

Dyletswydd Arweinwyr Grŵp

Mae adran 52A(1)(a) o Ddeddf 2000 (fel y'i pennwyd gan Ddeddf 2021) yn ei gwneud yn ofynnol i arweinydd a grŵp gwleidyddol sy'n cynnwys aelodau o gyngor sir neu gyngor bwrdeistref sirol yn gymryd camau rhesymol i hyrwyddo a chynnal safonau ymddygiad uchel gan aelodau'r grŵp. Diffinnir "grŵp" at y diben hwn fel 2 neu fwy o aelodau sy'n rhoi hysbysiad i'r Swyddog Priodol eu bod yn dymuno cael eu trin fel grŵp at ddibenion gofynion cydbwysedd gwleidyddol a dyrannu seddi ar Bwyllgorau'r Cyngor.

Mae'r canllawiau'n ei gwneud yn glir nad yw'r ddyletswydd hon yn gwneud arweinwyr grŵp gwleidyddol yn atebol am ymddygiad eu haelodau, gan fod ymddygiad yn fater o gyfrifoldeb unigol. Fodd bynnag, mae ganddynt rôl resymol i gymryd camau o ran cynnal safonau, gosod esiampl, defnyddio eu dylanwad i hyrwyddo a diwylliant cadarnhaol, bod yn rhagweithiol wrth hyrwyddo safonau ymddygiad uchel yn eu grŵp a mynd i'r afael â materion cyn gynted ag y byddant yn codi. Petai arweinydd grŵp gwleidyddol yn methu â ymwneud gyda'r ddyletswydd newydd mewn ffordd ystyrlon, gellir bosib ystyried ei bod yn dod a'g anfri ar eu swydd, ac yn debygol o fod yn torri'r Cod.

Mae adran 62(3) o Ddeddf 2021 yn diwygio adran 54 o Ddeddf 2000 i ymestyn y swyddogaethau Pwyllgor Safonau i gynnwys monitro cydymffurfiaeth gan arweinwyr gwleidyddol grwpiau sydd â'r ddyletswydd newydd i hyrwyddo a chynnal safonau ymddygiad uchel gan aelodau o eu grŵp. Dylai arweinwyr grwpiau a'r Pwyllgor Safonau gytuno ar ffurf ac amllder adroddiad o bob arweinydd grŵp i'r Pwyllgor, a fyddai wedyn yn ystyried pob adroddiad a Rhoi adborth i arweinwyr y grŵp. Rhaid i'r Pwyllgor Safonau hefyd ddarparu cyngor a hyfforddi neu drefnu i hyfforddi arweinwyr grwpiau ar y ddyletswydd newydd. Ar ddechrau pob Tymor Cyngor dylai hyn ddigwydd o fewn chwe mis i'r etholiad a dylid ei adolygu o leiaf bob blwyddyn. Mae'r canllawiau hefyd yn awgrymu y gallai'r Pwyllgor Safonau gwrdd â grŵp arweinwyr o bryd i'w gilydd i adolygu trefniadau.

Ym Mis Tachwedd 2023, cyfarfu'r Pwyllgor Safonau ag arweinwyr y tri grŵp gwleidyddol ar y Cyngor – Plaid Cymry, Grŵp Annibynwyr a Rhyddfrydwyr/Llafur i gytuno sut y dylid monitro'r ddyletswydd hon a natur ac amllder y wybodaeth y dylid ei chyflwyno i'r Pwyllgor. Llwyddwyd i gytuno ar y meini prawf canlynol:

1. Arweinwyr Grwpiau i sicrhau eu bod ar gael i gwrdd â'r Swyddog Monitro, Cadeirydd y Pwyllgor Safonau a'r Pwyllgor Safonau yn ôl y gofyn,
2. Arweinwyr Grwpiau i gymryd camau i gefnogi y Swyddog Monitro I i drefnu fod-Aelodau o fewn eu grŵp ar gael i gwrdd â'r Swyddog Monitro yn ôl yr angen,
3. Arweinwyr Grwpiau i cymryd camau gyda'r amcan fod Aelodau yn eu grŵp yn cydweithio â'r Swyddog Monitro a'r Pwyllgor Safonau pan gyfeirir mater at y Swyddog Monitro a/neu'r Pwyllgor Safonau,
4. Arweinwyr Grwpiau i gofnodi unrhyw feysydd sy'n peri pryder yn eu Grwpiau a'u codi gyda Swyddog Monitro AU mewn modd amserol.
5. Arweinwyr grwpiau i gefnogi presenoldeb Aelodau mewn digwyddiadau hyfforddi.
6. Arweinwyr Grŵp i gwblhau profforma Arweinydd y Grŵp, gan hyrwyddo cydymffurfiaeth â'r Cod Ymddygiad, yn ôl yr angen,

7. Arweinwyr Grwpiau i gyfarfod â'r Pwyllgor Safonau yn flynyddol (yng nghyfarfod cyntaf y Pwyllgor Safonau } yn dilyn y Cyfarfod Blynyddol),
8. Arweinwyr Grwpiau i gyfarfod â'r swyddog Monitro bob tri mis a ð Chadeirydd y Pwyllgor Safonau unwaith ystod pob blwyddyn Cyngor. .

Cynhaliwyd cyfarfodydd gyda'r Arweinyddion Grwpiau a'r Swyddog Monitro yn ystod y flwydd yn i drafod ymddygiad aelodau. Yn Nhachwedd 2023 cynhaliwyd cyfarfod rhwng aelodau'r Pwyllgor safonau a'r Arweinyddion grwpiau i drafod y rolau ac i sefydlu meini prawf ar gyfer monitro cyflawniad. O ganlyniad i hyn mabwysiadwyd y meini prawf a osodir uchod i gefnogi adrodd ar y dyletswydd. Mabwysiadwyd y gyfundrefn yma gan y Pwyllgor Safonau yn ei gyfarfod yn Chwefror 2024. Cytunwyd hefyd i argymhell addasu y Drefn Datrys mewnol i roi rôl mwy amlwg i'r Arweinyddion yn y prosesau datrys. Mae hyn wedi bod yn ddechrau cadarnhaol i'r berthynas rhwng y Pwyllgor a'r Arweinyddion Grwpiau. Fodd bynnag mae sicrhau presenoldeb aelodau mewn hyfforddiant Cod Ymddygiad yn parhau yn dalcen caled gyda nifer heb eto gwblhau y cwrs llawn er fod sesiynau wedi eu cynnal yn ystod y cyfnod.

Group Leaders duty

Section 52A(1)(a) of the 2000 Act (as amended by the 2021 Act) requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must take reasonable steps to promote and maintain high standards of conduct by the members of the group. A "group" for this purpose is defined as 2 or more members who give notice to the Proper Officer that they wish to be treated as a group for the purposes of political balance requirements and the allocation of seats on Council Committees

The guidance makes it clear that this duty does not make leaders of a political group accountable for the behaviour of their members, as conduct is a matter of individual responsibility. However, they do have a role in taking reasonable steps in maintaining standards, setting an example, using their influence to promote a positive culture, being proactive in promoting high standards of conduct in their group and addressing issues as soon as they arise. A leader of a political group who fails to comply with the new duty in a meaningful way, may potentially be regarded as bringing their office into disrepute, and likely to be in breach of the Code.

Section 62(3) of the 2021 Act amends section 54 of the 2000 Act to extend the specific functions of a Standards Committee to include monitoring compliance by leaders of political groups with the new duty to promote and maintain high standards of conduct by members of their group. Political group leaders and Standards Committee should agree on the form and frequency of a report from each group leader to the Committee, which would then consider each report and provide feedback to the group leaders. Standards Committee must also provide advice and training or arrange to train group leaders on the new duty. At the start of each Council term this should take place within six months of the election and be reviewed at least annually. The guidance also suggests that the Standards Committee may wish to meet with group leaders periodically to review arrangements.

In November 2023, the Standards Committee met with leaders of all three political groups on the Council – Plaid Cymru, Independents and Liberal/Labour to agree how this duty

should be monitored and the nature and frequency of the information that should be submitted to the Committee. The following measures were agreed -

1. Group Leaders to make themselves available to meet with the Monitoring Officer, Chair of the Standards Committee and Standards Committee as required,
2. Group Leaders to take steps to support the Monitoring Officer to arrange that Members within their group make themselves available to meet with the Monitoring Officer as required,
3. Group Leaders to take steps with the aim that Members within their group cooperate with the Monitoring Officer and the Standards Committee when an issue is referred to the Monitoring Officer and or the Standards Committee,
4. Group Leaders to record any areas of concern in their Groups and raise them with the Monitoring Officer in a timely manner.
5. Group leaders to support Member attendance at mandatory training events,
6. Group Leaders to complete the Group Leader proforma, promoting compliance with the Code of Conduct, as required,
7. Group Leaders to meet with the Standards Committee on an annual basis (at the first meeting of the Standards Committee) following the Annual Meeting,
8. Group Leaders to meet with the Monitoring Officer on a three-monthly basis and Chair of Standards Committee once during the Council year.

Meetings were held with the Group Leaders and the Monitoring Officer during the year to discuss issues around member conduct. In November 2023 a meeting was held between members of the Standards Committee and group Leaders to discuss the roles and to establish criteria for monitoring achievement. As a result of this the criteria set forth above were adopted by the to support reporting on the duty. This regime was adopted by the Standards Committee at its meeting in February 2024. It was also agreed to recommend modifying the Internal Resolution Protocol to give the Leaders a more prominent role in the resolution processes. This has been a positive start to the relationship between the Committee and the Group Leaders. However ensuring members' attendance in Code of Conduct training remains a challenge with many not yet completing the full course despite sessions being held during the period.