

CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 19 May 2021

Title: Corporate Joint Committees (General) (Wales) Regulations 2021

Purpose of the report: To note the relevant content of the Corporate Joint Committees (General) (Wales) Regulations 2021 in relation to standards of conduct

The Corporate Joint Committees (General) (Wales) Regulations 2021 (“The General Regulations”) introduces a number of provisions in relation to the general administration and governance of Corporate Joint Committees, established by Part 5 of the Local Government and Elections (Wales) Act 2021.

Those provisions came into force on the 1 April 2021.

The overall intent in establishing Corporate Joint Committees is that a Corporate Joint Committee will be treated as part of or a member of the ‘local government family’ and largely subject to the same or similar powers and duties as local authorities in the way that they operate and are governed.

The General regulations set out the requirements and necessary legislative framework for effective administration and governance of a Corporate Joint Committee.

The General regulations seek to ensure that, as part of the wider application of the local government ethical framework that members, co-opted participants and employees of Corporate Joint Committees are subject to appropriate standards of conduct.

The provisions within these General regulations are to ensure the application of relevant authority’s Code of Conduct to members and co-opted participants of a Corporate Joint Committee. That is that the code of conduct of the relevant authority from which the member or co-opted participant is from will apply. This includes to require them to register any personal interests they have in the business of the Corporate Joint Committee in their relevant authority’s register of interest.

The General Regulations Part 1 Regulation 3 and Schedule 1:Standards of Conduct are contained in **Appendix A**.

Recommendation(s): To note the relevant content of the Corporate Joint Committees (General) (Wales) Regulations 2021 in relation to standards of conduct

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Date of Report: 19 April 2021
Acronyms:

SCHEDULE 1 STANDARDS OF CONDUCT

Regulation 3

Application of relevant authority's code of conduct to members and co-opted participants

1

(1) Sub-paragraph (2) applies to a person who—

(a) is—

(i) a member, or

(ii) a co-opted participant,

of a corporate joint committee, and

(b) is—

(i) a member, or

(ii) a co-opted member,

of a relevant authority.

(2) For the purposes of the code of conduct of the relevant authority, a person to whom this paragraph applies is to be treated as though they had been appointed by the relevant authority to serve on the corporate joint committee.

(3) Where, by virtue of sub-paragraph (2), a person to whom that sub-paragraph applies is required, in so far as they are acting for the corporate joint committee, to comply with the model code of conduct (“the code”), sub-paragraphs (4) and (5) apply.

(4) References to a person's “authority” in Part 3 of the code are to be read as references to the corporate joint committee for which the person is acting.

(5) A person must register any personal interests they have in the business of the corporate joint committee in their relevant authority's register of member's interests by providing written notification to the authority's monitoring officer.

Application of authority code of conduct to employees

2

(1) Sub-paragraph (2) applies unless—

(a) express provision is made to the contrary, or

(b) the context requires otherwise.

(2) The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 (“the 2001 Order”) applies to an employee of a corporate joint committee as it applies to an employee of a relevant authority.

(3) In the 2001 Order, as it applies by virtue of sub-paragraph (2), a reference to an employee's authority is to be read as reference to an employee's corporate joint committee.

Interpretation of Schedule 1

3

In this Schedule—

- (a) references to “the 2000 Act” are to the [Local Government Act 2000](#);
- (b) references to the “model code of conduct” are to the model code of conduct set out in the Schedule to the Local Authorities (Model Code of Conduct) (Wales) Order 2008;
- (c) “code of conduct” means the code of conduct adopted by a relevant authority under section 51 of the 2000 Act;
- (d) “co-opted member” has the meaning given by section 49 of the 2000 Act;
- (e) “relevant authority” has the meaning given by section 49 of the 2000 Act.

NOTES

Initial Commencement

Specified date

Specified date: 1 April 2021: see reg 1(2).

Document information

Corporate Joint Committees (General) (Wales) Regulations 2021

Date made
17/03/2021