

MEEETING	Standards Committee
DATE	11 July 2022
TITLE	Self Assessment and Work Programme
AUTHOR	Monitoring Officer.

1. There are two aims in this report namely undertake a assessment of the work and outcomes of the Committee for 2021-22 and consider a draft work programme for 2022 -23.

2. The terms of reference of the Standards Committee has been established through statute in the Councils Constitution and it is timely that that the Committee perhaps considers them anew at the beginning of a new term so as to prepare a work plan for the year..
 - (a) promoting and maintaining high standards of conduct by Councillors and co-opted Members of the Authority;
 - (b) assisting the Councillors and co-opted Members to observe the Members' Code of Conduct;
 - (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
 - (d) monitoring the operation of the Members' Code of Conduct;
 - (e) advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct;

3. The Committee members are asked to consider the functions listed in the first column and then note which assessment they believe is relevant, using the following categories :

Category 1 – That the Committee has made significant progress in achieving the function or in the case of specific tasks that the need to act has not arisen.

Category 2 – That the Committee has substantially implemented the function.

Category 3 – That the Committee has acted in the function but there is a need to give further attention.

Category 4 – There is no evidence that the Committee has actioned the function and there is a basis for concluding that the area needs attention.

4. It is necessary to note the evidence which supports the category which the Committee awards. The column "Evidence" shows some examples of evidence, but it is possible that the Committee members are able to add to it.
5. By assigning a category to each function and noting the evidence, it is possible for the Committee to come to a conclusion regarding which further steps they need to take (if any). The last column contains some suggestions for further steps. These are the matters which will be fed through to the Committee work programme in the future.
6. The action points from the working Group are also included for consideration by the Committee as possible inclusions in the work plan (Appendix 3) . Members need to be aware that some action points would need specific additional resourcing.

Appendices

In Appendix 1 there is a draft self assessment for the committees consideration

In Appendix 2 a draft work programme for 2022-23

Appendix 3 Update Community Councils Working Group

RECOMMENDATION

The Committee is asked to undertake a self assessment of its performance in 2021-22 and approve the work programme for 2022-23

APPENDIX 1

SELF ASSESSMENT OF THE STANDARDS COMMITTEE 2021-2022

FUNCTION	ASSESSMENT (1/2/3/4)	Evidence	Further Action
Promote and maintain a high standard of conduct amongst members		<p>The Chair and Vice Chair have attended the North and Mid Wales Standards Forum to share experiences with other standards committees.</p> <p>Presentation of the Annual Report to the Full Council.</p> <p>Presentation of a Report on the Local Government and Elections (Wales) Act 2021</p> <p>.</p>	Continue to attend and support
Assist the members to keep to the Code of Conduct		<p>The Monitoring Officer and his team provide advice and guidance in meetings and on a one to one basis.</p> <p>Induction Training for Gwynedd Council Members arranged in preparation for the Local Elections</p>	Resume training when resources allow
Advise the Council regarding adopting or amending the Code of Conduct		There were no instances where a need to amend the code arose.	
Monitor the operation of the Code of Conduct		Receive regular reports on allegations against members	Continue to monitor. Receive regular reports on the

		<p>Receive the annual reports of the Adjudication Panel for Wales and the Ombudsman</p> <p>The Committee resolved to initiate work in relation to the duties placed on Political Group Leaders in relation to the conduct of their members.</p> <p>The Monitoring Officer contacted group Leaders prior to the election to highlight the duty and the consultation on the draft Guidance.</p> <p>.</p>	<p>Ombudsman's Code of Conduct Casebook.</p> <p>Receive annual reports on the declaration of interests register.</p> <p>Following the election steps will now be taken to work with Group Leaders to establish the operational arrangements for the new provisions</p>
Advise, train or arrange training for members on matters relating to the Code of Conduct		Supported an induction programme for the new Council.	Consider new training for Council Members.
Grant dispensations to members			
Deal with reports of tribunals and any reports from the Monitoring Officer on matters referred by the Ombudsman		The Committee dealt with one allegation of breach of the Code of Conduct referred to it by the Ombudsman.	
Authorise the Monitoring Officer to pay allowances to persons assisting with an investigation		No occasion to pay such an allowance has arisen.	
Exercise the above functions in relation to community councils		The Monitoring Officer and his team provide advice and guidance to councils, members and clerks.	Pilot course held with Tywyn Town Council with positive feedback.

ATODIAD 2/ APPENDIX 2

Gwaith Pwyllgor Safonau 2020-21	Standards Committee Work 2020 - 21
<p>11 Gorffennaf 2022</p> <p>Adroddiad Blynyddol</p> <p>Honiadau yn erbyn aelodau</p> <p>Llyfr Achosion yr Ombwdsman</p> <p>Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021</p>	<p>11 Gorffennaf 2022</p> <p>Annual Report</p> <p>Allegations Against Members</p> <p>Ombudsmans Code of Conduct Casebook</p> <p>Local Government and Elections Act (Wales) 2021</p>
<p>21 Tachwedd 2022</p> <p>Cofrestr Rhoddion a Lletygarwch</p> <p>Cofrestr Datgan Buddiant</p> <p>Adroddiad Blynyddol yr Ombwdsman</p> <p>Honiadau yn erbyn Aelodau</p> <p>Mabwysiadu Protocol Arweinyddion grwpiau Gwleidyddol</p>	<p>21 November 2022</p> <p>Gifts and Hospitality Register</p> <p>Declaration of Interest Registers</p> <p>Ombudsman's Annual Report</p> <p>Allegations Against Members</p> <p>Adopt Political Group Leaders Protocol</p>
<p>13 Chwefror 2022</p> <p>Adroddiad Blynyddol y Panel Dyfarnu</p> <p>Honiadau yn erbyn aelodau</p> <p>Hunan Asesiad a Rhaglen Waith</p>	<p>13 February 2022</p> <p>Annual Report of Adjudication Panel</p> <p>Allegations against members</p> <p>Self-Assessment and Work Programme</p> <p>Annual Report of the Committee</p>

Adroddiad Blynyddol y Pwyllgor .	
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Appendix 3

Task and Finish Group – The Ethical Framework - 20/1/22

Action Points

Action	Monitoring Officer Comment
<ul style="list-style-type: none">• An overview of the clerks is needed. Secure and understanding of they are paid and create a “heat map” to understand where most problems arise.• Prepare a further summary of the set of circumstance which the Deputy monitoring Officer referred to understand whether there are a particular set of circumstances related to the “heat” in Councils where there are issues.	<ul style="list-style-type: none">• An assessment of where the need for Ethical Framework support arises would allow for prioritisation of e.g. training. Support.• Undertake research work to identify the factors which contribute to the existence of or create member conduct problems.• Although it may be possible to secure salary data from e.g. OneVoice Wales individual pay information would constitute personal data.
<ul style="list-style-type: none">• Consider whether there is a need to re-consider declarations of interests. People are afraid of not declaring an interest but perhaps there needs to be more clarity on where the threshold lies. Does every Monitoring Officer interpret declarations of interest in the same way? Consistency is required across Wales as to what is a declaration of interest as it is possible that some people interpret it differently to others. Ask the Ombudsman to prepare simple guidance.	<ul style="list-style-type: none">• Providing advice on declarations of interest is a regular part of the Monitoring Officers role and his team. The Ombudsman’s Guidance provides a comparatively easy read of the Code. There is no specific evidence that interpretation varies in any material degree and advice is very fact sensitive

<ul style="list-style-type: none"> • How much information should we as a Standards Committee receive? E.g the report on Allegations Against Members Should we receive more information? 	<ul style="list-style-type: none"> • It is possible to review this situation. However, there are certain confidentiality requirements and natural justice constraints which must be taken onto account.
<ul style="list-style-type: none"> • There is a need to look at the local resolution process in relation to the Committee's role – e.g the concept of working with other councils. 	<ul style="list-style-type: none"> • The position will need to be reviewed as the provisions of the Penn report are considered by the Government. However, there is a need to be clearly sighted on the resource challenge such an arrangement could create for Monitoring Officers.
<ul style="list-style-type: none"> • Consider utilising wider Council resource e.g. Human Resources, equalities etc to provide training on less legal and more behavioural matters, 	<ul style="list-style-type: none"> • An extensive programme of training is provided to Council members which includes areas such as equalities. It would be possible to arrange a presentation to eth Committee on the training provision which is available. •
<ul style="list-style-type: none"> • That the Chair and the Community Council member undertake work with community council clerks to ascertain which they could find useful. This could be done by working with clerks of some leading councils to have that initial discussion. Also create a facility for clerks to feedback regularly. 	<ul style="list-style-type: none"> • This can be established and it would be a vehicle not only to develop services but also create a live with the Town and Community Councils. It would have to be resourced.
<ul style="list-style-type: none"> • We have 2 challenges form a legal /technical / statutory perspective – the 	<ul style="list-style-type: none"> • There are a number of concepts at work in this recommendation

<p>declarations of interests etc and also the aspects which are more open to interpretation , respect but also the elements allied to respect which are also statutory and which are attached to the Wellbeing of Future Generations(Wales) Act 2015 the challenges of collaborating across the Council drawing other people in who can assist with themes with the subject “respect” (the human) and the interest (statutory) considering how we communicate this to the people who need to know namely members and also the clerks and the people who administer the town and community councils as that is where the greatest challenges lie.</p>	<p>and more work is needed to understand the underlying action.</p>
<ul style="list-style-type: none"> • Hold discussion with the Chief Executive and Group Leaders in order to ensure that higher standards are in their minds i.e. that standards are not matters which lie solely with the Standards Committee and the Monitoring Officer. 	<ul style="list-style-type: none"> • This is work which is being undertaken pursuant to the Local Authorities and Election (Wales) ACT 2021 and the new duties placed on Political Group Leaders.
<ul style="list-style-type: none"> • Accepting that electoral candidate remain responsible for their conduct outside our remit this is something to be raised with political groups 	<p>A Fair Campaign Pledge was agreed and promoted through the WLGA . It was shared with member both in Gwynedd and nationally prior to the election.</p>