

<b>CYFARFOD</b>	<b>Standards Committee</b>
<b>DATE</b>	<b>21 November 2022</b>
<b>TITLE</b>	<b>The Local Government And Elections (Wales) Act 2021 (“The Act”) Protocol on the Duties of Political Leaders and the Standards Committee (“The Protocol”)</b>
<b>AUTHOR</b>	<b>Iwan Evans – Monitoring Officer</b>

## 1. Background

The Act places two main duties on Political Group Leaders (“Leaders”) in relation to the conduct standards of group Members through Section 62. The duties are:

- To take reasonable steps to promote and maintain high standards of conduct by members of their group.
- Co-operate with the Standards Committee as it exercises its functions.

In addition, the functions of the Standards Committee are extended to include:

- Monitor Leaders’ compliance with the duty.
- Advise, train or arrange to train Leaders on duty.

The Standards Committee decided to recommend the establishment of a protocol for implementing, co-operating and monitoring the implementation of the duty and that in discussion with leaders and deputy leaders of the Council’s current groups.

[Item 8 - Local Government and Elections Wales Act 2021 - Changes to the Ethical Framework.pdf \(llyw.cymru\)](#)

The new duty has now come into force since May 2022 which places a positive duty on Leaders to take steps to promote and maintain conduct. This will mean co-operation between the Standards Committee and the Leaders. This can be a positive step to support members’ standards of conduct and to resolve issues early.

The Standards Committee asked the Monitoring Officer to create the protocol which has now been done together with the Leaders (Appendix 1)

## 2. The Protocol

The Protocol presents actions to be taken in order to maintain this duty which reflects the statutory guidelines- Welsh Government ‘*Consultation on the Local Government and Elections (Wales) Act 2021: Statutory Guidelines on Standards of Conduct*’.

The protocol sets out the current arrangements and what is being built on that. It includes three elements which are Training, Promotion of Good Conduct and Co-operation.

One of the Leaders' main roles will be to support and promote internal or informal solution arrangements to maintain members' standards of behaviour. At the same time, the Leaders will have to set a good example themselves.

It is important to note that one of the aims of the protocol is to prevent inappropriate behaviour before breaching the Code of Conduct.

The Standards Committee's annual report must include an assessment to the extent of which Leaders have complied with their duties.

### **3. Discussion**

As part of the process of developing a Protocol, a discussion was held with the Chair and Vice chair of the Committee, the Monitoring Officer and the leaders of the current Political groups, Councillor Dyfrig Siencyn Plaid Cymru, Councillor Angela Russell Independent, and Councillor Stephen Churchman Liberal Democrats and Labour to develop the Protocol. As a result, more active steps have been put in when looking at the comments. In addition, the Protocol has been discussed in the Business Group for further consideration by the Leaders. The protocol reflects the outcome of these discussions.

### **4. Recommendation**

- 1. Approve the Protocol on the Duties of Leaders of Political Groups and the Standards Committee to be signed by the Chairman of the Committee and the Leaders of Political Groups.**
- 2. To receive a further report on the implementation of the Protocol to the Standards Committee meeting in June.**