represents different perspectives and can come to a view on what constitutes acceptable or unacceptable behaviour as required. That said, there are also legal considerations and principles involved - through the provisions of the Equality Act and the Well-being and Future Generations Act for example. It was therefore important to gain an understanding of these issues among Committee members as well as members generally.
- Advantage should be taken of the wider resources and expertise that already exist within a Council, e.g. in the fields of human resources and equality, to provide training on behavioural issues.
- It would be useful to have a small, simple booklet explaining the Code of Conduct that could be issued to members when they took office.
- Discussions should be held with the Chief Executive and Political Group Leaders to ensure that higher standards are in their minds and are promoted throughout the Council, i.e. so that standards do not just sit with the Standards Committee and the Monitoring Officer.

### The Standards Committee

- There is a need to raise the profile of the Standards Committee. One way of doing this would be to have a dedicated page on the Council's website containing information about its work and resources to assist members and clerks.
- Consideration will need to be given to how a local resolution process would work, including whether for example it would be necessary to form sub-committees or co-operate with other committees to ensure the propriety of any such process.
- A desire was expressed for more information specifically more details on allegations so that the situation across the county could be better understood. It would be necessary to ensure that such information would not jeopardise any live complaints and any future cases that could come before the Committee.

### Elections

- The conduct of election candidates was beyond the remit of the committee because the code did not apply to them. It was noted, however, that the code would apply to existing members and that this did not seem fair. The standard of conduct expected of candidates should therefore be drawn to the attention of the political groups.

### **Recommendation**

4. The Committee is asked to consider the Task and Finish Group's recommendations and observations.