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Cyngor Sir
CEREDIGION
County Council

Neuadd Cyngor Ceredigion, Penmorfa,
Aberaeron, Ceredigion SA46 0PA
ceredigion.gov.uk

30/05/2023

Dear Sir / Madam

I write to inform you that a Meeting of the Ethics and Standards Committee will be held HYBRID - NEUADD CYNGOR CEREDIGION, PENMORFA, ABERAERON / REMOTELY VIA VIDEO CONFERENCE on Monday, 5 June 2023 at 10.00 am for the transaction of the following business:

- 1. Apologies**
- 2. Personal and Prejudicial Interest**
- 3. To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 03 April 2023 (Pages 3 - 16)**
- 4. Action Log (Pages 17 - 20)**
- 5. To consider applications for dispensation from the following Councillors:**
 - (i) Councillor John Roberts, Ceredigion County Council (Pages 21 - 28)
 - (ii) Councillor Rhodri Evans, Ceredigion County Council (Pages 29 - 36)
 - (iii) Councillor Rhodri Evans, Ceredigion County Council (Pages 37 - 46)
- 6. Ethics and Standards Annual Report 2022/23 (Pages 47 - 86)**
- 7. Political Group Leaders Compliance Assessment (Pages 87 - 90)**
- 8. Appointment of Vice Chair**
- 9. Succession Planning of Independent Members (Pages 91 - 98)**
- 10. Self-evaluation of the Ethics and Standards Committee (Pages 99 - 106)**
- 11. Monitoring Officer Code of Conduct Update- Quarter 4 (Pages 107 - 112)**
- 12. Consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report) (Pages 113 - 120)**
- 13. Vision Statement (Pages 121 - 122)**

14. **Training- Town and Community Councils in 2024**
15. **Update on Adjudication Panel for Wales matters**
16. **Update on the Public Services Ombudsman matters (Pages 123 - 124)**
17. **Forward Work Programme (Pages 125 - 130)**

Members are reminded to sign the Attendance Register

A Translation Services will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully



Miss Lowri Edwards
Corporate Lead Officer: Democratic Services

To: Chairman and Members of Ethics and Standards Committee
The remaining Members of the Council for information only.

**Minutes of the Meeting of ETHICS AND STANDARDS COMMITTEE
held Hybrid at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron / remotely via
video conference on Monday, 03 March 2023**

PRESENT: Mrs Caroline White (Chair) Mr Alan Davies, Mrs Caryl Davies and Ms Carol Edwards (Independent Members)

Councillors Caryl Roberts & Gwyn Wigley Evans (Elected Members)

Other Elected Members in attendance: Councillor Elizabeth Evans, Wyn Evans and Gareth Lloyd

IN ATTENDANCE:

Ms Elin Prysor (Monitoring Officer)

Mrs Lisa Evans (Scrutiny and Standards Officer)

Mrs Dana Jones (Democratic and Standards Officer)

(2:00pm-4.45pm)

*

1 Apologies

Councillor Delyth James & Jan Culley together with Mr John Weston apologised for their inability to attend the meeting.

2 Personal Matters

None.

3 Disclosure of personal / prejudicial interests

Councillor Caryl Roberts declared a personal and prejudicial interest in application 7 (a) to 7(n).

Councillor Gwyn Wigley Evans declared a personal and prejudicial interest in application 7 (a) to 7(n).

Mrs Dana Jones, Democratic Services and Standards Officer declared a personal and prejudicial interest in application 7(q) to 7(x) and the minutes were taken by Mrs Lisa Evans, Scrutiny and Standards Officer.

4 To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 25 January 2023

It was RESOLVED to confirm as a true record of the minutes of the meeting of the Committee held on 25 January 2023 subject to the following:-

- (i) item 5 be amended to "highest standards of conduct" in the first paragraph
- (ii) item 6 to add "the" prior to Appendix in the fourth paragraph; and
- (iii) item 9 be amended to "in" relation to dispensations

5 Matters Arising

Training – refresher training had been arranged for the 18 May 2023, the training is to be mandatory for new Members and open to other Members that wished to attend or were subject to any complaints.

Item 6- The Monitoring Officer reported that the Committee would recall approving the attached Political group Leaders template document at the meeting on 25/1/23.

Following discussion with the Chair, it was proposed to suggest that para. 12 was amended as follows:

from:

“Group Leaders will prepare their report for the first available Ethics & Standards Committee meeting after 1st April each year;”

to: “Group Leaders will prepare their report for the Ethics & Standards Committee after 1st April each year.”

It was agreed to confirm the change and it was reported that a Workshop is to be arranged to discuss this document further with Group Leaders.

Item 17- The All Wales Chair Standards Forum meeting had been held two days following the last Committee meeting. The next meeting would be held on the 30 June 2023 and the WLGA were proposing that Chairs and Vice-Chairs would be provided training. The Penn consultation had been discussed with an opportunity to respond formally to it.

Item 11- It was agreed that the Harmonisation of gifts/hospitality thresholds across all Welsh Authorities item would be reviewed again in six months as it was also now a part of the consultation in the Penn report. This would be placed on the Forward Work Programme.

Item 13- Three further training plans had been received from Town and Community Councils. This would be discussed further under Training on the agenda.

6 Action Log

It was AGREED to note the Action Log as presented subject to amending the document with the matters arising above.

7 To consider applications for dispensation from the following Councillors:

- a) **Councillor Gareth Lloyd, Ceredigion County Council-TB application**
An application dated 23 March 2023 was received from Councillor Gareth Lloyd, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. Councillor Lloyd read out the draft terms and scope of the proposed Notice of Motion. He stated that he lives on the family farm, Clettwr, where he farms sheep and cattle.

Councillor Lloyd was requested to leave the chamber for the Committee to consider her application.

It was RESOLVED to grant Councillor Lloyd a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

b) **Councillor Euros Davies, Ceredigion County Council - TB application**

An application dated 23 March 2023 was received from Councillor Euros Davies, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He is a self-employed builder that carries out building maintenance work on agricultural farms that keep Cattle. He also rents some land and keep a flock of sheep & horses.

It was RESOLVED to grant Councillor Davies a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

c) **Councillor Gwyn James, Ceredigion County Council, - TB application**

An application dated 23 March 2023 was received from Gwyn James, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He is a dairy farmer in partnership with his son at Bron y Glyn, Glynarthen.

It was RESOLVED to grant Councillor James a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

d) **Councillor Geraint Hughes, Ceredigion County Council - TB application**

An application dated 24 March 2023 was received from Councillor Geraint Hughes, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He had Farming Connections which were affected by TB and the way in which it was being managed in the agricultural sector in Wales

It was RESOLVED to grant Councillor Hughes a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business (Regulation 2(d)).

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

- e) **Councillor Wyn Evans, Ceredigion County Council -TB application**
An application dated 24 March 2023 was received from Councillor Wyn Evans, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. Councillor Evans was present at the meeting to present his application. He lives on the family farm , Nant Byr Uchaf, where he farms sheep and cattle.

Councillor Evans was present at the meeting to present his application.

Councillor Evans was requested to leave the video conference for the Committee to consider his application.

It was RESOLVED to grant Councillor Evans a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

- f) **Councillor Gwyn Wigley Evans, Ceredigion County Council - TB application**
An application dated 23 March 2023 was received from Councillor Gwyn Wigley Evans, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He lives on the family farm, Benglog where sheep and cattle were farmed.

It was RESOLVED to grant Councillor Wigley Evans a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

g) **Councillor Meirion Davies, Ceredigion County Council - TB application**

An application dated 23 March 2023 was received from Councillor Meirion Davies, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. Farming was affected by TB and the way which it was being managed in the agricultural sector.

It was RESOLVED to grant Councillor Davies a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

h) **Councillor Ifan Davies, Ceredigion County Council - TB application**

An application dated 23 March 2023 was received from Councillor Ifan Davies, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He was a beef and sheep farmer in Pontrhydfendigaid.

It was RESOLVED to grant Councillor Davies a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

i) **Councillor Bryan Davies, Ceredigion County Council - TB application**

An application dated 23 March 2023 was received from Bryan Davies, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He was a beef cattle farmer.

It was RESOLVED to grant Councillor Davies a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

- j) **Councillor Eryl Evans, Ceredigion County Council - TB application**
An application dated 23 March 2023 was received from Councillor Eryl Evans, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. Beef and sheep farmer at her main residence with was the main source of livelihood for family.

It was RESOLVED to grant Councillor Evans a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

- k) **Councillor Rhodri Evans, Ceredigion County Council - TB application**
An application dated 23 March 2023 was received from Councillor Rhodri Evans, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He was a beef and sheep farmer in Tregaron

It was RESOLVED to grant Councillor Davies a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

- l) **Councillor Catrin M S Davies, Ceredigion County Council - TB application**
An application dated 23 March 2023 was received from Councillor Catrin M S Davies, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by

Welsh Government. She owns a farm that was farmed by her sister and her partner was a farmer.

It was RESOLVED to grant Councillor M S Davies a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business (Regulation 2(d))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

m) **Councillor Ceris Jones, Ceredigion County Council - TB application**

An application dated 23 March 2023 was received from Councillor Ceris Jones, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. Her grandfather and brother were beef farmers.

It was RESOLVED to grant Councillor Jones a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business (Regulation 2(d))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

n) **Councillor Wyn Thomas, Ceredigion County Council – TB application**

A late application dated 30 March 2023 was received from Councillor Wyn Thomas Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. He owns cattle.

It was RESOLVED to grant Councillor Thomas a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 20 April 2023 on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(f))

The dispensation was granted for the meeting of the Council on the 20 April 2023 and subsequent Council meetings if required, but doesn't exceed six months.

o) **Councillor Euros Davies, Ceredigion County Council**

To note that the application had been withdrawn.

p) **Councillor Elizabeth Evans, Ceredigion County Council**

An application for dispensation dated 25 March 2023 was received from Councillor Elizabeth Evans on the Harbour Defence Works to Aberaeron main harbour and Pwll Cam. She would like to liaise with officers on behalf of my residents on various aspects of the harbour works, and ask any relevant questions. Her mother lived directly overlooking Pwll Cam.

Councillor Evans was present at the meeting to present her application.

Councillor Evans was requested to leave the video conference for the Committee to consider her application.

It was RESOLVED to grant Councillor Evans with dispensation to speak only on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (d))The dispensation was granted for a period of 12 months.

p) **Councillor Elizabeth Evans, Aberaeron Town Council**

An application for dispensation dated 25 March 2023 was received from Councillor Elizabeth Evans on the Harbour Defence Works to Aberaeron main harbour and Pwll Cam. She would like to liaise with officers on behalf of my residents on various aspects of the harbour works, and ask any relevant questions. Her mother lived directly overlooking Pwll Cam.

Councillor Evans was present at the meeting to present her application.

Councillor Evans was requested to leave the video conference for the Committee to consider her application.

It was RESOLVED to grant Councillor Evans with dispensation to speak only on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (d))The dispensation was granted for a period of 12 months.

q) **Councillor Matthew Vaux, Ceredigion County Council**

An application for dispensation dated 27 March 2023 was received from Councillor Matthew Vaux upon Waste collections and public bin placement and supply in New Quay. He owns The Captains Rendezvous Fish and Chip takeaway and restaurant in New Quay.

It was RESOLVED to grant Councillor Vaux with dispensation to speak only on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (d))The dispensation was granted for a period of 12 months.

r) **Councillor Matthew Vaux, New Quay Town Council**

An application for dispensation dated 27 March 2023 was received from Councillor Matthew Vaux upon Waste collections and public bin placement and supply in New Quay. He owns The Captains Rendezvous Fish and Chip takeaway and restaurant in New Quay.

It was RESOLVED to grant Councillor Vaux with dispensation to speak only on the grounds that the nature of the members' interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business; (regulation 2 (d))The dispensation was granted for a period of 12 months.

s) **Councillor Brett Stones, New Quay Town Council**

An application for dispensation dated 21 March 2023 was received from Councillor Brett Stones upon Planning applications for holiday accommodation (self-catering accommodation, huts, caravans and Second homes). He owns a Dolphin Watching Boat Trip business, a Pasty Shop and holiday accommodation in New Quay.

It was RESOLVED to grant Councillor Stones with dispensation to speak and vote on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; (regulation 2 (a))The dispensation was granted for a period of 12 months.

t) **Councillor Jennifer Davies, New Quay Town Council**

An application for dispensation dated 21 March 2023 was received from Councillor Jennifer Davies upon planning applications for holiday accommodation to include self- catering accommodation, second homes, glamping pods and caravans. Her daughter in law owns a self catering property.

It was RESOLVED to grant Councillor Davies with dispensation to speak and vote on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; (regulation 2 (a))The dispensation was granted for a period of 12 months.

u) **Councillor Julian Evans, New Quay Town Council**

An application for dispensation dated 21 March 2023 was received from Councillor Julian Evans upon planning applications for holiday accommodation to include self- catering accommodation, second homes, glamping pods and caravans. He owns self-catering accommodation in New Quay

It was RESOLVED to grant Councillor Evans with dispensation to speak and vote on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that

business; (regulation 2 (a))The dispensation was granted for a period of 12 months.

v) **Councillor Sioned Davies, New Quay Town Council**

An application for dispensation dated 21 March 2023 was received from Councillor Sioned Davies upon planning applications for holiday accommodation to include self- catering accommodation, second homes, glamping pods and caravans. Her father owns self-catering accommodation in New Quay.

It was RESOLVED to grant Councillor Davies with dispensation to speak and vote on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; (regulation 2 (a))The dispensation was granted for a period of 12 months.

w) **Councillor Tomas Davies, New Quay Town Council**

An application for dispensation dated 21 March 2023 was received from Councillor Tomas Davies upon planning applications for holiday accommodation to include self- catering accommodation, second homes, glamping pods and caravans. He's a Director of Pencnwc Holiday Park near New Quay, Caerfelin in Aberporth and New Minerton in Tenby. He also has two properties that were rented out in the New Quay area.

It was RESOLVED to grant Councillor Davies with dispensation to speak and vote on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; (regulation 2 (a))The dispensation was granted for a period of 12 months.

x) **Councillor Ywain Davies, New Quay Town Council**

An application for dispensation dated 21 March 2023 was received from Councillor Ywain Davies upon planning applications for holiday accommodation to include self- catering accommodation, second homes, glamping pods and caravans. He is the the owner/Director of Wern Mill Caravan Park, Gilfachrheda, New Quay, he had holiday accommodation – Touring caravans, static caravans, holiday homes, holiday huts, his family also have holiday accommodation locally. Planning applications may have a direct or indirect impact on my business (positive or negative)His opinion/verdict may be deemed as biased or impartial by the public or the persons submitting the application.

It was RESOLVED to grant Councillor Stones with dispensation to speak and vote on the grounds that no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business; (regulation 2 (a))The dispensation was granted for a period of 12 months.

8 Report on amendment to dispensation form

It was AGREED to note the amendment of the dispensation form as presented.

9 Recruitment of independent member update

The Monitoring Officer reported that the current Chair, Mrs Caroline White was appointed initially on 30/7/2013 and reappointed on 30/7/2019. Her term of office would expire on the 29/7/2023. Mrs Caroline White was not now eligible for reappointment.

Consequently it was necessary to recruit a new independent member to the Ethics and Standards Committee to maintain the Committee's composition, as set out in the Constitution, and as required by legislation.

Following the recruitment process Gail Storr was selected as an Independent / Lay Member to the Ethics and Standards Committee. The new lay member would be appointed for one term of 6 years, with an option to reappoint for a second term of 4 years, up to no more than two consecutive administrative terms inclusive of the current term (up to 10 years, up to 29 July 2032).

Council at its meeting on 26th January resolved to approve the appointment of Gail Storr as Independent / Lay Member to the Ethics and Standards Committee with effect from 30 July 2023 up to 29 July 2029.

It was AGREED to note the update provided.

10 Appointment of Chair/Vice Chair

The Monitoring Officer reported that this was the last meeting for the current Chair as her term of office was coming to an end on the 24 July 2023. It was suggested that the new Chair could be appointed from the 01 May 2023 or 01 June 2023. It was reported that one independent Member had agreed to put their name forward, namely Mrs Caryl Davies.

It was proposed by Councillor Gwyn Wigley Evans and seconded by Mr Alan Davies that Mrs Caryl Davies be appointed as Chair effective from the 01 May 2023 for four years (1/5/23-30/4/27).

The term of office for the Vice-Chair was to due end on the 30 July 2023 , it was AGREED to defer the decision to appoint a Vice Chair to the next meeting of the Committee as the Vice-Chair was not in attendance.

11 Review of Vision Statement

The current Ethics and Standards Committee vision statement was shared with Members of the Committee on 22nd February 2023.

The Vision Statement of the Ethics and Standards Committee was as follows:

“Our Vision is that the people of Ceredigion will have trust and confidence that all those elected to office in Local Government in our county will work to the highest ethical and moral standards in serving their community”

The Standards Officer requested members to share any comments/proposed amendments that they'd like seen.

The following responses were received:

- Three committee members agreed that the vision statement was still fit for purpose.
- One member proposed a slight amendment to add "and businesses" after "people"

It was AGREED to defer consideration of the statement wording in order to consider additional wording proposed to include businesses and organisation after “people”

12 Update on Adjudication Panel for Wales matters

It was AGREED to note the two APW decisions that had been sent via email following publication of the agenda:-

- Former Councillor Sheila Jenkins, St. Harmon Community Council
- Councillor Paul Rogers, Wrexham County Borough Council
Brymbo Community Council

13 Update on the Public Services Ombudsman matters

It was AGREED to note the content of the report presented.

It was reported that that the Ethics and Standards Committee meetings were recorded on livestream in Pembrokeshire CC and this meeting could be used as a training resource for the Committee.

It was also agreed that the report would also be circulated to Clerks to Town and Community Councils once presented at Committee.

14 Training

It was reported that refresher training on the Code for Councillors had been arranged for 18th May 2023 for County Councillors as previously stated under matters arising.

Hearing training held in September 2022 would be followed up by providing a video of a hearing to consider. It was reported by Caryl Davies that an actual hearing would provide a different aspect to the Committee in practice.

Sixteen Town and Community Councils had provided their Training plans. The Monitoring Officer stated that it was a statutory requirement for training plans to be published on their respective Council's websites. Several Councils had only reported on the training Members had received and not a plan for future training.

A request for refresher training on the Code would be provided in 2024 as requested in the plans provided by several Town and Community Councils.

Llansantffraed Community Council would be receiving training on the Code of Conduct on the 2/5/23, following the recommendation of the Adjudication panel for Wales on the former Cllr Vaughan case.

15 To consider any other applications for dispensation received since the agenda was published

Councillor Wyn Thomas late application had previously been considered under item 7.

16 Forward Work Programme

It was AGREED that the following would be added to the Forward Work Programme:-

- (i) Harmonisation of gifts/hospitality thresholds across all Welsh Authorities;
- (ii) Vision Statement on the next meeting agenda;
- (iii) that the draft response to the 20 questions prepared by the Monitoring Officer be circulated to Members upon the Penn Review consultation, in order to provide a cohesive response by the end of April;
- (iv) a workshop would possibly be held in May 2023 with the Group leaders subject to their availability and Members of the Committee;
- (v) the self evaluation would be circulated in May 2023 and the results presented in the June 2023 meeting

17 Any other matter which the Chairman decides is for the urgent attention of the Committee

The Chair reported that this was her last meeting as chair and thanked Members of the committee and Officers for their work and assistance during her term. She wished the new Chair well on her term of office.

The Monitoring Officer and Members in response thanked her for all her hard work and commitment to the role and noted that the current Chair is always being well informed.

**Confirmed at the Meeting of the Ethics and Standards Committee held
on 28 June 2023**

Chairman:_____

Date:_____

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Ceredigion County Council Ethics and Standards Committee Meeting Actions Log 2022-2023*

The purpose of this Actions Log is to monitor Actions agreed by the Ethics and Standards Committee at their Meetings e.g. where the Ethics and Standards have requested a future Report to be presented to them, or information sought at a future Meeting.

For further information regarding the Actions Log please contact the Standards Officer.

Last updated: 18 January 2023

*Municipal Year

Actions marked green and Completed ('Y') shall be removed from the subsequent Actions Log

Acronyms:

AW – Audit Wales

CE: Chief Executive

CLO – Corporate Lead Officer

FWP – Forward Work Programme

SO – Standards Officer

MO – Monitoring Officer

CM – Corporate Manager

ESC – Ethics and Standards
Committee

OVW – One Voice Wales

L&G – Legal & Governance

N/A – Not Applicable

TBC – To Be Confirmed

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
<u>1.</u>	25/1/23	To discuss with party leaders the methods of promoting and maintaining high standards by conduct by Members of Ceredigion County Council to include the duties required under S 62-63 of the Local Government and Elections (Wales) Act 2021		Arrangements be given to providing refresher training on the Code soon	MO / LE	Date arranged 18 th May 2023		
	25/1/23	New Quay Town Council applications	defer determination of these applications	request further information from the Clerk	LE	Email sent 30/1/23 Information received from clerk	3/4/23	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
		for dispensation						
<u>3.</u>	25/1/23	Harmonisation of gifts/hospitality thresholds across all Welsh Authorities	<p>AGREED that:</p> <p>Whilst consistency agreed in principle, local variation was acceptable.</p>	<p>The threshold for acceptance of gifts by Council Members and Officers should be in-line with each other.</p> <p>Further consideration would be given to this proposal by the Committee and would also be placed on the Forward Work Programme for consideration. Also potentially by the Democratic Services Committee as</p>	MO / NJ	<p>Email sent to MO /NJ 17/2/23</p> <p><u>3/4/23 meeting: agreed that it would be reviewed again in six months as it was also now a part of the consultation in the Penn report. This would be placed on the Forward Work Programme.</u></p>	<u>15/11/23</u>	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
				necessary. Changes to the Code could only be made by Council.				
<u>4.</u>	25/1/23	Self Evaluation of the Ethics and Standards Committee	It was AGREED that further consideration be given to the self evaluation in relation to the removal of the middle option on the self evaluation and that a question be added in relation to the effectiveness of the Committee in considering the workload of the committees' agenda.	Amended version sent to Members 16/2/23 for further comment	LE	Responses received. Self evaluation will be sent to Members in May 2023 <u>Questionnaire sent to Members</u>	<u>5/6/23</u>	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
<u>5.</u>		Review the Vision Statement		Members provided views over email	LE	Reported to ESC 3/4	3/4/23	
<u>6.</u>	<u>3/4/23</u>	<u>Political group Leaders template document</u>		<u>Para 12 amended</u> <u>Template sent to group leaders to complete.</u> <u>Workshop set up with ESC members and group leaders 15/5/23</u>	<u>EP / LE</u>			
<u>7.</u>	<u>3/4/23</u>	<u>Appoint Vice Chair</u>		<u>Deferred to next meeting</u>		<u>JW confirmed he'd be happy to remain as Vice Chair until his term of office comes to end</u>	<u>5/6/23</u>	
<u>8.</u>	<u>3/4/23</u>	<u>Review of Vision Statement</u>		<u>defer consideration of the statement wording in</u>	<u>MO / Chair</u>	<u>Placed on FWP for next meeting</u>	<u>5/6/23</u>	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
				<u>order to consider additional wording proposed to include businesses and organisation after “people”</u>				
<u>9.</u>	<u>3/4/23</u>	<u>Livestream of ESC Hearings in other authorities</u>		<u>Share livestream recordings from other authorities for training purposes</u>	<u>LME</u>	<u>Current links found shared with MO</u>		
<u>10.</u>	<u>3/4/23</u>	<u>Code of Conduct refresher training for Town/ Community Councils</u>		<u>To be offered to Town/ Community Councils in 2024</u>	<u>DJ / MO</u>			
<u>11</u>	<u>3/4/23</u>	<u>Penn Review consultation</u>		<u>Draft response to the 20</u>	<u>MO</u>	<u>Circulated to ESC</u>		

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
				<u>questions prepared by the Monitoring Officer be circulated to Members</u>		<u>Members via email and uploaded to Teams for Member input</u> <u>Responses asked for by 30-April</u>		

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section **MUST** be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name:
John Erfyl Roberts

Council: County: ☒ Town/Community: ☐

Name of your Council: Ceredigion

Your address: 9 Maeshendre, Waunfawr, Aberystwyth

Postcode: SY23 3PR

Contact telephone number(s): 07896 782 184

Email address: johner@ceredigion.co.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

An upcoming motion regarding TB

Describe your prejudicial interest in the above matter, including your connection with it:

My brothers own land in Goginan. The land is split in two.

One brother has leased all his land to different people who I don't know.

The other brother keeps a couple of horses just for grazing.

I have no interest in the land other than volunteering to feed the horses whilst my brother is recovering from a serious operation.

I believe horses are not regarded as an agricultural animal.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

☒

County- Cabinet

☐

County- Committee

☐

Town /Community

☐

**Other
(Please specify)**

Scrutiny

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you; ☐
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director; ☒
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member; ☐
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body; ☐
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above; ☐
- (vi) any land in which you have a beneficial interest and which is in the area of your authority; ☐
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above; ☐
- (viii) any body to which you have been elected, appointed or nominated by your authority; ☐
- (ix) any — ☐
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer; ☐

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association; ☐

(ii) any employment or business carried on by persons as described in 10(2)(b)(i); ☐

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors; ☐

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or ☐

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, ☐
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and ☐

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken. ☐

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I have volunteered to feed my brothers horses whilst he is recovering from a serious operation in Morriston.

I do not gain financially at any time . I feed the horses as I care for their welfare.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	<input type="checkbox"/>
(b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies	<input type="checkbox"/>
(c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
(d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input type="checkbox"/>
(g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;	<input checked="" type="checkbox"/>
(h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or	<input type="checkbox"/>

(i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I am not clear as to why I need dispensation as I am only concerned for the welfare of the animals who may not even be classed as farm animals, but am advised that I should apply.

I gain no financial advantage for my part and am confident that grounds for dispensation would apply in 4 .d .e.and g. The issue of TB may come up in a future scrutiny committee.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only: ☐

Speak and Vote: ☒

Please provide a reason for this:

If I have an issue to consider then I need clarification.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s): ☒

Please specify meeting date(s): ____ upcoming full
council _____

General:

6 months: ☒

12 months: ☐

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

I agree that this application and all the information contained within it may form part of a public report to the Ethics and Standards Committee.

Signed:

Cllr. John Roberts

Date:

08 / 04 / 2023

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section **MUST** be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name: David Rhodri Wyn Evans

Council:

County: ☒

Town/Community: ☐

Name of your Council: Ceredigion County Council

Your address: Llanio Fawr
Tregaron
Ceredigion

Postcode: SY25 6PT

Contact telephone number(s):
07870 604199

Email address:
Rhodri.evans2@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

A201012 planning application being discussed at the Development control committee.

Describe your prejudicial interest in the above matter, including your connection with it:

I don't believe that I have a prejudicial interest but wanted to bring this in front of the ethics and standards committee for transparency. The applicant Mr. O Jones was my best man at my wedding in 2007. I, in turn was an usher at his wedding over 10 years ago.
As the local member, I do not have a vote on this application, but I feel that I should have the right to speak regarding the application.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

☒

County- Cabinet

☐

County- Committee

☐

Town /Community

☐

**Other
(Please specify)**

Development Control Committee

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you; ☐
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director; ☐
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member; ☐
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body; ☐
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above; ☐
- (vi) any land in which you have a beneficial interest and which is in the area of your authority; ☐
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above; ☐
- (viii) any body to which you have been elected, appointed or nominated by your authority; ☐
- (ix) any — ☐
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer; ☐

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association; ☒

(ii) any employment or business carried on by persons as described in 10(2)(b)(i); ☐

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors; ☐

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or ☐

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, ☐
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

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(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken. ☐

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I don't feel that I have a close relationship with the applicant. Due to work commitments and family life, we only see each other occasionally and this has been the case for many years. As the local member, I would not be allowed to vote on any application within my ward and therefore I am asking the committee to grant me dispensation to only speak on this application.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	<input type="checkbox"/>
(b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies	<input type="checkbox"/>
(c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
(d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;	<input type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;	<input type="checkbox"/>

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5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I don't feel that I have a close relationship with the applicant. Due to work commitments and family life, we only see each other occasionally and this has been the case for many years. As the local member, I would not be allowed to vote on any application within my ward and therefore I am asking the committee to grant me dispensation to only speak on this application.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only: ☒

Speak and Vote: ☐

Please provide a reason for this:

As the local member, I would only be allowed to speak on an application within my ward.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s): ☐

Please specify meeting date(s): _____

General:

6 months: ☐

12 months: ☒

8. DECLARATION

I request a dispensation in respect of the above matter.

**I confirm that the information provided on this form is true to the best of my knowledge.
I agree that this application and all the information contained within it may form part of a public report to the Ethics and Standards Committee.**

Signed: Rhodri Evans

Date: 01 / 05 /23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

Updated 23/03/20

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

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MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section **MUST** be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name: David Rhodri Wyn Evans

Council:

County: ☒

Town/Community: ☐

Name of your Council: Ceredigion County Council

Your address: Llanio Fawr
Tregaron
Ceredigion

Postcode: SY25 6PT

Contact telephone number(s):
07870 604199

Email address:
Rhodri.evans2@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

A220751 planning application being discussed at the Development control committee.

Describe your prejudicial interest in the above matter, including your connection with it:

I don't believe that I have a prejudicial interest but wanted to bring this in front of the ethics and standards committee for transparency. The applicants are Mr and Mrs G and E Jones. Mr G Jones is my brother-in-law's brother.

As the local member, I do not have a vote on this application, but I feel that I should have the right to speak regarding the application.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

☒

County- Cabinet

☐

County- Committee

☐

Town /Community

☐

**Other
(Please specify)**

Development Control Committee

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you; ☐
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director; ☐
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member; ☐
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body; ☐
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above; ☐
- (vi) any land in which you have a beneficial interest and which is in the area of your authority; ☐
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above; ☐
- (viii) any body to which you have been elected, appointed or nominated by your authority; ☐
- (ix) any — ☐
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer; ☐

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association; ☒

(ii) any employment or business carried on by persons as described in 10(2)(b)(i); ☐

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors; ☐

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or ☐

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, ☐
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and ☐

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken. ☐

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I do not consider that my relationship with Mr. G Jones is any different to any other member within my ward. I have only brought this in front of the ethics and standards to ensure transparency. As the local member, I would not be allowed to vote on any application within my ward and therefore I am asking the committee to grant me dispensation to only speak on this application.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	<input type="checkbox"/>
(b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies	<input type="checkbox"/>
(c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
(d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;	<input type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;	<input type="checkbox"/>

(h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or	<input type="checkbox"/>
(i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I do not consider that my relationship with Mr. G Jones is any different to any other member within my ward. I have only brought this in front of the ethics and standards to ensure transparency. As the local member, I would not be allowed to vote on any application within my ward and therefore I am asking the committee to grant me dispensation to only speak on this application.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only: ☒

Speak and Vote: ☐

Please provide a reason for this:

As the local member, I would only be allowed to speak on an application within my ward.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s): ☐

Please specify meeting date(s): _____

General:

6 months: ☐

12 months: ☒

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

I agree that this application and all the information contained within it may form part of a public report to the Ethics and Standards Committee.

Signed: Rhodri Evans

Date: 01 / 05 /23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 05 June 2023

Title: Ethics and Standards Committee Annual Report, 2022/23

Purpose of the report: To present the draft Ethics and Standards Committee Annual Report for consideration, prior to presenting to Council

Introduction

A draft of Ethics and Standards Committee Annual Report, 2022/23 has been prepared and is attached(Appendix A)

Committee is requested to consider the draft report and make such changes as it considers appropriate, prior to the presentation of the report at full Council.

Recommendation(s): The Committee approves the draft Ethics and Standards Committee Annual Report, 2022/23 (appendix A), prior to presentation to Council.

Appendices: Appendix A – Draft Ethics and Standards Annual Report, 2022/23

Statutory background: Local Government Act 2000

Background documents: None

Reporting Officer: Dana Jones, Democratic Services and Standards Officer

Date: 15 May 2023



Cyngor Sir
CEREDIGION
County Council

ETHICS AND STANDARDS COMMITTEE

ANNUAL REPORT 2022-23



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THE TEN PRINCIPLES OF PUBLIC LIFE

Selflessness – Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.	Personal judgement – Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.
Honesty and integrity – Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.	Respect for others – Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.
Objectivity – Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefit.	Duty to uphold the law – Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.
Accountability – Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.	Stewardship – Members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.
Openness – Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.	Leadership – Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

“Nolan Committee on Standards in Public Life”



1. FORWARD FROM THE CHAIR OF THE COMMITTEE

I am pleased to present this annual Ceredigion Ethics and Standards Committee report which provides an overview of its work during the period of 1st April 2022 to 31st March 2023.

Following the Local Elections (May 2022), we welcomed County Councillors Caryl Roberts and Gwyn Wigley Evans and Community Councillors Jan Culley and Delyth James, as the four new members.

The Local Elections involved significant training opportunities to develop Councillors' understanding of the Code of Conduct. We welcomed the positive reactions to training sessions from Town and Community Council Clerks, new and returning County Councillors and the new Group Leaders. The Committee also benefited from refresher training and from detailed consideration of how to deal with complaints referred to

the Ethics and Standards Committee.

There have been Ethics and Standards Committee Meetings for the consideration of Councillors applications to engage in discussions where they have a prejudicial interest. The Committee has appreciated the time given by a number of those Councillors who attended, in person or remotely, to provide additional information and answer questions regarding their applications.

This is the first year that the report includes formal reference to the Group Leaders' work on promoting high standards within the groups. We thank them for their work in this area and for their engagement with the new

reflective practice requirements.

As ever, the Committee's work relies heavily on the support it receives, particularly from the Monitoring Officer, the Scrutiny and Standards Officer and supporting staff. This year, this has involved additional work related to the Local Elections, new requirements on the Group Leaders and with the hybrid meeting arrangements. The Committee wishes to record its thanks for all of the support it has received. As I complete my tenth, and final year, as an Independent Member of this Committee I thank my fellow Committee members for their high level of commitment to the Committee's work. I wish Miss Caryl Davies well in her role as Chair.

Caroline White
2022/23 Chair of the Ethics and Standards Committee,



Ms Caroline White
Chair of the Ethics and Standards Committee 2022/23



Mr John Weston

Vice Chair of the Ethics and Standards Committee 2022/23

2. TERMS OF REFERENCE & VISION STATEMENT

The Council has established an Ethics and Standards Committee in accordance with the Standards Committee (Wales) Regulations 2001 (2001/2283) (as amended (2006/1849), 2007/951).

COMPOSITION

Membership

The Ethics and Standards Committee is composed of nine members. Its membership comprises of: Five 'independent' members, who are not Councillors or Officers or the spouse of a Councillor or an officer of this Council or any other relevant authority as defined by The Regulations, appointed in accordance with the procedure set out in the Regulations; Two County Councillors [other than the Leader of the Council and any member of the Cabinet]; Two members of Town and Community Councils wholly

or mainly in the Council's area ('Community Committee members')

Term of Office

Independent members are appointed for a term of not less than four nor more than six years. They may be re-appointed for one further consecutive term not exceeding four years. Two Independent Members were appointed and took up office in 2021/22.

Members of the Council who are members of the Ethics and Standards Committee have a term of office until the start of the next local government election following their appointment.

A Community Committee member would have a term of office until the next ordinary local government election following their appointment.

Quorum - A meeting of the Ethics and Standards Committee shall

only be quorate when: at least three members are present, and; at least half the members present (including the Chairperson) are Independent Members.

Community Committee

Members - A Town/Community Committee member shall not take part in the proceedings of the Ethics and Standards Committee when any matter relating to their Community Council is being considered;

Chairing the Committee

An Independent Member must chair the Ethics and Standards Committee. The Chair and Vice-Chair are elected by the Members of the Ethics and Standards Committee for whichever is the shorter of the following periods:- a period of not less than four nor more than six years, or

until the term of office of that person as an Independent member of the Ethics and Standards Committee comes to an end

If the Chair is absent from a meeting of the Ethics and Standards Committee then the Vice Chair of the Committee, if present, shall preside. If both the Chair and the Vice-Chair of the Ethics and Standards Committee are absent from a meeting of that Committee, such Independent member of the Ethics and Standards Committee as the members of the Committee present shall choose shall preside.

VISION STATEMENT

"Our Vision is that the people of Ceredigion will have trust and confidence that all those elected to office in Local Government in our county will work to the highest ethical and moral standards in serving their community"

3. MEMBERSHIP OF THE ETHICS AND STANDARDS COMMITTEE

01 April 2022– 06 May 2022

Committee Member	Term of Office	Term as Chair & Vice Chair
Mrs Caroline White Chair Independent Member	01/08/13-30/7/23	Chair 19/05/21-30/07/23
Mr John Weston Independent Member	22/02/18-21/02/24	Vice Chair 19/05/21-30/07/23
Ms Carol Edwards Independent Member	22/02/18-21/02/24	
Mr Alan Davies Independent Member	26/09/21-26/09/27	
Miss Caryl Davies Independent Member	26/09/21-26/09/27	
Councillor Dai Mason Ceredigion County Council	05/05/17- Local Government elections May 2022	
Councillor Odwyn Davies Ceredigion County Council	05/05/17- Local Government elections May 2022.	
Councillor Julian Evans (Community Council Representative)	05/05/17- Local Government elections May 2022	
Councillor Gill Hopley (Community Council Representative)	05/05/17- Local Government elections May 2022	

MEMBERSHIP OF THE ETHICS AND STANDARDS COMMITTEE

06 May 2022– 31 March 2023

Committee Member	Term of Office	Term as Chair & Vice Chair
Mrs Caroline White Chair Independent Member	01/08/13-30/7/23	Chair 19/05/21-30/07/23
Mr John Weston Independent Member	22/02/18-21/02/24	Vice Chair 19/05/21-30/07/23
Ms Carol Edwards Independent Member	22/02/18-21/02/24	
Mr Alan Davies Independent Member	26/09/21-26/09/27	
Miss Caryl Davies Independent Member	26/09/21-26/09/27	
Councillor Caryl Roberts Ceredigion County Council	Local Government elections May 2022	
Councillor Gwyn Wigley Evans	Local Government elections May 2022	
Councillor Jan Culley (Community Council Representative)	Local Government elections May 2022	
Councillor Delyth James (Community Council Representative)	Local Government elections May 2022	

MEMBERS OF THE ETHICS AND STANDARDS COMMITTEE

Chair



Caroline White is a retired teacher. Caroline's 26-year teaching career included many whole school management responsibilities, latterly as Assistant Head. She now works as a Study Skills Tutor at Aberystwyth University. Caroline was appointed as an Independent Member of the Ethics and Standards Committee in August 2013 and was elected as Vice-Chair, from February 2018, and then as Chair, from May 2021.

Vice-Chair

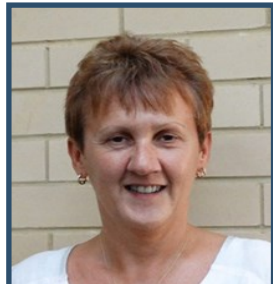


John Weston was a Town Planner, and was then employed by the WAO as a performance auditor, retiring in 2013; undertaking audits within Councils in Wales and also with Welsh Police and Fire and Rescue services. John was appointed as an Independent Member of the Ethics & Standards Committee from February 2018 and was elected as Vice-Chair from May 2021



Independent Member as from
the 26/09/21

Caryl Davies is a former Director of Student Support Services and Head of Careers at Aberystwyth University. A Welsh speaker, Caryl is also a member of the Carmarthenshire Standards Committee; a fitness to practice lay panel member and chair for Social Care Wales; and a lay representative for Health Education Improvement Wales.



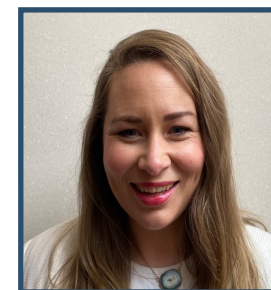
Independent Member as from
the 01/02/18

Carol Edwards qualified as a Chartered Librarian from the Librarian College in Aberystwyth. worked for Clwyd County Council, Ysbyty Llwynhelyg (as a medical librarian) and then back to Aberystwyth at the National Library for Wales for over 20 years, and as Head of Department from 2010-2013. Carol is currently a Governance Manager and Clerk of the Board of Trustees for the National Library for Wales.



Independent Member as from
the 26/09/21

Alan Davies is originally from London, with parental roots in Ceredigion, he is married, with 2 sons and lives in Aberaeron. He is a fluent Welsh speaker and regularly comments for TV and radio on military, defence, peace and security matters. He is currently active in developing the Space Sector in Wales and has led many significant business growth and change initiatives. His early career was in the Army, retiring as a Major after 18 years of service, where he was responsible for strategic military planning for global intervention operations and rescues.



Councillor Caryl Roberts

Caryl Gruffydd Roberts was elected as County Councillor for the Trefeurig Ward in 2022. She was elected Chair of the Healthier Communities Overview and Scrutiny Committee. Since her election she has established the Penrhyn-coch Youth Club for young people aged 11-15, and the club is going from strength to strength.

Caryl graduated in Law and Politics from Cardiff University. Caryl is currently a Senior Business Development Manager for the Farmers' Union of Wales in Penrhyn-coch and is a former presenter of the S4C television programme 'Fferm Ffactor'. Caryl is a soloist with a local choir in Aberystwyth called Sgarmes and enjoys performing on stage and television.



Councillor Gwyn Wigley Evans has developed his career over 50 years in textiles supplying the high street with garment, curtain and upholstery fabrics world-wide, today manufacturing work and promotion wear in North Macedonia and farming in Llanddeiniol

A Cruse Bereavement voluntary counsellor of 23 years, school governor and community councillor at Llanrhystud and Llangwryfon

Elected County Councillor for Llanrhystud Ward in May 2022, at the same time elected Chairman of the Overview and Scrutiny Thriving Community Committee and member of the Ethics and Standards Committee.



Community Council representative)

Councillor Delyth James is a Senior Statistician working in the Welsh Government Office for Science.

Trefeurig Community Councillor since 2017.

Appointed to the Ethics & Standards Committee in 2022

Photo to follow

Community Council representative)

Councillor Jan Culley

Llangoedmor Community Councillors since 2022

Appointed to the Ethics & Standards Committee in 2022

4. ROLES AND FUNCTIONS OF THE COMMITTEE

The Ethics and Standards Committee had the following roles and functions:

- promoting and maintaining high standards of conduct by Councillors,
- assisting the Councillors, Co-opted Members and church and parent governor representatives to observe the Members' Code of Conduct;
- advising the Council on the adoption or revision of the Members' Code of Conduct;
- monitoring the operation of the Members' Code of Conduct;
- advising, training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- Granting dispensations to Councillors, Co-opted Members and church and parent governor representatives from requirements relating to

interests, as set out in the **Members' Code of Conduct 2016 edition; Section (81(4) & (5) of the Local Government Act 2000 and the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 (2001/2279).**

- dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales; as set out in (section 73(1) **Local Government Act 2000, Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001)) (2001/2281) (as amended; 2009/2578), and the Local Government (Standards Committee, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 (2016/85).**

- the exercise of the above in relation to the Community Councils wholly or mainly in its area and the members of those Community Councils; (Section 56(1) Local Government Act 2000) to appoint an appeals panel of three, with a majority of independent members, one of whom would act as Chairperson, with regard to complaints made by members of the public under the Council's complaints procedure
- Monitoring compliance by political group leaders of duty to promote high standards of conduct by councillors in their group and co-operate with Committee in exercise of its functions
- attendance at and participation in training sessions on the Code for both the County Council and Community Councils
- attendance at Council and Committee meetings to observe proceedings
- Engage in national debate on Standards and Procedures

Examples of the type of work carried out by the Ethics and Standards Committee may include

- Involvement in developing training materials on the Code

5. THE COMMITTEE'S WORK IN 2022/23

1. APPLICATIONS FOR DISPENSATION

Dispensations) (Wales) Regulations 2001 (Reg. 2)

Year	Number of applications received	County Council applications	Town Council Applications
2017/18	23	10	13
2018/19	21	9	13
2019/20	15	13	12
2020/21	17	11	6
2021/22	18	10	8
2022/23	13	4	9

The most common grounds for which the Committee granted dispensations were:
d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business

2022/23

The Committee had considered 13 applications from County and Community and Town Councillors during the year.

- 7 were granted
- 6 were deferred
- 0 were refused
- 0 were withdrawn

Of these:

- County Councillors: 4
- Town & Community Councillors 9

The grounds upon which the Committee may grant a dispensation are set out in the Standards Committee (Grant of

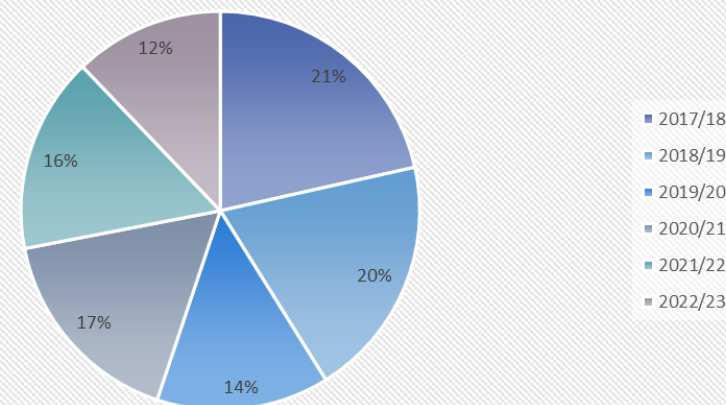
- f) the participation of the member in the business to which the interests relates is justified by the member's particular role or expertise.

Of the 7 dispensations granted:
0 were granted to speak only
7 were granted to speak and vote

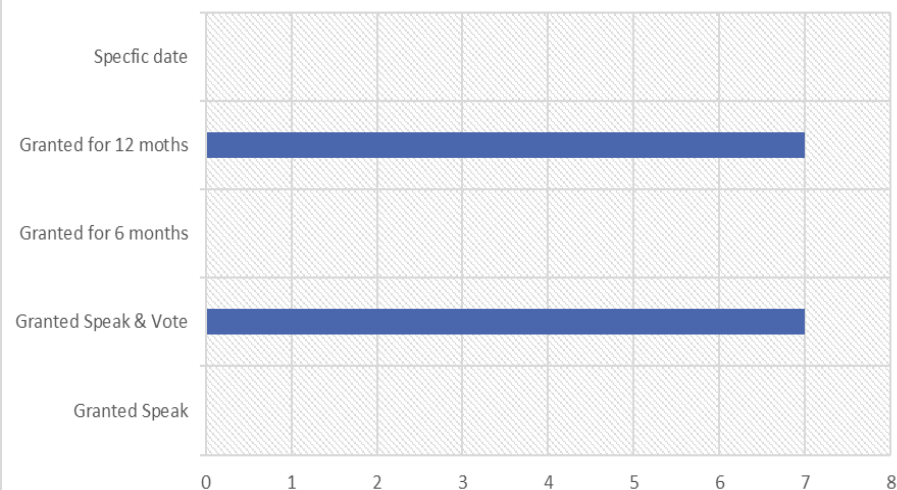
Of the dispensations granted:

- 7 were granted for a term of up to 12 months
- 0 were granted for a term of up to 6 months
- 0 were granted for a specific meeting

Dispensation Applications Received 2017-2023



Overview of Applications granted 2022/23



DISPENSATIONS (continued)

Dispensations lapse automatically at the end of the fixed term. Any applications for extensions of time are treated as new applications in order to ensure that Members properly review the need and grounds for dispensation

The Committee approaches each application on its merits.

Details of the applications dealt with by the Committee can be viewed as part of the agenda/minutes of the meetings of the Committee which are accessible on Ceredigion County Council's website:

<http://www.ceredigion.gov.uk/your-council/councillors-committees/committees/ethics-and-standards/>

Applicants were encouraged to attend Committee meetings to present their case.

During 2017/18 2 Members attended Committee in person

During 2018/19 2 Members attended Committee in person

During 2019/20 2 Members attended Committee in person.

During 2020/21 1 Member attended the Committee (via video conferencing)

During 2021/22 5 Members attended the Committee (via video conferencing)

During 2022/23 2 Members attended the Committee

2. ADJUDICATION PANEL FOR WALES

The Adjudication Panel for Wales (APW) is an independent tribunal that has been set up to determine alleged breaches against an authority's statutory Code of Conduct by elected and co-opted members of Welsh County, County Borough and Community Councils, Fire and National Park Authorities.

At the meeting held 25 May 2022, was AGREED to note the decision that had been circulated on email as follows on the decision for Councillors Bishop, P Morgan, W Owen and D Poole

It was AGREED at the meeting of the 13 October 2022 to note the decisions of former Councillor Paul Dowson, Pembrokeshire CC, Former Councillor Gordon Lewis, Pencoed Town Council, Former Councillor Caryl Vaughan, Llansantffraed Community Council.

3. UPDATE ON THE PUBLIC SERVICE OMBUDSMAN

It was AGREED to note the Code of Conduct decisions presented since the publication of the last Casebook at the 25 May 2022 meeting. Members agreed with the new format of presenting this information. This information would also be circulated to Group Leaders and used as training material.

At the 13 October 2022 meeting, it was AGREED to note the content of the report for information and that the report would also be circulated to the Clerks of the Town and Community Councils for information.

It was AGREED at the 25 January 2023 meeting to note the decisions to Duty to uphold the law : Llandovery Town Council and promotion of equality & respect : Ceredigion County Council.

4. ETHICS AND STANDARDS COMMITTEE PROCEDURE

At the 25 May 2022 meeting consideration was given to the revised Hearing Procedure document. Following discussion, it was AGREED to the document for approval by Council on 07 July 2022 subject to amending the numbering. The flow chart in relation to the Hearing Procedures would also be circulated to Members.

5. FORWARD WORK PROGRAMME

It was AGREED to note the Forward Work Programme as presented at the 25 May 2022 meeting. The Chair reported that a meeting should be held prior to the 02 November 2022. The Monitoring Officer highlighted the resource implications of arranging urgent meetings and the need for Members to arrange their work accordingly to ascertain if they require a dispensation. It was reported that this meeting was due to be held in July but was brought forward. A meeting in September or October would be requested instead of the November meeting.

It was agreed that the MO Trends, Self-Evaluation and the Training plans for Town and Community Councils be added to the next meeting.

It was also agreed that the Action Log of today's meeting would be presented at the next meeting; as was recommended by the Governance and Audit Committee.

At the 13 October 2022 meeting, it was AGREED to note the content of the Forward Work Programme subject to:-

- Further consideration be given to Political Group Leaders attending all meetings of the committee, and for a mechanism that the Monitoring Officer could report on their behalf presenting evidence of the work they had done in relation to promoting standards.

- Flintshire County Council had provided its template for Group Leaders to complete. This could be adapted and reported to the committee accordingly.

- Review of the Vision statement

- Training Programme for Town and Community Councils would be requested from Clerks to ascertain if Code of Conduct training would be mandated

- That the Chair and Vice Chair together with Officers would be considering the Committee's Self - evaluation as the guidance had not yet been received

At the 25/1/23 meeting it was AGREED to note the content of the Forward Work Programme .

6. OMBUDSMAN ANNUAL LETTER 2021/22

It was AGREED at the 13 October 2022 meeting to note the content of the report. A request would be made by the Monitoring Officer for the Ombudsman to add an additional column where a case had been referred but not been investigated.

7. S 62-63 OF THE LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

At the meeting of the 25 January 2023 political group leaders were invited to the meeting to:

- discuss the methods of promoting and maintaining high standards by conduct by Members of Ceredigion County Council to include the duties required under S 62-63 of the Local Government and Elections (Wales) Act 2021
- to exchange views on promoting and maintaining high standards of conduct in Ceredigion.

It was reported that the Local Government and Elections (Wales) Act 2021 placed new duties on leaders of political groups and standards committees and contains the relevant sections, namely s62 and s63.

S.52A Local Government Act 2000) states that a leader of a political group consisting of members of a county council in Wales must take reasonable steps to promote and maintain high standards of conduct by the members of the group; and must co-operate with the council’s standards committee.

In section 54 Local Government Act 2000 (functions of standards committees), a standards committee of a county council or county

borough council in Wales also has the specific functions of—

- (a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and
- (b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties

It was reported that the political group leaders of Ceredigion County Council were invited annually to the Ethics and Standards Committee to discuss the methods of promoting and maintaining high standards of conduct by Members of Ceredigion County Council.

The political group leaders stated that they welcomed this guidance, as it was a reference for them to confirm that the standards were being adhered to.

The political group leaders emphasised the importance of the Committee’s work in promoting high standards of conduct and reported on their group meetings in which issues of standards were discussed; and the need to respect Council officers and vice versa.

7. S 62-63 OF THE LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021 (cont)

It was also noted that advice was always available to Members from the Monitoring Officer and Standards Officers on email and in person.

It was agreed to provide refresher Code training

8. RECRUITMENT

At the 25 May 2022 meeting, the following was agreed:-

Succession planning-lay member

Consideration was given to the Report upon the Succession planning-lay member. Following discussion, it was AGREED to recommend to Council to approve:

(i) the role description, person specification and criteria (as set out in Appendix)

(ii) Membership of the Selection Panel as follows:

- Chair of the Council(in absence Vice Chair);
- Independent/Lay Panel member (nominated by the Monitoring Officer)
- Chair and Vice Chair of the Ethics and Standards Committee (or other

independent members nominated by the Monitoring Officer as necessary)

- Town and Community Council representative nominated by One Voice Wales; and

(iii) change the title of job description to role description in the Appendix

Town/Community Council Councillor recruitment-update

It was AGREED to note the update provided and during the process that gender balance of the committee be considered, if possible during appointment.

The two new Town and Community Council representatives, Councillors Delyth James and Jan Culley attend their first meeting on the 13 October 2022.

9. COMMITTEE ASSESSMENT OF GROUP LEADER'S COMPLIANCE

Group leaders completed their reports by 30/4/23.

A workshop took place with each group leader individually on 15/5/23 with:

- Cllr Bryan Davies (Plaid Cymru)
- Cllr Elizabeth Evans (Liberal democrats)
- Cllr Gareth Lloyd (Independent group)

The Committee assessed the extent to which whether political group leaders had :

1. taken reasonable steps to promote and maintain high standards of conduct by group members
2. co-operated with the Committee in exercise of its functions
3. any training needs

The Committee' assessment was that:

1. The group leaders had taken reasonable steps to promote and maintain high standards of conduct by group members , and had done so in a meaningful way, albeit that there was a lack of supporting evidence and metrics within the reports.

Whilst the PGLs thought they had done enough to promote and maintain good standards of behaviour amongst their group members, this was not evidenced adequately. The responses subjective and vague, and did not focus on the Code of conduct.

2The group leaders had complied with their duty to co-operate with the Committee in exercise of its functions

3) All Group Leaders should ensure that their group members complete the on-line social media training.

Recommendations or comment on levels of compliance with these new duties :

- All Group Leaders should ensure that their group members complete the on-line social media training.
- That additional training should be provided for 2023/2024 to ensure Group leaders completed the templates adequately, with more metrics and evidence.

10. TRAINING

Town and Community Clerk training had been held on the 27 April 2022 with 30 Clerks in attendance. WLGA notes had been provided to the Clerks in order for them to facilitate training to their respective Town/Community Council

Members of the Ethics and Standards Committee had been trained on the Role and Responsibilities of the Committee on the 24 May 2022

Training on the Hearing Procedure was held on the 30 September 2022

Training for Group Leaders was held on the 06 June 2022

Training for Aberystwyth Town Council and Borth Community Council had been requested, Members of the Committee were encouraged to assist with this training once arranged.

To note that One Voice Wales had Code of Conduct training available to all Town and Community Councillors

That new training modules were available for Independent Members on the new E-Learning Platform, however, confirmation was required if this training was available to Town and Community Council Clerks and Councillors, once the content of the training material is known.

The need to possibly minimise the amount of train-

ing on the Code of Conduct over a period of time in order for Town and Community Councillors to absorb the complex information presented.

Clerks would be contacted to ascertain if they preferred online or face to face training.

It was also noted that many Clerks did not feel comfortable in providing this training to their respective Councils.

The Monitoring Officer had requested a copy of Town and Community Councils Training Programme in order to ascertain if the Code of Conduct training had been provided. It was noted that the Standing Orders and the Local Resolution Process had previously been requested. It was noted that as all County Councillors attend Town and Community Councils to promote the training available.

11. COUNCILLOR COMPLAINT TRENDS 2021/22

Consideration was given to the Councillor Complaint Trends 2021/22 at the 25 May 2022 meeting. It was AGREED to note the report for information; and in future a report of trends would be presented, possibly with more general detail if the Monitoring Officer found this acceptable. Also; Group Leaders would be involved on the outset of any complaints of their Councillors in the future; due to their new responsibility of appraising trends and improving standards during the new administration.

12. CORPORATE JOINT COMMITTEES (GENERAL) (WALES) REGULATIONS 2021

At the 13 October 2022 meeting, the Monitoring Officer reported that it had been confirmed in the Full Council meeting in July that Councillor Gwyn Evans would become a member of the Corporate Joint Committee Standards Sub Committee. A second County Councillor will be appointed in the 20 October meeting.

At the 25 January 2023 meeting it was reported that at the Council meeting the following day, confirming the approval the appointment of Gail Storr as independent / lay person of the Ethics and Standards Committee with effect from 30 July 2023 up to 27th July 2029.

13. HEARING PROCEDURE

A Hearing Procedure workshop had been held on the 30 September 2022

14. UPDATE ON CODE OF CONDUCT MATTERS

At the 13 October 2022 meeting, it was AGREED to note the content of the report for information subject to the committee being informed in future reports of any trends that had increased/decreased. The Committee noted the increase in recent years of trends relating to social media and online abuse.

15. OMBUDSMAN ANNUAL LETTER 2021/22

It was AGREED to note the content of the report at the 13 October 2022 meeting. A request would be made by the Monitoring Officer for the Ombudsman to add an additional column where a case had been referred but not been investigated.

An update was provided at the 13 January 2023 meeting, the request for an additional column in the table within the Ombudsman Annual Letter where a case had been referred but not been investigated had been sent to the Ombudsman office. They had reported that they would consider this in their next Annual letter.

16. ALL WALES CHAIR STANDARDS FORUM

It was reported at the 13 October 2022 that a meeting may be held prior to the Christmas period. The terms of reference was currently being reviewed and the Powys and Ceredigion MOs would attend alternately at the meeting. The Chair, or Vice-Chair, will also attend the meeting.

The All Wales Chair Standards Forum was held on 27/1/23. Ceredigion CC and Powys CC Monitoring Officers are providing alternative support to the Committee.

The next meeting would be held on the 30 June 2023 and the WLGA were proposing that Chairs and Vice-Chairs would be provided training. The Penn consultation had been discussed with an opportunity to respond formally to it.

17. HARMONISATION OF GIFTS HOSPITALITY THRESHOLDS ACROSS ALL WELSH AUTHORITIES

Harmonisation of gifts/hospitality thresholds across all Welsh Authorities

It was reported that consideration was being given amongst Monitoring Officers in Wales whether it was appropriate to seek the views of Standards Committees upon agreeing a common threshold figure amongst all Welsh authorities for consistency. Many authorities had shown an interest in a unified approach. The views of Standards Committee was being sought as to whether there was any support for such a move, and what the common value should be. As the Ceredigion County Council level (£21) was currently less than the common denominator (£25), the views of the Committee was sought as to the merits in agreeing an in-principle view on increasing the Ceredigion County Council threshold from £21 to £25.

The committee voted:

- 1 Against
- 2 Against
- 3 Against

4 Against

Following discussion, it was also AGREED that:

Whilst consistency agreed in principle, local variation was acceptable.

The Committee discussed whether any gifts should be accepted by Members as well as the cumulative impact of gifts which individually fall below the threshold. The threshold for acceptance of gifts by Council Members and Officers should be in-line with each other.

Further consideration would be given to this proposal by the Committee and would also be placed on the Forward Work Programme for consideration. Also potentially by the Democratic Services Committee as necessary. Changes to the Code could only be made by Council.

18. MONITORING OFFICER CODE OF CONDUCT UPDATE Q3 (SEP-DEC 2022)

An update was provided to the Committee on the 25 January 2023 regarding complaints activity and recent trends. It was AGREED to note the content of the report.

6. CODE OF CONDUCT – MONITORING OFFICER'S REPORT

All County Councillors, Town/Community Councillors and Co-opted Members are required to abide by the Code of Conduct for Councillors adopted by the Council which conforms to the mandatory requirements of the Model Code of Conduct issued by the National Assembly for Wales.

Complaints relating to an allegation that a County Councillor had breached the Code should be sent to the Ombudsman directly and/or to the Council's Monitoring Officer (MO)

The Ombudsman publishes a guidance on the PSOW website on how to make a complaint about an elected member on a Factsheet.

The WLGA has e-learning training modules available for Councillors on the All Wales Academy, including Ethics and Standards (Councillor Development), and Social Media Guidance.

The Adjudication Panel for Wales (APW) published a Sanctions Guidance during 2019

The PSOW may decide that the MO should investigate a complaint, or may ask the Council's Ethics & Standards (ES) Committee to make a determination. Options available to the ES Committee include no further action, censure and

suspension for up to 6 months.

If the Ombudsman investigates an allegation of a breach of the Code and concludes that a breach has occurred The Ombudsman will forward a report of his findings to the Monitoring officer and to the Councillor concerned.

If the Ombudsman considers that the breach is serious it may be forwarded to the Adjudication Panel for Wales who has the power to disqualify a councillor for up to 5 years.

The Local Government & Elections (Wales) Act 2021 received Royal Assent during 2020/21. S62 of the Act sets out additional duties for political group leaders, to uphold standards of conduct, effective from May 2022.

It should be noted that complaints by Officers against Members are not always made directly by the Officer concerned, who may not wish to pursue a formal complaint. Where concerns are drawn to the attention of the Monitoring Officer/Chief Executive, those cases will be dealt with by the Monitoring Officer (and if appropriate the Chief Executive) who may make enquiries and provide advice/action as appropriate. The Monitoring Officer will investigate as necessary.

1.Complaints received

PREVIOUS YEARS -The table below shows an analysis of complaints received between 2018-2022:

County Councillors	2018/19	2019/20	2020/21	2021/22
Member on Member	0	0	1	1
Public on Member	9	3	11	4
Officer on Member	4	8	4	5
Self-referrals to PSOW	0	0	0	0
Total	13	11	16	10
Town/ Community Councillors				
Member on Member	0	2	1	4
Public on Member	4	2	4	1
Officer on Member	0	0	0	1
Total	4	4	5	6

Code of Conduct – Monitoring Officer's Report

CURRENT YEAR: 2022/23

Brought forward: 3

The Monitoring Officer considered 27 complaints against Members in relation to the Code of Conduct.

Of these:

18 were against County Councillors

9 were against Town/ Community Councillors.

MO recommended sanctions:

apology

training

advice/reminder of Councillor obligations under Code

County Councillors	Number of complaints received
Member on Member	0
Public on Member	7
Officer on Member	10
Members self-referral	1
Clerk of Town and	0
Community Council	
Monitoring Officer referral	0
Sub-total	18
Town and Community Councillors	
Member on Member	3
Public on Member	3
Officer	0
Clerk	2
Monitoring Officer referral	1
Sub-total	9
TOTAL	27

		2018/19	2019/20	2020/21	2021/22	2022/23
Reports issued by PSOW		7	6	4	8	Matters brought forward =3 New:2
County Council	Of these:	4	5	0	4	2-lack of evidence
	Declined to Investigate/					
	Closed after initial consideration:	2	5	0	0	0
	Decision Notice New power 22/23	n/a	n/a	n/a	n/a	Decision Notices-1.
	Investigation:	0	0	Data not available	0	3
	Discontinued:	1	0		0	0
	Outcomes:	3	1	Data not available		0
	No evidence of breach	1				
	Technical breach	0				1:4(b) breach but no action as no longer a Councillor
	Breach	0				
Referral to APW		0	0	0	1	1 x Interim powers
Ongoing				Data not available	3	2

		2018/19	2019/20	2020/21	2021/22	2022/23
Town/Community Council	Of these:	3	No data available	No data available	1	0
	Declined to Investigate/Closed after initial consideration:					0
		3				
	Investigation: Discontinued:	0			0	0
	No Evidence of breach:	0			1	0
	No Further Action	0				0
	Of those investigated resulted in sanctions					0
	Resulted in no sanction	0				Referral to APW x1
		0				
	Sanctions/actions included: advice given to member to modify behaviour					
	Outcomes:					
	No evidence of breach				1	0
	Technical breach					0
	Breach					1-
					1	1
	Referral to APW					
	Referral by Monitoring Officer to PSOW				1	1

3. Nature of complaints

	County Council	Town and Community Councils
2017/18-2019	<p>The majority of complaints against County Councillors related to:</p> <ul style="list-style-type: none"> •Bullying •Lack of respect/ consideration/ courtesy for others •Lack of impartiality •Improper use of delegated powers •Conflict of interest •Standards of Conduct, including inappropriate parking, delay in paying Council Tax •Using position to gain an advantage •Disclosure of confidential information •Failure to reply to an enquiry •Acting without authority •Improper use of delegated power •Failure to disclose personal/prejudicial interests •Standards of conduct eg inappropriate parking, comments made in meetings and inappropriate communication •Attempting to compromise officers impartiality •Social Media postings by Councillors eg complaints about officers and services. 	<p>Complaints included:</p> <ul style="list-style-type: none"> •perception of lack of transparency in Council meetings, •improper meeting procedures eg voting, quorum, failure to adequately record decisions, failure to publish minutes and register of interests •failure to disclose personal/prejudicial interests •discrimination <p>Some of the complaints above were attributable to acts/omissions of clerks.</p>
2019/20	<ul style="list-style-type: none"> •Social Media postings •Failure to declare an interest •Improper use of delegated powers •Lack of respect/ consideration/ courtesy for officers – including Development Control Committee/Scrutiny meetings •Lack of respect for the Chair of a public meeting-Scrutiny Committee •inappropriate comment regarding Officers. 	

2020/21

- Social Media postings
- Inappropriate behaviour
- Lack of respect/consideration/attitude
- Planning decision
- swearing
- Bringing Council into disrepute
- Poor culture
- Failure to declare interest
- Nuisance/harrassment
- Physical assault
- failure to disclose prejudicial interests
- disclosure of confidential information
- failure to take action

2021/22

- Social media postings
- Poor culture/attitude
 - Swearing
 - Lack of respect/consideration-officers/clerk
 - Bullying
 - Spreading false information
 - Threatening behaviour
 - Lack of respect/ consideration/ courtesy for officers
 - Inappropriate conduct
 - Discrimination-of minority group
 - disrespectful, impolite or offensive language by Councillors n public meetings has increased-more swearing.
 - Overstepping role
 - Unrealistic demands on officers
 - Demanding behaviour
 - Perceived failure to declare interest
 - Inappropriate sexual conduct
 - Harassment
 - Bringing office or authority into disrepute
 - Perceived failure to act
 - Disclosure of confidential information-social media/public meeting
 - Criminal conviction
 - Failure to hear advice

County Councils

Town and Community Councils

2022/23

Lack of impartiality

- Inappropriate use of Council resources
- Democratic process deficit
- Subject to Safeguarding process
- Racist comments
- Negative relationships

Social media postings-inappropriate comments

Breach of confidentiality

- Poor culture/attitude

- Swearing

Aggressive demeanour towards member of public

- Lack of respect/ consideration/ courtesy for officers

- Inappropriate conduct

Failure to declare interests

- Discrimination-of minority group

- disrespectful, impolite or offensive language by Councillors in public meetings

- Overstepping role

- Unrealistic demands on officers

- Demanding behaviour

- Perceived failure to declare interest

- Inappropriate sexual conduct

- Harassment

Stalking

Intimidation of officers

Using role of councillor to advantage

- Bringing office or authority into disrepute

- Perceived failure to act

- Disclosure of confidential information-social media/public meeting

- Criminal conviction

- Failure to heed advice

- Lack of impartiality

- Inappropriate use of Council resources

Poor relationship with clerk

Intimidation of clerk

Lack of respect /consideration towards clerk

Poor relationship with fellow councillors

Subject to criminal /police investigation

Social media-inappropriate postings/comments

Criminal conviction

Lack of consideration and respect in meetings

Swearing

Spreading false information about fellow councillors or clerk

Failure to declare interests

Failure to act in accordance with Code following declaration of interests

- Subject to Safeguarding process
- Subject to criminal/police investigation
- Racist comments
- Negative relationships
- Criticising authority in press
- Criticising officers in public meetings
- Inappropriate comments in email to officers
- Failure to amend Register of Interests within time limit
- Failure to disclose Trustee or Directorships

4. Monitoring Officer Advice

The Monitoring Officer regularly provides informal advice orally, or in writing to County Councillors on various issues within the Code of conduct including personal/ prejudicial interests. This advice is given orally, or in writing.

Advice can be a preventative measure, or in anticipation of a potential breach, or following a breach in consideration of mitigation.

Town/Community Councillors

Occasionally advice may be given to Town/Community Councillors as necessary.

There is an expectation that Town/Community Councillors consult their clerk in first instance.

The Monitoring Officer will provide advice to Clerks and Town/community Councillors as necessary

Queries include advice on:

- meeting process/procedure
- conflicts of interest
- breach of Code of Conduct
- complaint process
- declarations of interest
- Councillors committing criminal offences/being convicted

Advice may be given to clerks to Town/community Councils, by telephone,

email or face to face.

In 2022/23 the Monitoring Officer gave advice to :

- Clerks x 3: (x 4 matters)
- Councillors x 3 (x3 matters)

Most of Town/Community Councils within the Ceredigion area are subscribed to One Voice Wales and may therefore seek advice from that source.

	Formal Advice	Informal Warning/ advice	Formal Warnings (e-mail/ letter)	Face to Face / remote meetings with members of public	Face to face meeting was undertaken with a Town/ community clerk	Nature of Advice	Sanctions	Local Resolution Procedure
2018-19 County Councillors	5	0	1					
2018-19 Town & Community Council	5	0	0	1	1			
2019-20 County Councillors	3	Numerous/ Varied	1			Some issues considered by the Monitoring officer relate to pre-emptive advice by the Monitoring officer in relation to disclosures of interest: X 6.	member apology in writing to the officer or member member apology to the officer or member in public meeting	
2019-20 Town & Community Councils		2					Queries include advice on: Public meeting process/ procedure conflicts of interest conduct of a councillor meetings with members of the public: 0	

2020-21 County Council	4	1 informal advice- numerous/ varied. Some issues considered by the Monitoring officer relate to pre-emptive ad- vice by the Moni- toring Officer in relation to disclo- sures of interest	1					1
2021-22 Town and Community Councils						Advice was also given to clerks of Town/ Community Councils, and mem- bers of the public.		
2022-2023 County Councils	8	Various/ numerous	2	0	n/a	Refrain from action	Training	0
2022-2023 Town and Community Councils	0	2	0	0	2	Self-referral Declaration of interest PSOW proce- dure		0

2022-2023

County Council

- informal advice- numerous/varied.

Some issues considered by the Monitoring officer relate to pre-emptive advice by the Monitoring Officer in relation to disclosures of interest

- formal advice : 3
- informal warnings: numerous
- formal warnings (e-mail/letter): 3
- Local Resolution Procedure:0

Sanctions included:

- member apology in writing to the officer or member
- member apology to the officer or member in public meeting

Advice/reminder of Councillor obligations under Code

Training eg safeguarding, social media, diversity

Town/Community Council

informal advice- numerous/varied.

Some issues considered by the Monitoring officer relate to pre-emptive advice by the Monitoring Officer in relation to disclosures of interest

- Local Resolution Procedure referrals :0

There was x1 Town/Community Council case referred by the Monitoring Officer to the PSOW during 2022/23.

5.The Ethics & Standards Committee -Hearing Panels

There were no Ceredigion County Council Councillor cases referred by the PSOW to the Ethics & Standards Committee during 2022/23.

There were no Town/Community Council case referred by the PSOW to the Ethics & Standards during 2022/23.

6.Adjudication Panel for Wales (APW)

There was no Ceredigion County Council case referred by the PSOW to the APW during 2022/23.

This was an Interim Powers report.

Outcome: ongoing

There was x1 Ceredigion Town/Community Council case referred to the APW during 2022/23.

Outcome: 15m disqualification and Code training within 3m

7. PSOW referrals to the Monitoring Officer for investigation 2022/23

There were no cases referred to the Monitoring Officer by the Public Service Ombudsman Wales for investigation by the Monitoring Officer during 2022/23

Summary

The standard of conduct by Ceredigion County Council Members generally is to be commended. Complaints were mainly by member of the public and officers against Members

Whilst lack of respect/courtesy continues to be an issue, the relationship between Ceredigion County Council Officers and Members has improved, with less instances of bullying, intimidation and/or lack of respect/courtesy than previously.

Examples of disrespectful, impolite or offensive language by Councillors in public (or private) meetings has increased-more swearing.

More councillors have been subject to criminal investigation

Two councillors have been subject to Safeguarding / Professional Concerns Strategy procedures

Councillors need to be particularly careful of use of language during remote meetings, with increased use of microphones and less awareness of comments being overheard

Councillors are largely aware of the need to declare interests, and do so in a timely and appropriate way. Advice is sought from the Monitoring Officer at appropriate times.

The use of social media as a forum for Councillors making representations/expressing views is continuing to increase. This has occasionally brought the Council into disrepute.

Poor culture/relationships is a continuing issue in some Town/Community Councils.

The Monitoring Officer recommendation :

- that all new Members receive refresher training on the Code of Conduct
- that some members would benefit from additional training on social media, data protection (including the responsibility of Councillors as data controllers) and safeguarding
- Members continue to be more cognisant of the need to consider whether they have an interest, and declare any interest in communication/correspondence with officers.

8. Correspondence with Group Leaders

Group Leaders received copies of relevant cases and information.

Group Leaders attend the

Committee at least once annually.
The Monitoring Officer meets with the Group leaders quarterly

9. Annual update on the Register of Interest

An email dated the 01 April 2022 from the Monitoring Officer was circulated to Members requesting them to carry out an annual review of their Register of Interests Booklet , at the end of the financial year. Members were therefore requested to review the online version of their Register of Interests for the entire year 2022/23 (1/4/22-31/3/223

If there were no new interest/changes , Members emailed to confirm “No changes.”
If there were new interests/changes, Members emailed to confirm that there were changes, and provided details of these changes.

The original booklets were re-signed and re-dated and each reply, and booklet were reviewed by the Monitoring Officer .
As part of its Statement of Accounts work, Audit Wales sought clarification as to whether Members were Trustees or Directors of organisations in relation to related-party interests.

Some Councillors took many months to reply to requests for information or to return amended Registers .

These arrangements are inspected regularly by external auditors.

10. Hospitality Register

During 2022/23 there were no declarations of hospitality from Councillors.

7. LOCAL RESOLUTION PROCESS

The Local Resolution Procedure is intended to sit alongside the Code, enabling behaviour which may not reach the threshold of referral to the Public Services Ombudsman for Wales to be dealt with swiftly and effectively.

The Public Services Ombudsman for Wales has indicated, in her Guidance for Members on the Code of Conduct, that she expects local authorities across Wales to implement local resolution procedures to deal with low level complaints which are made by a member against a fellow member.

Complaints which will be considered under such a procedure will typically concern alleged failures to show respect and consideration for others (paragraph 4(b) of the Code) or the duty not to make vexatious, malicious or frivolous complaints against other members (paragraph 6(1)(d) of the Code).

Members may still complain directly to the Ombudsman about a fellow member, but complaints relating to

the above paragraphs of the Code of Conduct are likely to be referred to the Authority for consideration under a local resolution procedure.

The Ombudsman believes that informal and local resolution of such complaints will:-

- speed up the complaints process
- ensure that resources are devoted to the investigation of serious complaints

- resolve matters at an early stage so as to avoid the unnecessary escalation of the situation which may damage personal relationships within an authority and an authority's reputation

The Welsh Government has expressed the view that there is scope for a more local approach to the resolution of low level complaints and that such processes might be implemented by all local authorities in their codes as adopted

The Chair contacted One Voice Wales (OVW) regarding the statement in their guidance in relation to the issues that must be directed to the Public Services Ombudsman for Wales include "Vexatious, malicious or frivolous complaints"; as PSOW had been informing Councils that he did not wish to see an increase in these sort of cases.

The Monitoring Officer also contacted PSOW on the issue.

The outcome was the OVW amended their Model Local Resolution Protocol.

The process involves a referral to the relevant Group Leaders (or to the Chair of the Council in the event of a complaint against a Group Leader or unaffiliated member), who would try and resolve the issue in the first instance.

The following is the link to the

Members' Local Resolution Procedure :

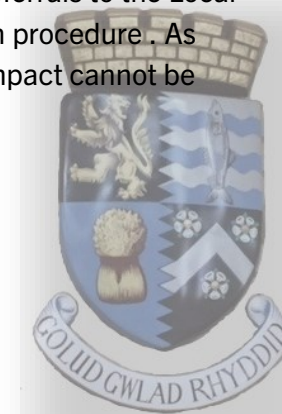
<https://www.ceredigion.gov.uk/your-council/councillors-committees/ethics-and-standards/ethics-and-standards-code-of-conduct/>

Operation

During 2022-2023 there were no referrals to the Local Resolution procedure . As such its operation cannot be assessed.

Impact:

During 2022-2023 there were no referrals to the Local Resolution procedure . As such its impact cannot be assessed.



8. POLITICAL GROUP LEADERS

The Local Government and Elections (Wales) Act 2021 places new duties on leaders of political groups and standards committees, namely s62 and s63.

With regard to the duties of leaders of political groups in relation to standards of conduct, (S.52A Local Government Act 2000) states that a leader of a political group consisting of members of a county council in Wales must take reasonable steps to promote and maintain high standards of conduct by the members of the group; and must co-operate with the council's standards committee.

In section 54 Local Government Act 2000 (functions of standards committees), a standards committee of a county council or county borough council in Wales also has the specific functions of—

- (a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and
- (b) advising, training or

arranging to train leaders of political groups on the council about matters relating to those duties.

S.63 inserts the requirements for the standards committee annual report. As well as describing how the committee's functions have been discharged the report must also include what has been done to discharge the general and specific functions conferred on the committee by section 54 or 56. An annual report by a standards committee of a county council or county borough council in Wales must include the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties under section 52A(1). The annual report may also include recommendations to the authority about any matter in respect of which the committee has functions.

The political leaders of Ceredigion County Council were invited annually to the Ethics and Standards Committee to discuss

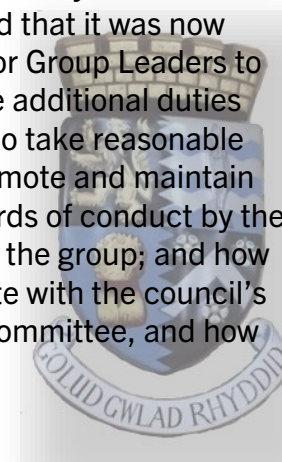
the methods of promoting and maintaining high standards of conduct by Members of Ceredigion County Council.

It was reported that the Local Government and Elections (Wales) Act 2021 placed new duties on leaders of political groups and standards committees and contains the relevant sections, namely s62 and s63.

With regard to the duties of leaders of political groups in relation to standards of conduct, (S.52A Local Government Act 2000) states that a leader of a political group consisting of members of a county council in Wales must take reasonable steps to promote and maintain high standards of conduct by the members of the group; and must co-operate with the council's standards committee. In section 54 Local Government Act 2000 (functions of standards committees), a standards committee of a county council or county

borough council in Wales also has the specific functions of—
(a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and
(b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties

It was reported that the political leaders of Ceredigion County Council were invited annually to the Ethics and Standards Committee to discuss the methods of promoting and maintaining high standards of conduct by Members of Ceredigion County Council. It was reported that it was now necessary for Group Leaders to consider the additional duties upon them to take reasonable steps to promote and maintain high standards of conduct by the members of the group; and how to co-operate with the council's standards committee, and how



POLITICAL GROUP LEADERS

this can be evidenced.

The political leaders stated that they welcomed this guidance, as it was a reference for them to confirm that the standards were being adhered to.

All the Leaders of the Council's Political Groups emphasised the importance of the Committee's work in promoting high standards of conduct and reported on their group meetings in which issues of standards were discussed; and the need to respect Council officers and vice versa.

It was also agreed that arrangements be given to providing refresher training on the Code soon, as the amount of training provided on all aspects of the Council following the election was vast.

It was also noted that advice was always available to Members from the Monitoring Officer and Standards Officers on email and in person.

It was reported that Political group leaders were subject to two new statutory duties under the Local Government & Elections Wales Act 2021:

- To take reasonable steps to promote and maintain good standards of behaviour amongst their group members
- To co-operate with the Standards Committee in the exercise of the standards committee's functions.

The Ethics & Standards Committee is also under a duty to:

- a) consider the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties, and
- b) consider making recommendations or comment on levels of compliance with

these new duties.



FUTURE PRIORITIES

The priority areas the Ethics and Standards Committee to consider in 2023/24:

- Code of Conduct Training Refresher for clerks of Town and Community Councillors
- Code of Conduct Training Refresher for County Councillors
- Annual meeting with Political Group Leaders
- Update Members Register of Interest on the new Democratic Services System, Modern.gov
- Proactive approach to working collaboratively with other relevant standards organisations and keeping up with best practice
- Committee Members attend other Committee meetings of the Council to observe and familiarise themselves With proceedings and conduct.
- Implement changes set out in Local Government & Elections (Wales) Act 2021 relevant to the Ethics and Standards Committee:
Part 4 sections S62 Conduct of members imposed additional duties on political group leaders, to promote and maintain high standards of conduct by Members, effective from May 2022.
- Consider Statutory Guidance
- Succession Planning-new independent /lay members

ATTENDING THE COMMITTEE

The Council is keen to see Members of the public attend Ethics and Standards meetings

With the exception of confidential items, all business is held in public.

All of the public agenda papers are published online 3 working days in advance of the meeting<http://www.ceredigion.gov.uk/your-council/councillors-committees/committees/>

CONTACT US

If you wish to find out more about the Ethics and Standards Committee or make a comment or suggestion, please contact us:

Ethics & Standards
Democratic Services, Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron, SA46 0PA
01545 570881
ethicsandstandards@ceredigion.gov.uk

Council’s Monitoring Officer (MO):
Monitoring Officer
Ceredigion County Council
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
01545 570881
E-Mail: MonitoringOfficer@ceredigion.gov.uk

The Ombudsman (PSOW)
Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
Bridgend CF35 5LJ
Telephone: 0300 790 0203 (local call rate)
Fax: 01656 641199
E-mail: ask@ombudsman-wales.org.uk
Website: www.ombudsman-wales.org.uk

Contact Ceredigion County Council

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01545 570881

www.ceredigion.gov.uk

Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics & Standards Committee

DATE: 05 June 2023

TITLE: Political Group Leaders Compliance Assessment

PURPOSE OF REPORT: For information

BACKGROUND

Group leaders are subject to two new statutory duties:

- i. To take reasonable steps to promote and maintain good standards of behaviour amongst their group members
- ii. To co-operate with the Standards Committee in the exercise of the standards committee's functions.

Local Government & Elections Wales Act 2021: S62

Group leaders could be deemed to be bringing their office into disrepute under the councillors' code of conduct by not fulfilling the duties; duty does not make group leaders accountable for behaviour of their members.

The Ethics & Standards Committee is under a duty to:

- a) monitor compliance by leaders of political groups on the council with their duties, and
- b) to advise, train or arrange to train leaders of political groups on the council about matters relating to those duties.

Local Government & Elections Wales Act 2021: S63

The Ethics & Standards Committee is also under a duty to prepare an annual report which:

- a) must include the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties, and
- b) may include recommendations or comment on levels of compliance with these new duties

The Ethics & Standards Committee retains independence from operational matters and will ask Group Leaders to report once per year. The Committee thereafter meet with each group leader informally to explore their report.

The Ethics & Standards Committee Chair' annual report will contain:

- a) short summary of steps taken by group leaders to fulfill the duty,
- b) its opinion on whether sufficient has been done,

- c) any recommendations as to what may be done by group leaders to fulfill their duties,
- d) any recommendations as to what may be done to evidence the group leaders' actions,
- e) any recommendations as to what may be done to improve the reporting mechanism,
- f) what additional training if any is required,
- g) any future pieces of work that might be undertaken etc.

CURRENT POSITION:

Group leaders completed their reports by 30/4/23. A workshop took place with each group leader individually on 15/5/23 with:

- Cllr Bryan Davies (Plaid Cymru)
- Cllr Elizabeth Evans (Liberal democrats)
- Cllr Gareth Lloyd (Independent group)

The Committee assessed the extent to which whether political group leaders had :

1. taken reasonable steps to promote and maintain high standards of conduct by group members
2. co-operated with the Committee in exercise of its functions
3. any training needs

The Committee' assessment was that:

1. The group leaders had taken reasonable steps to promote and maintain high standards of conduct by group members , and had done so in a meaningful way, albeit that there was a lack of supporting evidence and metrics within the reports.

Whilst the PGLs thought they had done enough to promote and maintain good standards of behaviour amongst their group members, this was not evidenced adequately. The responses subjective and vague, and did not focus on the Code of conduct.

2. The group leaders had complied with their duty to co-operate with the Committee in exercise of its functions
3. All Group Leaders should ensure that their group members complete the on-line social media training.

Recommendations or comment on levels of compliance with these new duties:

- All Group Leaders should ensure that their group members complete the on-line social media training.
- That additional training should be provided for 2023/2024 to ensure Group leaders completed the templates adequately, with more metrics and evidence.
- Continue to engage with the Ethics and Standards Committee, Monitoring Officer in proactive way.

- Continue to engage with other group leaders to learn from and support each other in promoting positive behaviours.
- Continue to use group meetings to provide opportunities for informal mentoring.
- Continue to use group meetings to share cases and lessons learned and consider including APW/PSOW cases as a standing item.
- Recommend to members that they should not sign petitions.

RECOMMENDATION (S): To note the current position that will be included in the Ethics and Standards Annual Report

REASON FOR RECOMMENDATION (S):

The recommendations are necessary to ensure compliance with the Local Government & Elections Wales Act 2021

Contact Name: Elin Prysor
Designation: Monitoring Officer
Date of Report: 19 May 2023
Acronyms:

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Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics & Standards Committee

DATE: 05 June 2023

TITLE: Succession Planning of Independent Members

PURPOSE OF REPORT: For Decision

BACKGROUND:

The Ethics and Standards Committee comprises of nine members:

- 5 X independent members and,
- 4 councillors (2 x County councillors, and 2 x Town/Community councillors).

John Weston and Carol Edwards were appointed initially on 22/2/2018 and are eligible for reappointment on 22/2/2024 for a further four years.

Carol Edwards has confirmed that she will be reappointed for a further four years. John Weston has confirmed that he will not be seeking reappointment once the initial six years comes to an end on 21/2/2024.

Consequently, it is now necessary to recruit a new independent member to the Ethics and Standards Committee to maintain the Committee's composition, as set out in the Constitution, and as required by legislation.

The procedure and criteria for appointment of independent members are set out in the Standards Committees (Wales) Regulations 2001 (SI 2001/2283). This includes:

- Where a vacancy arises for a post as an independent member of a standards committee the relevant authority concerned shall publish an advertisement in not less than two newspapers (which are not published by that relevant authority) circulating in its area.
- Publish the criteria for appointment.
- A Selection Panel must be established of not more than five panel members, including a lay panel member, and a community council member. This panel will consider every application, apply the criteria, and make recommendations to Council. Appointments shall be made having regard to the recommendations of the panel.

PROPOSAL

1. That the job description, person specification and criteria for the appointment of independent members shall be as set out in **Appendix 1**.

2. That membership of the Selection Panel shall be as follows (x5):

- Chair of the Council (in absence Vice Chair);
- Chair and Vice Chair of the Ethics and Standards Committee (or other independent members nominated by the Monitoring Officer as necessary);
- Town and Community Council representative nominated by One Voice Wales;
- Independent/Lay Panel member (Chair of the selection panel) (nominated by the Monitoring Officer);

The Independent/Lay Panel member must not be or have been a member, co-opted member or officer of the County Council, any other council or National Park Authority, or Town/Community Council. It is proposed that the same lay member who chaired the previous Selection Panel in 2011, 2013, 2017, 2021 and 2022 be nominated (subject to availability).

CURRENT SITUATION:

Members are asked to consider the criteria and associated documents and suggest amendments as necessary.

RECOMMENDATION (S): To recommend to Council to approve:

- 1) Carol Edwards term of office is extended 22/2/2024 to 21/2/2028.
- 2) the role description, person specification and criteria (as set out in **Appendix 1**), and suggest amendments as necessary;
- 3) Membership of the Selection Panel as follows:
 - Chair of the Council(in absence Vice Chair);
 - Chair and Vice Chair of the Ethics and Standards Committee (or other independent members nominated by the Monitoring Officer as necessary)
 - Town and Community Council representative nominated by One Voice Wales.
 - Independent/Lay Panel member (Chair of the selection panel) (nominated by the Monitoring Officer)

REASON FOR RECOMMENDATION (S):

The recommendations are necessary to ensure that the appropriate appointments are in place, in accordance with the Constitution.

Contact Name: Lisa Evans
Designation: Scrutiny and Standards Officer
Date of Report: 15 May 2023
Acronyms:

Member of a Standards Committee Role Description

1. Accountabilities

- To Full Council
- To the Chair of the Standards Committee

2. Role purpose and activity

Participating in meetings and making decisions

- To participate effectively in meetings of the Standards committee
- To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements, internal governance, ethical standards and relationships
- To ensure the integrity of the committee's decision making and of her/his own role by adhering to the Code of Conduct and other constitutional and legal requirements
- To promote and support good governance by the Council

To contribute to the role of the Standards Committee in effectively fulfilling its functions and to support the Committee Chair by:

- Promoting and maintaining high standards of conduct by Councillors, lay members and co-opted members
- Assisting Councillors, lay members and co-opted members in their observance of the Members' Code of Conduct
- Advising the Council on the adoption or revision of the Members' Code of Conduct.
- Monitoring the operation of the Members' Code of Conduct
- Advising, training or arranging to train Councillors, lay members and co-opted members on matters relating to the Members' Code of Conduct
- Granting dispensations to Councillors and co-opted members
- Dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales
- Contributing to the development and application of any local resolution protocol
- The exercise of these functions (above) in relation to community councils and the members of those community councils
- Working with Political Group Leaders to promote and maintain high standards of conduct by the Group members
- Monitoring compliance by Leaders of Political Groups with their duty to take reasonable steps to promote and maintain high standards of conduct by members of the Group and advising, training or arranging to train the Leaders of Political Groups about these duties. **(From May 2022)**

- Making an annual report to the Authority (**first report due in respect of the 2022/23 financial year, as soon as possible after year end**) describing how the committee's functions have been discharged during the financial year. The report may include any matter within the functions of the committee. The report must include:
 - How the committee has discharged its legal duties, particularly, how the committee has monitored the compliance of Group Leaders with their duties to take reasonable steps to promote and maintain high standards of conduct by members of the Group and the work of the Committee in advising, training or arranging to train the Leaders of Political Groups about these duties
 - The degree of compliance of Group Leaders with their duty to take reasonable steps to promote and maintain high standards of conduct by members of the Group

3. Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

INDEPENDENT MEMBER OF ETHICS AND STANDARDS COMMITTEE

PERSON SPECIFICATION

	Essential	Desirable
Qualifications: No specific qualifications or background is required.		
Knowledge and Skills: <ul style="list-style-type: none"> • Good educational background • A good communicator, both written and oral with questioning skills • The ability to converse through the medium of Welsh and English • Demonstrate commitment and enthusiasm • Assertive • Inquisitive, open minded and non-judgemental • Understanding of the Ethics & Standards Committee's main functions • General understanding of the principles of high ethical standards in public life and the Members' Code of Conduct • Knowledge and understanding of local government. 	<div>√</div> <div>√</div> <div></div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div>	<div></div> <div></div> <div>√</div> <div></div> <div></div> <div></div> <div></div> <div>√</div>
Experience: <ul style="list-style-type: none"> • A demonstrable interest in local issues • Experience in Committee working and public accountability • Experience of a role in the public sector • Live and/or work in Ceredigion • Experience of a role relating to public accountability 	<div></div> <div></div> <div>√</div> <div>√</div> <div></div>	<div></div> <div>√</div> <div>√</div> <div></div> <div>√</div>
Competencies: <ul style="list-style-type: none"> • A person in whose impartiality and integrity the public can have confidence • Demonstrate high ethical standards • Understand and comply with confidentiality requirements • Able to make a significant contribution to the work of the Committee. 	<div>√</div> <div>√</div> <div>√</div> <div>√</div>	
Other requirements: <ul style="list-style-type: none"> • To formally agree to observe the Local Code of Conduct for Members including completing a Declaration of Financial and Other Interests • Able to attend approximately programmed meetings, and ad hoc if required, and devote preparation time for each meeting • Must not be disqualified (as set out in the Eligibility requirements). Must not currently have and must not enter into any contractual relations with the Council under which he/she will gain personally • Will have disclosed to the Council any matter in his/her background which, if it became public, might make the Council reconsider the appointment • Will not be an active member of any political party or have a public profile in relation to political activities 	<div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div> <div>√</div>	

<ul style="list-style-type: none"> • Will not have been an officer or a member of either a County council [i.e. a county, or town council within three years of the date of his/her written application • Committed to the six year term • Ability to assess issues relating to ethical standards and to identify/ evaluate solutions • Ability to work well with Councillors and confidence to challenge and hold to account in a fair and impartial manner. 	√ √ √	√
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Ethics & Standards Committee – Independent Persons

PERSON SPECIFICATION – CRITERIA

Eligibility requirements

2. Candidates who wish to be appointed as an independent member of the Ethics & Standards Committee must satisfy the following eligibility criteria, in order to ensure that applicants are independent of the Council. Candidates should:
 - e) not currently be a member or officer of
 - Ceredigion County Council
 - Any other County Council or County Borough Council
 - A National Park Authority
 - A Fire Authority
 - A Town or Community Council
 - f) not be a spouse or civil partner of any of the above
 - g) not be a former member or officer of Ceredigion County Council
 - h) not have been a member or officer of any other County Council, County Borough Council, National Park Authority or Fire Authority during the past twelve months.

Other criteria for the role

The successful applicant will be expected to:-

14. Be flexible in attending meetings at short notice
15. Possess good listening and team-working skills
16. Be able to analyse factual and evidential material, and to form sound unbiased judgements
17. Demonstrate objectivity, discretion and personal integrity
18. Show respect for others and an understanding of diversity issues
19. Have an interest in, and knowledge of, local matters, development of the local community and understanding of local government
20. Participate in the promotion of high ethical standards and compliance with the services

21. Participate in the promotion of high ethical standards and compliance with the Members Code of Conduct and contribute towards the effective discharge of the statutory role and responsibilities of the Ethics & Standards Committee.
22. Advising the Council on the adoption or revision of the Code of Conduct
23. Advising, and training Members, Co-opted Members on matters relating to the Members Code of Conduct
24. An ability to work effectively with Councillors and officers
25. Ability and confidence to challenge and hold to account in a fair and impartial manner
26. Demonstrate commitment and enthusiasm.

Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics and Standards Committee

DATE: 5th June 2023

LOCATION: Hybrid

TITLE: Self-evaluation of the Ethics and Standards Committee

It was agreed at the Ethics and Standards Committee on 13th October 2022 that a paper on the self evaluation of the Ethics and Standards Committee would be considered at the next meeting.

The Chair, Vice Chair and Officers met and drafted a questionnaire in order to self-evaluate the Ethics and Standards Committee annually. The proposed questionnaire was presented to the Committee on 25th January 2023 and it was proposed that a self-evaluation was undertaken annually at the end of the municipal year by the members of the Ethics and Standards Committee.

It was AGREED that further consideration be given to the self evaluation in relation to the removal of the middle option on the self evaluation and that a question be added in relation to the effectiveness of the Committee in considering the workload of the committees' agenda. Feedback on the self evaluation was requested to be sent by Members of the Committee to finalise the self evaluation.

Responses to the questions asked are shown in Appendix A attached.

RECOMMENDATION:

To consider the responses received from the self-evaluation questionnaire (appendix A) and identify any areas for improvement if necessary.

Contact Name: Lisa Evans
Designation: Scrutiny and Standards Officer
Date of Report: 12 May 2023

Hunanwerthusiad Moeseg a Safonau 2022/23 / Ethics and Standards Self-Evaluation 2022/23

8 Responses 04:55 Average time to complete Active Status

1. Darparwyd hyfforddiant digonol ar y Cod Ymddygiad i Aelodau'r Cyngor Sir / Sufficient training on the Code of Conduct has been provided to County Councillor Members

● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	1
● Cytuno / Agree	5
● Cytuno'n gryf / Strongly agree	2



2. Darparwyd hyfforddiant digonol ar y Cod Ymddygiad i Aelodau Cyngorau Tref/Cymuned / Sufficient training on the Code of Conduct has been provided to Town/Community Council Members

● Anghytuno'n gryf / Strongly di...	1
● Anghytuno / Disagree	4
● Cytuno / Agree	3
● Cytuno'n gryf / Strongly agree	0



3. Darparwyd hyfforddiant corfforaethol digonol i aelodau lleyg / Sufficient corporate training has been provided to lay members

● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	1
● Cytuno / Agree	5
● Cytuno'n gryf / Strongly agree	1



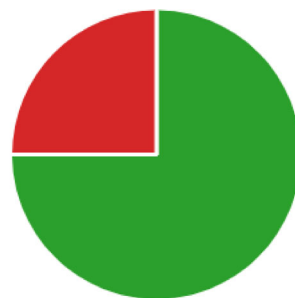
4. Mae perthynas y Pwyllgor gydag arweinwyr grwpiau yn effeithiol / The Committee' relationship with group leaders is effective

● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	0
● Cytuno / Agree	7
● Cytuno'n gryf / Strongly agree	1



5. Mae gan y Pwyllgor Moeseg a Safonau berchnogaeth dros ei raglen waith ei hun / The Ethics and Standards Committee have ownership of its own work programme

● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	0
● Cytuno / Agree	6
● Cytuno'n gryf / Strongly agree	2



6. Rhoddir digon o amser yn y cyfarfodydd i drafod a chraffu ar yr holl eitemau ar yr agenda / Sufficient meeting time is available to scrutinise and discuss all agenda items

● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	1
● Cytuno / Agree	5
● Cytuno'n gryf / Strongly agree	2



7. Mae aelodau'r Pwyllgor Moeseg a Safonau yn ystyried bod ganddynt rôl werth chweil a boddhaus / Ethics and Standards Committee members consider that they have a worthwhile and fulfilling role

● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	0
● Cytuno / Agree	5
● Cytuno'n gryf / Strongly agree	3

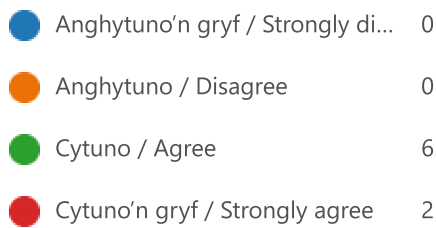


8. Mae aelodau'r Pwyllgor Moeseg a Safonau o'r farn bod partneriaeth weithio adeiladol gyda swyddogion / Ethics and Standards Committee members consider that there is a constructive working partnership with officers

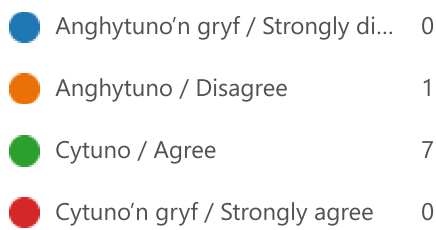
● Anghytuno'n gryf / Strongly di...	0
● Anghytuno / Disagree	0
● Cytuno / Agree	3
● Cytuno'n gryf / Strongly agree	5



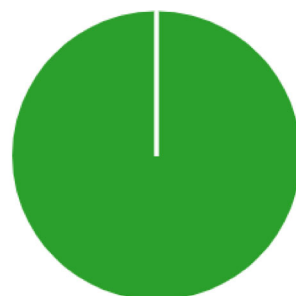
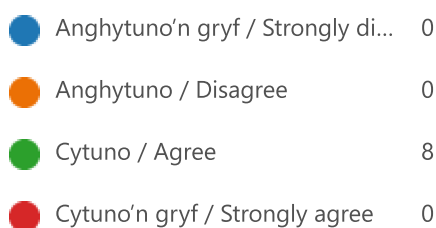
9. Mae trefniadau cymorth corfforaethol/democrataidd digonol ar gyfer Aelodau lleyg y Pwyllgor Moeseg a Safonau / There are sufficient corporate/democratic support arrangements for the Ethics and Standards Committee lay Members



10. Darparwyd hyfforddiant a datblygiad effeithiol i aelodau'r Pwyllgor Moeseg a Safonau / Effective training and development has been provided to the Ethics and Standards Committee members

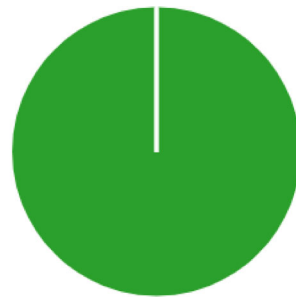


11. Mae Adroddiad Blynyddol y Cadeirydd yn addas i'r diben / The Chair' Annual report is fit for purpose



12. Mae'r Pwyllgor Moeseg a Safonau yn effeithiol / The Ethics and Standards Committee is effective

Anghytuno'n gryf / Strongly di...	0
Anghytuno / Disagree	0
Cytuno / Agree	8
Cytuno'n gryf / Strongly agree	0



13. Sut y gellir gwella gwaith y Pwyllgor ymhellach? / How can the Committee's work be further enhanced/improved?

4
Responses

Latest Responses

"Consider each committee member looking at the Code tr...

14. UNRHYW SYLWADAU PELLACH / ANY FURTHER COMMENTS

3
Responses

Latest Responses

""

"Role of workshops vs committee work could be clarified."

13. Sut y gellir gwella gwaith y Pwyllgor ymhellach? / How can the Committee's work be further enhanced/improved?

ID	Enw/ Name	Ymatebion/ Responses
1		Datblygu mwy o berthynas gyda clercod cynghorau tref a chymuned? Monitro ymddygiad cynghorwyr sir a thref a chymuned mewn cyfarfodydd? Hyrwyddo gwaith y Pwyllgor i'r cyhoedd? Develop more of a relationship with town and community council clerks? Monitor the conduct of town and community councillors in meetings? Promoting the work of the Committee to the public?
2		cynnig crynhodeb dealltadwy yn defnyddio iaith syml nid cyfreithiol i aelodau'r Cyngor er mwyn clirdeb ac y byddai yn cael ei ddarllen drwyddi draw Offer an easy-to-understand summary, using plain not legal language, to the members of the Council for clarity that would be widely read.
3		The suggestion that we have a 'stock-taking' session and agree priorities for the next 2-3 years is useful and should be explored Mae'r awgrym y dylem gael sesiwn 'cymryd stoc' a chytuno ar flaenoriaethau ar gyfer y ddwy i dair blynedd nesaf yn un defnyddiol a dylid ei ystyried ymhellach.
4		Consider each committee member looking at the Code training of a sub-set of community councils. Consider what training might be required in response to the Code issues which the MO reports to the committee. Ystyried cael pob aelod o'r pwyllgor i edrych ar hyfforddiant y Côt ar gyfer is-set o gynghorau cymuned. Ystyried pa hyfforddiant fyddai ei angen mewn ymateb i'r materion y mae'r Swyddog Monitro yn eu hadrodd i'r pwyllgor parthed y Côt.

14. UNRHYW SYLWADAU PELLACH / ANY FURTHER COMMENTS

ID	Enw/ Name	Ymatebion/ Responses
1		Gyda cweatiwn 1 a 2 gwell gofyn i'r cynghorwyr? Gyda hyfforddiant aelodau'r cyngor falle byddai ychydig o gefndir/cyd-destun wedi bod yn help. With questions 1 and 2, best to ask the councillors? With training for council members, maybe some background/context would have been helpful.

ID	Enw/ Name	Ymatebion/ Responses
2		none dim
3		Role of workshops vs committee work could be clarified. Gellid egluro rôl y gweithdai o ran gwaith y pwyllgor.

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Cyngor Sir CEREDIGION County Council

REPORT TO:	Ethics and Standards Committee
Title:	Monitoring Officer Code of Conduct Update- Quarter 4
DATE:	05 June 2023
LOCATION:	Hybrid
Purpose:	Information

Background

Committee will recall that the Monitoring officer reported on the Quarter 3 at the meeting held on the 25 January 2023.

Committee:

- requested to be informed in future reports of any trends that had increased/decreased
- noted the increase in recent years of trends relating to social media and online abuse.

Current position

Monitoring Officer Update-Q 3 & 4 (September 2022-March 2023)

The nature of complaints received during Q3 &4 is shown attached **(App.1)**.

Trends

County Council

- Increase in Councillors subject to Police investigation

Town & Community Councils

- Increase in Councillors subject to Police investigation
- Increase in Councillors failing to declare conviction or self-report to PSOW

RECOMMENDATION (S):

To note the contents of the report

REASON FOR RECOMMENDATION (S):

To inform Committee of complaints activity and recent trends

Contact Name:	Dana Jones
Designation:	Democratic and Standards Officer
Date of Report:	04 May 2023
Acronyms:	

|

2022-23

County Council

- Social media postings-inappropriate comments
- Breach of confidentiality
- Poor culture/attitude
- Swearing
- Aggressive demeanour towards member of public
- Lack of respect/ consideration/ courtesy for officers
- Inappropriate conduct
- Failure to declare interests
- Discrimination-of minority group
- Disrespectful, impolite or offensive language by Councillors in public meetings
- Overstepping role
- Unrealistic demands on officers
- Demanding behaviour
- Perceived failure to declare interest
- Inappropriate sexual conduct
- Harassment
- Stalking
- Intimidation of officers
- Using role of councillor to advantage
- Bringing office or authority into disrepute
- Perceived failure to act
- Disclosure of confidential information-social media/public meeting

Town and Community Councils

- Poor relationship with clerk
- Intimidation of clerk
- Lack of respect /consideration towards clerk
- Poor relationship with fellow councillors
- Subject to criminal /police investigation
- Social media-inappropriate postings/comments
- Criminal conviction
- Lack of consideration and respect in meetings
- Swearing
- Spreading false information about fellow councillors or clerk
- Failure to declare interests
- Failure to act in accordance with Code following declaration of interests

Appendix 1

- Criminal conviction
- Failure to heed advice
- Lack of impartiality
- Inappropriate use of Council resources
- subject to Safeguarding procedures
- subject to Police investigation

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Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics and Standards Committee

DATE: 05 June 2023

LOCATION: Hybrid

TITLE: Consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report))

PURPOSE OF REPORT: For information

See attached the consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report) following consideration of the Consultation Questionnaire by the Ethics and Standards Committee and the Members Panel held on the 03 May 2023.

RECOMMENDATION (S):

To note the contents of the report.

Contact Name: Dana Jones

Designation: Democratic and Standards Officer

Date of Report: 15 May 2023

Consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report))

Your name:

Elin Prysor
Monitoring Officer

Organisation (if applicable): Cyngor Sir Ceredigion

email/telephone number:

elin.prysor@ceredigion.gov.uk

Your address:

Ceredigion County Council
Penmorfa
Aberaeron
Ceredigion
SA46 0PA

Consultation Questions

We are not seeking specific responses on all the Recommendations. This is because taking into account discussions held with stakeholders and key partners Welsh Ministers' responses to the Recommendations include a number of suggestions for legislative change, highlights some actions which have subsequently been addressed without the need for legislation since the Report was published, some suggestions for non-legislative action and further suggestions for improvement which have been identified in discussion with stakeholders since the Report's publication.

However, there is a general question at the end of the consultation questions where you can add your comments on the Recommendations that do not have a specific question below, or where you wish to make any other comments on the consultation document.

Recommendation 4

Q1. Do you agree the relevant regulations relating to the Ethical Standards Framework should be amended to align with the definitions relating to protected characteristics in the Equality Act 2010, and that we should amend the definition of equality and respect in section 7 of The Conduct of Members (Principles) (Wales) Order 2001 (legislation.gov.uk)? **Yes**

Comment: (Optional)

Protected characteristics should include:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race-colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

Recommendation 10

Q2. Should the Adjudication Panel Wales (APW) be able to issue Restricted Reporting Orders? **Yes**

Comment: (Optional)

Q3. Should there be express legal provision to enable the APW to protect the anonymity of witnesses? **Yes**

Comment: (Optional)

Q4. Do you support the proposed changes to the permission to appeal procedure outlined in this recommendation. If not, what alternatives would you suggest?

No

Comment: (Optional)

A reasonable deadline on the APW reaching a decision should be imposed-say 56 days

Q5. Should there be an express power for the APW to summon witnesses to appeal tribunals?

Yes

Comment: (Optional)

Independent member commented: Depends on what is proposed./how far the powers extend. What happens if a witness who has been called fails to attend? Will they get fined for example

Q6. Should there be any changes in the procedure for referring appeals decisions back to standards committees? **No**

Comment: (Optional)

..requires the standards committee to consider a recommendation from the APW decision that a different penalty should be imposed to the original decision.
Agreed

...the standards committee remains responsible and can reflect its response to the Panel decision in the sanction it decides to impose. **Agreed**

whether there should be any changes in the procedure referring appeal decisions back to standards committees. **No**

Q7. Do you agree there should be an express provision to enable part or all of tribunal hearings to be held in private? **Yes**

Comment: (Optional)

Q8. Do you agree that the requirement to provide not less than seven days' notice of the postponement of a hearing should be retained?
No

Comment: (Optional)
Reduce to 3 working days.

Q9. Should there be a wider range of sanctions available to the APW, and if so, what should they be? **Yes**

Comment: (Optional)

- **Requirement to undertake training**
- **That Councillors cannot seek future re-election**
- **That a sanction includes their role as Town/Community Councillor (or vice versa)**
- **Councillors cannot receive "balloons payments".**

Q10a. Do you support the proposed amendments to the process for interim case tribunals outlined in this recommendation?
Yes

If not, could you please explain.

Comment: (Optional)

Q10b. If you do support the changes to the process for interim case tribunals, do you agree that an intermediate arrangement should be put in place i.e., by shortening and streamlining the process for interim case tribunals in The Adjudications by Case Tribunals and Interim Case Tribunals (Wales) Regulations 2001?

Yes- Amendment to the regulations could include a new schedule specifically for a shorter, more streamlined process for interim tribunals- Agreed

If yes, do you have any suggestions as to how this process could be streamlined within the regulations? **No**

Comment: (Optional)

Q11. Do you have any further views on the recommendations made in relation to the operation of the APW?

Make decisions quicker

Recommendation 12

Q12. Do you have any suggestions as to how work might be taken forward to raise awareness of the Ethical Standards Framework, in particular for people with protected characteristics as described in the Equality Act 2010?

Yes.

Comment: (Optional)

- **Local comms campaigns via social media/working with community groups?**
- **More user friendly webpages - easy read version**
- **Also in schools when teaching citizenship.**

It is not agreed that Educational resources could also be created to be used with school pupils as part of the Welsh Baccalaureate

Other related matters outside of the Review Report

Q13. Advertising for independent members of standards committees: Do you agree the requirement to advertise vacancies for independent members on standards committees in newspapers should be removed? **Yes.**

Comment: (Optional)

The following can be used:

- **Local Authority website**
- **social media**
- **recruitment sites such as Indeed.**
- **WLGA**
- **Welsh language social media platforms**
- **Welsh language publications**

•
Q14a. Former council employees sitting as independent members on standards committees: Do you agree that the lifelong ban on former council employees being independent members of their previous employer's standards committee should be removed?

Yes

Q14b. If yes, what do you think would be a suitable period of grace between employment and appointment to a standards committee, and should this be the same for all council employees, or longer for those who previously holding statutory or politically restricted posts?

- Grace between employment and appointment to a standards committee? **2-5 years**
- Same for all council employees? **No, 2 years for regular employees whose roles are unrelated**
- Longer for those who previously holding statutory or politically restricted posts? **Yes, longer - 5 years**

Q15. Former councillors sitting as independent members on standards committees: Do you agree that the lifelong ban on serving as an independent member on the standards committee of the council to which a councillor was elected should be removed? If yes, what do you think would be a suitable period of grace?
No

Comment (Optional):

Q16. Standards committees' summoning witnesses and sanctions: Should standards committees have the power to summon witnesses?
No

Comment: (Optional)

Depends on what is proposed/how far the powers extend.

What happens if a witness who has been called fails to attend? Will they get fined for example?

Q17. Do you agree that the sanctions a standards committee can impose should be changed or added to? **Yes**

If yes, what sanctions would you suggest?

- **Increase suspension power period to 11m**
- **requirement that Councillor has training**
- **requirement that Councillor gives apology, with specification as to whom/which forum should receive it**

Welsh language

We would like to know your views on the effects that the above changes to the Framework and Model Code of Conduct would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

Q18. What effects do you think there would be? **None**

Any amendments to deadlines need to take into account access to translation facilities

Q19. How could positive effects be increased, or negative effects be mitigated? **n/a**

Q20. Please also explain how you believe the proposed amendments could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

No comment

Q21. Do you have any other comments you wish to make on the matters raised in this consultation, including for those Report Recommendations where no specific question has been posed?

No: (delete as appropriate)

Comment: (Optional)

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: ☐

Thank you for taking time to respond to this consultation. A summary of responses will be published in due course.

Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics and Standards Committee

DATE: 5 June 2023

LOCATION: Hybrid

TITLE: Review of the Ethics and Standards Committee Vision Statement.

Background

The current Ethics and Standards Committee vision statement was shared with Members of the Committee on 22nd February 2023.

The Vision Statement of the Ethics and Standards Committee was as follows:

“Our Vision is that the people of Ceredigion will have trust and confidence that all those elected to office in Local Government in our county will work to the highest ethical and moral standards in serving their community”

The Standards Officer requested members to share any comments/proposed amendments that they'd like seen.

The following responses were received:

- Three committee members agreed that the vision statement was still fit for purpose.
- One member proposed a slight amendment to add "and businesses" after "people"

At the meeting on 3rd April it was AGREED to defer consideration of the statement wording in order to consider additional wording proposed to include businesses and organisation after “people”

The Committee were asked to discuss and agree the preferred wording over email, in order to report to the next meeting of the Committee.

Members have agreed that vision statement is still fit for purpose.

RECOMMENDATION (S):

To agreed that the vision statement is still fit for purpose.

REASON FOR RECOMMENDATION (S):

- To ensure the vision statement is fit for purpose

Contact Name: Lisa Evans
Designation: Scrutiny and Standards Officer
Date of Report: 25 May 2023
Acronyms:

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Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics and Standards Committee

DATE: 05 June 2023

LOCATION: Hybrid

TITLE: The Public Services Ombudsman

PURPOSE OF REPORT: For information

HEARING IN RELATION TO A REPORT ISSUED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES IN RESPECT OF COUNCILLOR TERRY DAVIES- LLANELLI TOWN COUNCIL

<https://www.bbc.co.uk/news/uk-wales-65353057>

PSOW report:

<https://democracy.carmarthenshire.gov.wales/documents/s70621/Appendix%201a%20-%20PSOW%20Report.pdf>

Carmarthenshire CC SC 12/4/23

<https://democracy.carmarthenshire.gov.wales/ieListDocuments.aspx?CId=168&MId=7519&Ver=4>

<https://democracy.carmarthenshire.gov.wales/documents/s70620/Summary.pdf>

https://carmarthenshire.public-i.tv/core/portal/webcast_interactive/765477/start_time/0

RECOMMENDATION (S):

To note the contents of the report.

Contact Name: Dana Jones

Designation: Democratic and Standards Officer

Date of Report: 24 April 2023

CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 5 June 2023

Title: The Ethics and Standards Forward Work Programme 2023/24

Purpose of the report: To review the current work programme of the Committee

What does the Ethics & Standards Committee do?

The Local Government Act 2000 sets out the functions of the Ethics & Standards Committee as follows:-

- promoting and maintaining high standards of conduct by Councillors
- assisting Councillors to observe the Code of Conduct
- advising the Council on the adoption or revision of the Code of Conduct
- monitoring the operation of the Code of Conduct, and
- advising, training or arranging to train Councillors on matters relating to the Code of Conduct

The Ethics & Standards Committee can also grant dispensations, which permit Councillors who have an interest in a particular item of Council business to continue to take part in that business.

Investigation reports produced by the Ombudsman or the Council's Monitoring Officer on alleged breaches of the Code of Conduct may be referred to the Ethics & Standards Committee for determination.

The Ethics & Standards Committee also exercises the above responsibilities in relation to Town and Community Councils in Ceredigion.

Examples of the type of work carried out by Ceredigion's Ethics & Standards Committee include:

- involvement in developing training materials on the Code, including a flowchart summarising the main provisions of the Code
- attendance at and participation in training sessions on the Code for both the County Council and Community Councils
- attendance at Council and Committee meetings to observe proceedings
- the introduction of procedures which allow Councillors to attend Committee meetings to present an application for dispensation in person
- providing advice to Councillors regarding dispensation applications

The Forward Work Programme

The Forward Work Programme is a standing item on each agenda of the Committee. This will provide an opportunity for the Committee to review and update the programme of work of the Committee.

A draft Forward Work Programme is attached for consideration (Appendix 1)

Recommendation(s):

1) to consider, review and update the current draft Forward Work Programme (**Appendix 1**)

Contact Name: Lisa Evans
Designation: Scrutiny and Standards Officer
Date of Report: 25 May 2023
Acronyms:

Ethics and Standards Forward Work Programme 2023/24

Date	Item
19 April 2023	<p>To consider applications for dispensation</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>Training</p> <p>Recruitment of independent member update</p> <p>Appointment of Chair/Vice Chair</p> <p>Action Log</p> <p>Review the vision statement</p> <p>Report on amendment to dispensation form</p>
5 June 2023	<p>Minutes</p> <p>Action Log</p> <p>To consider applications for dispensation:</p> <ul style="list-style-type: none"> • John Roberts • Marc Davies • Rhodri Evans x2 <p>ESC Annual Report -</p> <p>Political group leaders duties (standing item), update on the workshop with the group leaders on 15/5/23</p> <p>Appointment of Vice Chair –</p> <p>Recruitment of independent member (February 2024)</p> <p>Self evaluation results</p> <p>Quarterly report on trends of complaints</p> <p>WG consultation on Penn report</p>

	<p>Vision Statement</p> <p>Training-with T/Community Councils in 2024</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p>
15 November 2023	<p>To consider applications for dispensation:</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>Training</p> <p>Quarterly report on trends of complaints</p> <p>Action Log</p> <p>Political group leaders – standing item (not necessarily invited to each meeting)</p> <p>Harmonisation of gifts/hospitality thresholds across all Welsh Authorities</p> <p>Future priorities of the Committee</p>
10 January 2024	<p>To consider applications for dispensation:</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>Training</p> <p>Quarterly report on trends of complaints</p> <p>Action Log</p> <p>Political group leaders – standing item (not necessarily invited to each meeting)</p>
6 March 2024	<p>To consider applications for dispensation:</p> <p>Update on Adjudication Panel for Wales matters</p>

	<p>Update on the Public Services Ombudsman matters</p> <p>Training</p> <p>Quarterly report on trends of complaints</p> <p>Action Log</p> <p>Political group leaders – standing item (not necessarily invited to each meeting)</p>
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