

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Review of the political group leaders compliance assessment template.

Purpose of the report: To ensure that the political group leaders compliance assessment template is up to date.

Background

Consideration was given to the first Political Group Leaders Compliance Assessment at the Ethics and Standards Committee meeting held on 5th June 2023. Group leaders had completed their reports by 20 April 2023. A workshop had taken place with each group leader individually on 15 May 2023:

- 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.

Current Situation

There has been an amendment to the consolidated statutory and non statutory guidance for principal councils in Wales at Part 2, Section 6.0, paragraph 6.4.

The guidance has been amended to read that standards committees (as opposed to standards committee chairs) should meet with group leaders at the beginning of each council year to agree a number of issues.

The updated guidance has been published on the following links and shared with you on a separate item on today's agenda:

[Statutory and non-statutory guidance on democracy within principal councils | GOV.WALES](#)

[Canllawiau statudol ar ddemocratiaeth o fewn prif gynghorau | LLYW.CYMRU](#)

The compliance assessment template has been reviewed and amended in light of the final guidance. Changes made are shown on the document.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A

Collaboration: N/A

Involvement: N/A

Prevention: N/A

Integration: N/A

Recommendation(s):

To review and agree the amendments made to the political group leaders compliance assessment template.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 18/10/23

Acronyms:

Ceredigion County Council

Ethics & Standards Committee

Group Leaders Reporting Duty

1. Group leaders are subject to two new statutory duties:
 - i. To take reasonable steps to promote and maintain ~~high~~ standards of ~~conduct by the members 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

2. 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.
3. 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

4. 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

Local Government & Elections Wales Act 2021: S63

5. The ~~draft~~ guidance issued by WG in relation to the new duties suggests the steps that could be taken by Group Leaders to fulfill these obligations;
~~"Reasonable steps" and "good standards" are not as yet defined.~~

4.24 of the Guidance states:

Reasonable steps the group leader may undertake include:

- demonstrating personal commitment to and attending and participating in relevant development or training around equalities and standards, including on the Code of Conduct;
- actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct;
- ensuring nominees to a committee have received the recommended training for participating on that committee;
- promoting modelling civility and respect within group communications and meetings and in formal council meetings;
- supporting informal resolution procedures in the council, and working with the standards committee and monitoring officers to achieve local resolution;
- encouraging a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the council's standards committee if requested to participate in discussions on Code of Conduct issues;
- drive forward work to implement any recommendations from the standards committee about improving standards;
- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the council and where any issues identified involve more than one political group.

6. Group leaders and Standards Committees must take the WG Guidance (2023) into account;

Statutory and Non-Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021

6-7. Group Leaders already take some steps to prevent matters escalating and to nip issues in the bud. These are informal & confidential and so should not be publicly or individually reported;

7-8. The template below is based on examples in the WG Guidance to prompt group leaders on the matters to be covered in their reports;

9. So that the Ethics & Standards Committee retains independence from operational matters it will ask Group Leaders to report once per year. The Ethics

and Standards committee will meet with group leaders at the beginning of each council year to agree a number of issues.

4.36 of the Guidance states:

At the beginning of each Council year Political group leaders should meet with the Standards Committee to agree the following:

- How group leaders and the Standards committee will work together to ensure appropriate standards of behaviour;
- Frequency of meetings between group leaders and the Standards Committee throughout the year;
- The threshold which the Standards Committee will use to establish whether it is content that political group leaders have complied with the duties of the 2021 Act;
- The mechanism for political group leaders to provide reports to the Standards Committee about the actions they have taken to comply with the duties within the 2021 Act.

8-10. The Ethics & Standards Committee Chair may also wish to meet group leaders periodically to review behaviour generally. The Chair may also seek the views of the Monitoring Officer.

9-11. If additional matters of importance, or matters which might be raised by the Ethics & Standards Committee, such as seeking assurance from Group Leaders, arise during the year, these can be reported to the Monitoring Officer who will inform the Ethics & Standards Committee;

10-12. Group Leaders will prepare their report for the Ethics & Standards Committee after 1st April each year.

11-13. The report will not mention specific cases and will refer to the type of actions undertaken;

12-14. The Committee will thereafter meet with each group leader informally to explore their report. The Committee may also seek the view of the Monitoring Officer.

13-15. The Committee may give informal feedback to group leaders

14-16. 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.

45.17. The Ethics & Standards Committee Chair' annual report will be presented to Council at the next available meeting following consideration by the Ethics and Standards Committee.

Promoting Compliance With the Code of Conduct

To be completed by Monitoring Officer

Report by:			
Political Group:			
No. of members:		No. trained on Code:	(100%)
For the period:			

Number, Source and Level of Complaints

	Informal	Local Resolution			PSOW/APW
Public					
Officers					
Councillors					

**Steps taken to Promote Compliance
(To Be Completed by Group Leader)**

[See paras 4.240 & 4.36 & of the Guidance above.](#)

Include matters such as:

- demonstrating personal commitment to and attending relevant development or training around equalities and standards, **including on the code of conduct;**
- **actively** encouraging group members to attend relevant development or training around equalities and standards **including in relation to the Code of Conduct;** ;
- ensuring nominees to a Committee have received the recommended training for **participating on** that Committee;
- **setting an example**
- **using their influence to promote a positive culture**

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- promoting modelling civility and respect within group communications and meetings and in formal Council meetings;
- address issues as soon as they arise
- ~~supporting~~promoting informal resolution procedures in the Council, and working with the Ethics & Standards Committee and Monitoring Officer to achieve local resolution;
- ~~encouraging~~promoting a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the Council's Ethics & Standards Committee if requested to participate in discussions on Code of Conduct issues;
- ~~attend periodic meetings with the Monitoring Officer and other group leaders~~
- ~~attend meetings between the Monitoring Officer and members of their group relating to Code of Conduct matter, as necessary~~
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- drive forward work to implement any recommendations from the Standards Committee about improving standards;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council and where any issues identified involve more than one political group.
- ~~Work constructively with the Ethics & Standards Committee and Monitoring Officer to identify training requirements for themselves and their members.~~

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- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour;

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