

Committee:	THE STANDARDS COMMITTEE
Date:	21 November 2022
Title:	National Standards Committee Forum
Author:	Iwan Evans Head of Legal Services – Monitoring Officer
Purpose:	To propose arrangements for a National Forum

RECOMMENDATIONS

- 1 That the draft Terms of Reference, including representation, are agreed.**
- 2 That the proposed arrangements to support the National Forum are approved.**

BACKGROUND

1. Members will recall that I reported on the Penn Report in November 2021. This was a review commissioned by Welsh Government and conducted by Richard Penn looking into the Code of Conduct, how it is enforced, how training is undertaken and all other mechanisms to ensure high standards of ethical behaviour. The Welsh Governments response to the report is awaited. The Penn report commented on the variety of practice across Wales in how Standards Committees discharge their duties. At paragraph 4.4.1 the report says:

“I was struck by the variation in the way that Standards Committees in Wales see their remit and at the role played by the Independent Chairs of Standards Committees. At the one extreme Standards Committees and their Independent Chairs seem to have either been given or have adopted a very limited role, meeting infrequently and only really active when there is a Hearing of a case referred by the Public Services Ombudsman for Wales. At the other extreme there are Standards Committees and Chairs that see their remit much wider than this, and as leading the development and maintenance of the ethical standards framework in that local authority.”

2. Richard Penn, the report author, then went on to comment positively upon the work of the forum for Chairs of Standards Committees in North and Mid Wales. Whilst acknowledging the place for local decision making, he recommends that a National Forum be established along the same lines - see paragraph 4.4.5

“I suggest that there should be an all-Wales Forum ... would encourage consistency of approach and the adoption of best practice across Wales.”

When consulted, all 22 principal Councils, 3 National Park Authorities; and 3 Fire and Rescue Authorities expressed support for a National Forum for the purposes of sharing good practice.

3. The forum will

- a) give chairs the chance to share and agree to co-ordinate practice;
- b) act as a sounding board for ideas;
- c) create a support network for chairs and Committees.

Draft Terms of Reference are attached at Appendix 1 which also include proposals for how the work of the forum will be supported. It will not be a formal joint committee and so will not be able to make decisions on behalf of the constituent Councils or their Standards Committees. Where an idea for common action is proposed it will be as a recommendation or suggestion of best practice and it will be up to the Committee at a local level to adopt the approach or not. There is considerable value in sharing good practice and learning from the experiences of other Committees but, there is also a diversity in the nature of our Councils, areas and resources which have created the picture highlighted in the report.

4. The body will consist of 28 constituent authorities at the outset. A new National Park Authority is planned and there are 4 newly formed Corporate Joint Committees which, in due course will have a Standards Committee, who may also wish to join. If constituent authorities sent any more than one representative, then the meetings would be unwieldy. Therefore, each authority will be allowed a single representative who may nominate a deputy to attend in their absence. Monitoring Officers will send one representative per region (this role will rotate in North Wales in order to reduce the burden on individuals). It is anticipated that the current North and Mid Wales Forum would be subsumed into the new forum.
5. For the time being meetings are likely to be held remotely (which would save travel) but if they were to meet in person a central location would need to be agreed. It is anticipated holding the first meeting in December and the draft agenda will probably include –
 - 1) Explanation of Terms of Reference, role etc;
 - 2) Update on Penn Report;
 - 3) Discussion of what we are each doing to implement the new duty on group leaders and how that will be reported as part of the SC annual report.

The secretariat support for the Forum is being provided by WLGA which will minimise impact on council resources. Further the working arrangements for the Forum have been designed to fit into existing structures such as meetings of LLG and so will need little extra resource.