

# Agenda



## Pwyllgor Safonau

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Dyddiad: Dydd Iau, 19 Hydref 2023

Amser: 5.30 pm

Lleoliad: Ystafell Bwyllgora 1 - Canolfan Ddinesig

At: A Mitchell (Cadeirydd), K Watkins (Dirprwy Gadeirydd), P Worthington, J Davies, G Nurton a R Morgan. Cyngorwyr P Cockeram, F Hussain, W Routley, J Mudd, M Evans, K Whitehead, A Morris

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### Eitem

### Wardiau Dan Sylw

- 1 Ymddiheuriadau dros Absenoldeb
- 2 Datganiadau o ddiddordeb
- 3 Cofnodion y Cyfarfod Diwethaf (Tudalennau 3 - 8)
- 4 Cyhoeddiadau'r Cadeirydd  
Derbyn unrhyw gyhoeddiadau y mae'r Cadeirydd yn dymuno eu gwneud.
- 5 Trafodaeth Arweinwyr Grwp
- 6 Cwynion (Tudalennau 9 - 18)  
Bydd y Swyddog Monitro yn adrodd ar unrhyw gwynion a dderbyniwyd ers y cyfarfod diwethaf.
- 7 Canllawiau Statudol ac Anstatudol Llywodraeth Cymru ar gyfer Prif Gyngorau (ar gyfer sylwadau) (Tudalennau 19 - 24)
- 8 Adroddiad Blynyddol y Pwyllgor Safonau 2022/23 (ar gyfer sylwadau) (Tudalennau 25 - 40)
- 9 Panel Dyfarnu Cymru: Diweddariad ar lafar am achosion diweddar yng Nghymru  
<https://adjudicationpanel.gov.wales/decisions/1/2023-04--2024-04>
- 10 Blaenraglen Waith
- 11 Gwe-ddarllediad y Pwyllgor  
[Cyfarfod y Pwyllgor Safonau - 19 Hydref 2023](#)

Person cyswllt: Emily Mayger, Swyddog Llywodraeth  
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E-bost: democratic.services@newport.gov.uk  
Dyddiad cyhoeddi: Dydd Gwener, 13 Hydref 2023



# Draft Minutes

## Standards Committee

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Date: 13<sup>th</sup> July 2023

Time: 5:30pm

Venue: Microsoft Teams Meeting

Present: A. Mitchell (Chair), J. Davies, R. Morgan, Councillors F. Hussain and W. Routley. Elizabeth Bryant (Head of Law and Satdnards), Leanne Rowlands (Democratic and Electoral Services Manager) Emily Mayger (Governance Officer)

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### **1 Apologies for Absence**

Paul Worthington, Gill Nurton, Kerry Watkins, Cllr Paul Cockeram

### **2 Declarations of Interest**

None

### **3 Minutes of the Previous Meeting: (Pages 3 - 12)**

Accepted.

### **Resolved:**

The Minutes of the Previous Meeting on the 13th April were agreed as a true and accurate record.

### **4 Matters Arising**

The Chair noted that in the previous meeting the Committee agreed that the Group Leader's should attend the Committee every 6 months and noted that they should be invited to the next meeting in October.

### **5 Chair's Announcements To receive any announcements the Chair wishes to make.**

No announcements

### **6 Complaints The Monitoring Officer will report on any complaints received since the last meeting.**

The Head of Law and Standards noted that there were several complaints to report to Committee, four of which were from Langstone Community Council. The Head of Law and Standards stated that three of the complaints were about a single Councillor with the first being that the Councillor had driven his car at the complainant in a country lane. The Head of Law and Standards noted that this did not meet the Ombudsman's first test for investigation;

- a) that there is no evidence that there has been a breach of the authority's code of conduct;

Although there had been evidence provided to the police it was not also provided to the Public Services Ombudsman for Wales (PSOW) and so it was determined that there was no evidence of a code of conduct breach.

The Head of Law and Standards noted that the second complaint was regarding a misleading written statement to appeal a Planning Decision for Planning and Environment Decisions Wales, but added that there was no investigation due to the complaint not meeting the first test that the PSOW applies.

The Head of Law and Standards stated that the third complaint had been that the Councillor had passed information to a friend to be posted on social media stating that they had driven a car at the complainant's daughter, and the police had been called. The Head of Law and Standards explained that the Ombudsman had found no evidence to substantiate a code breach and added that on two of the occasions raised the person in question had not been a Community Councillor at the time.

The Head of Law and Standards explained to the Committee that the fourth complaint had been about another member who had allegedly written a misleading statement in relation to an appeal for Planning and Environment Decisions Wales; this complaint had also failed to pass the Ombudsman's first stage test and so there had been no further investigation. The Head of Law and Standards confirmed that this concluded the Community Council complaints.

The Head of Law and Standards stated that there had been a complaint about City Council regarding the criminal conviction of a former City Councillor who had been referred by the Monitoring Officer to the Ombudsman on two grounds. The Head of Law and Standards noted that firstly the former City Councillor's criminal Conviction had brought the Council and their office into disrepute, and secondly that they had made comments on a Scrutiny Committee to gain an advantage for themselves. The Head of Law and Standards stated that the PSOW investigated the matters and found that the criminal convictions may amount to a breach of conduct and so it had been referred to the Adjudication Panel for Wales. The Head of Law and Standards noted that the claim that the former Councillor had used their position to gain

advantages for themselves had not been upheld. The Head of Law and Standards stated that the Adjudication Panel for Wales issued a unanimous decision that the nature of the criminal offence and the publicity surrounding it had reflected poorly on the former Councillor and their office and had brought the Council into disrepute. The Head of Law and Standards noted that the sanction had been a disqualification of the former Councillor for 9 months, preventing them from serving Newport City Council or any other local authority, and that the Standards Committee must be notified.

The Committee queried the total amount of time the complaint process had taken for the Community Council complaints from start to finish and if there was a time difference between the length of time the PSOW took to consider complaints about the Community Councillors and the City Councillors.

The Head of Law and Standards noted that complaints against Community Councillors are made by members of the public so the Council are not aware when the complaints are made and are only notified of the decision but added that in her experience they often take a long time as PSOW would consider high volumes of complaints due to the number of Principle and Community Councils across Wales.

The Chair noted that the Committee are at a disadvantage due to the complaints being sent straight to the PSOW but considered the outcome of the decision to be the most important part, further noting that the Committee would not be able to affect or change the running of the Ombudsman.

Committee Members considered that it would be unpleasant for the Councillors to have the complaints hanging over them.

The Head of Law and Standards explained that where there is no evidence for the Ombudsman these claims are more likely to be dealt with fairly quickly and noted that in cases where there is evidence, they are likely to take more time due to the investigation process.

A Committee Member queried the former City Councillor's ban as mentioned by the Head of Law and Standards and asked when this would begin from.

The Head of Law and Standards noted that it was from the date of the decision but added that she would confirm this. The Head of Law and Standards stated that they were no longer a Councillor and explained that the tribunal had most likely taken this into account when making their decision.

The Chair noted that when they had dealt with a complaint at Standards Committee in the past the sanction had taken place from the end of the business day that the decision had been made.

**Resolved:**

The Committee noted the verbal update.

### **7 Penn Report The Head of Law and Standards to provide a verbal update.**

The Head of Law and Standards reminded the Committee that there had been an independent review of the Ethical Standards Framework commissioned by the Welsh Government and noted that a number of recommendations came from that review. The Head of Law and Standards explained that the Welsh Government had then opened up the recommendations for consultation across Wales, and the Monitoring Officer group had discussed a joint all-Wales response; this had been circulated to the Standards Committee and no further points had been raised. The Head of Law and Standards noted that this had then been submitted as part of the consultation and that the findings will be reported back to Committee at a future meeting. The Head of Law and Standards noted that quite a few of the recommendations were not taken forward, but consultation responses had been provided on the recommendations that had been taken forward.

#### **Resolved:**

The Committee noted the verbal update and requested that the Report to be circulated again for information purposes.

### **8 Community Council Support Democratic and Electoral Services Manager to provide a verbal update.**

The Democratic and Electoral Services Manager provided an update on the support for Community Councils through the first two liaison meetings in 2023. The Democratic and Electoral Services Manager noted that in the first meeting there had been five representatives in attendance and explained that the meeting had focused on the role of the Standards Committee and that interaction, the role of Community Councils and the underpinning legislation including roles and responsibilities of Community Councils.

The Democratic and Electoral Services Manager noted that in the next meeting there had been a higher attendance of eight representatives and that there had also been a police representative there for the Community Council to be able to ask questions and receive a police update. The Democratic and Electoral Services Manager added that they had discussed the new legislative requirements for an Annual Report and noted that it was positive to hear that many of the Community Councils had been aware of this, and had already begun working on them. The Democratic and Electoral Services Manager explained that much of the content are things that Community Councils should

already be doing and that it is just a case of bringing it together under the Annual Report.

John Davies noted that from that meeting his Community Council had been in contact with the police and they had received a newsletter, and was hoping that they would be able to attend the Community Council meeting in September.

The Democratic and Electoral Services Manager noted that this was positive and that it would be a case of ensuring they are keeping in touch going forward.

The Democratic and Electoral Services Manager felt that the meetings had been useful as there had been different levels of experience around the table which meant that they could share best practice and use. The Democratic and Electoral Services Manager added that they had also discussed the complaints process and casual vacancies.

The Democratic and Electoral Services Manager added that between the two liaison meetings, Community Councils had been invited to join a Planning Wales meeting concerning the Local Development Plan, and added that there would be a further liaison meeting in September. The Democratic and Electoral Services Manager added that they had also discussed a Standards Committee member attending the next liaison meeting; the Chair noted he would be happy to attend.

The Democratic and Electoral Services Manager gave an update on the Community Council forward work programme and stated that they would be looking at the Gwent Wellbeing Plan, Local Action Plans and the changes under the Local Government and Elections Act. The Democratic and Electoral Services Manager noted that something that the Community Council representatives felt that personal safety support would be helpful, and added that they were in the midst of agreeing dates for a training course in conjunction with the police. Health and Safety would also be invited to a future meeting to provide guidance on legislation and risk assessments and how the Council can support them with these.

John Davies commented that it had been a very constructive meeting.

**Resolved:**

The Committee noted the verbal update, and the Chair will be invited to the next Community Council Liaison meeting.

**9 Forward Work Programme**

The Chair stated that the next meeting in the forward work programme would include re-meeting with the group leaders for discussion.

The Head of Law and Standards added that there would be an update on the Statutory and Non-Statutory Guidance for local authorities.

**Resolved:**

The Committee approved the Forward Work Programme

**10 Date of the Next Meeting 19 October 2023 at 5:30pm**

The Chair added a point of last business and wished to welcome Councillor William Routley formally to the committee.

Cllr Routley thanked the Chair and noted that although he had already met with the committee it had been good to participate in the meeting as a committee member.



# Report



## Standards Committee

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### Part 1

Date: 19<sup>th</sup> October 2023

**Subject** **Complaints Update**

**Purpose** To update Standards Committee on Code of Conduct complaints made to the Ombudsman.

**Author** Head of Law & Standards

**Ward** General

**Summary** The report provides an update of complaints made to the Ombudsman about City and Community Councillors, the nature of the complaints and the outcomes.

**Proposal** To note the report.

**Action by** Head of Law & Standards

**Timetable** Immediate

## Background

1. All complains made to the Public Services Ombudsman for Wales about alleged breaches of the Members Code on Conduct by City and Community councillors are reported to Standards Committee for information.
2. Where the Ombudsman has decided not to accept the complaints for investigation or they are still under investigation, then they are reported on a strictly confidential and anonymised basis and neither the identity of the member nor the complainant is disclosed.
3. However, details of the allegations, the nature of the complaints and the outcomes, including the reasons for the Ombudsman's decision, are all reported to Committee, for information purposes and to identify any specific areas of concern or matters that may require further clarification or training.
4. The attached Schedule sets out those complaints that have been submitted to the Ombudsman since the last meeting, together with details of complaints still under investigation.

## Financial Summary

There are no financial implications

## Risks

<b>Risk Title / Description</b>	<b>Risk Impact score of Risk if it occurs* (1-5)</b>	<b>Risk Probability of risk occurring (1-5)</b>	<b>Risk Mitigation Action(s)</b> What is the Council doing or what has it done to avoid the risk or reduce its effect?	<b>Risk Owner</b> Officer(s) responsible for dealing with the risk?
Failure to receive regular updates on numbers of complaints and their outcome will reduce the effectiveness of the Committee's role in improving ethical standards	3	1	Receiving regular updates and reviewing the outcome of the cases will enable the Committee to take a more effective role in improving ethical standards.	Head of Law & Standards and Assistant Head of Legal Services

\*Taking account of proposed mitigation measures.

## **Links to Council Policies and Priorities**

The underlying Nolan principles are all enshrined in the Council's corporate and well-being objectives.

## **Proposed action**

To note the report.

## **Comments of Chief Financial Officer**

There are no financial implications

## **Comments of Monitoring Officer**

Set out in the Report.

## **Comments of Head of People Policy & Transformation**

There are no specific staffing or policy implications

## **Fairness and Equality Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

No FEIA is required, as the Committee are just receiving this report for information.

- There are no negative impacts in terms of equalities or social disadvantage.
- In terms of the sustainable development principle and 5 ways of working

**Long-term** – The complaints update will assist Standards Committee in taking a long-term view about ethical standards

**Prevention** – The complaints update will help to prevent future complaints

**Integration** – The complaints update has been prepared on the basis of information provided by the Ombudsman's office

**Collaboration** – The complaints update should facilitate the resolution of complaints, in a more collaborative way.

**Involvement** – The complaints update will facilitate greater involvement on the part of Standards Committee in identifying and addressing any trends or issues.

## **Background Papers**

Confidential correspondence with the Ombudsman's office regarding individual complaints.

Dated: 13<sup>th</sup> October 2023

**CODE OF CONDUCT COMPLAINTS**

<b>PSOW Reference</b>	<b>Council</b>	<b>Complainant</b>	<b>Alleged breach of the Code</b>	<b>Outcome</b>
2021/06820	Newport City	Corporate	<p>Matter referred to PSOW by MO on two grounds:</p> <ul style="list-style-type: none"> <li>i) Criminal conviction of a former City Councillor, which brought his office and the Council into disrepute.</li> <li>ii) Comments made at an Overview Scrutiny and Management Committee were an attempt to improperly use his position as a councillor to gain an advantage for himself.</li> </ul>	<p>PSOW decision – that the conduct the subject of the criminal conviction may amount to a breach of the code of conduct in terms of bringing his office as a councillor and the council into disrepute and referred the matter to the Adjudication Panel for Wales.</p> <p>The allegation in relation to using his position to gain an advantage for himself was not upheld on the grounds that the meeting took place before the conviction.</p>
Tribunal Ref: APW/0015/2022 - 23	Newport City Council	Corporate	Bringing office and authority into disrepute as a result of his criminal conviction for solicitor under the Sexual Offences Act on 6 <sup>th</sup> January 2022.	<p>A Case Tribunal was convened, to hear the matter on the papers only On 23 June 2023</p> <p>Decision now issued: The nature of the criminal offence and the publicity surrounding it with reference to the Council and the former Councillor reflected poorly on himself and his roll and brought both his office and the Council into disrepute. Unanimous finding by the tribunal that para 6(1)(a) of the code had been breached.</p>

				Sanction: determined that a sanction of 9 months disqualification from being or becoming a member of NCC or any other relevant authority and that NCC's standards committee be notified accordingly.
2022/10227	Newport City	Councillor	Complaint regarding an offensive private Facebook post during the pre-election period, in breach of equalities and duty to show respect and consideration for others	PSOW did not find any evidence of a breach. The post was made in a private capacity, so the only potential breach was in relation to bringing the office of Councillor into disrepute. PSOW felt that the comment may have offended some people but it came within the Councillor's Article 10 rights to freedom of expression.
2022/02284	Newport City	Public	Failure to respond to constituent's concerns about homelessness and begging in the City Centre	PSOW did not find any evidence of a breach. The Code did not require members to respond to constituents. That was a matter for the ballot box.
2022/02545	Newport City	Public	Alleged defamatory posts on a community Facebook page, which the Councillor had failed to remove. Breach of equalities duty, failure to show respect and consideration and bringing office into disrepute	PSOW did not find any evidence of breaches of the Code and, in any event, did not consider it in the public interest to intervene. The Councillor was not required to either remove the offending posts or disassociate herself from them. She could not be personally liable for other people's comments. But they

				were removed from the site quickly, in any event.
2022/02641	Langstone community	Councillor	Alleged disrespectful and bullying behaviour towards the Clerk and other community councillors	PSOW found no evidence of any breach. The Councillor was entitled to make a complaint against the Clerk and to complain about other Councillors criticising his attendance record. This did not amount to bullying or disrespectful conduct.
2022/03726	Newport City	Public	Refusal to take up objection to planning application on behalf of the complainant because of declared friendship with applicant. Alleged conflict of interest.	PSOW did not find any breach. The Councillor had properly declared a personal interest in the planning application because of the close association with the applicant. The complainant could have objected in person or asked another ward Councillor to speak on her behalf at Planning Committee
2022/04331	Langstone Community	Public	Alleged failure to show respect and consideration to another community councillor.	PSOW did not find any breach. There was no failure to show respect and councillors need to have "thicker skins" when it comes to personal criticism. Councillors do not have to agree with one another and they can be robust in their disagreement, provided that their language is not gratuitously offensive.

2022/06378	Newport City	Public	Alleged failure to respond to telephone calls made by the complainant and their support work.	The PSOW did not find any evidence of a breach. The behaviour complained of was unlikely to amount to a breach of the Code. Whilst the behaviour complained of was discourteous it was more likely to relate to the members competency in their role which is a matter for the local electorate to determine through the democratic process.
2023/00948	Langstone Community Council	Public	Alleged that Councillor drove their car at complainant in country lane.	Didn't meet first stage test for investigation. No evidence to substantiate a breach of the code of conduct. Police involved, but no evidence provided to the PSOW on which to investigate. No code of conduct breach evidenced. PSOW will not investigate.
2023/01020	Langstone Community	Public	Writing a misleading statement to support a Certificate of Lawfulness appeal Planning and Environment Decisions Wales	Didn't meet the first stage test, no evidence to substantiate a breach of the code of conduct. No investigation.
2023/01575	Langstone Community	Public	<ul style="list-style-type: none"> <li>i) Passed information to a friend who posted on facebook;</li> <li>ii) Drove her car at her friend's daughter</li> <li>iii) Posted on facebook about police being called to complainant's house</li> </ul>	<p>No evidence to substantiate breaches of the code:</p> <ul style="list-style-type: none"> <li>i) First matter not published by Councillor</li> <li>ii) Prior to becoming a councillor so acting as a private individual and no evidence in any event.</li> <li>iii) Again acting as a private individual not a councillor at the time. No investigation.</li> </ul>

2023/01022	Langstone Community	Public	Writing a misleading statement to support a Certificate of Lawfulness appeal Planning and Environment Decisions Wales	Didn't meet the first stage test, no evidence to substantiate a breach of the code of conduct. No investigation.
2023/03455	Langstone Community	Officer	Failed to declare an interest in a committee meeting in relation to membership of another committee which was under discussion. Failed to provide a Register of Interests and disclose membership of any other committees.	Did not meet the first stage test – complaint should not be investigated. There was insufficient evidence provided to determine whether the member had a personal interest and there is no requirement for T&C Councillors to complete a Register of Interests within 28 days of taking office. Interests are declared as and when required. Not a breach of the code.
2023/03452	Langstone Community	Officer	Failed to declare an interest in a committee meeting in relation to membership of another committee that was under discussion and leave the meeting. Failed to provide a Register of Interests	No finding of any breach of the code, nor any public interest to warrant an investigation. Whilst there was sufficient evidence to suggest the member had a personal interest, it was not considered to be prejudicial and therefore did not meet the public interest threshold. Whilst no investigation was required, the PSOW indicated that they would remind the member of their duties in relation to declaring interests at meetings and updating the register of interests thereafter.
2023/03996	Newport City	Public	Member failed to take a course of action in their role in an objective manner and made a declaration without evidence to support it. In addition failed to respond to complaints 17 emails on the subject.	No investigation, no breach of the Code on the basis that the member is entitled to provide their opinion on a subject matter, and it is for all members of the Council to weigh up decisions placed before them based



				on all of the evidence. The member is not solely responsible for decision making. If a constituent no longer agrees with the members beliefs it is their choice not to vote for the member at the next election. The same principle applies to failure to respond to correspondence.
2023/02376	Newport City	Public	A variety of allegations including the Member speaking to people in a violent, discriminatory and bullying manner and spreading inaccurate information.	Insufficient evidence to find a breach of the code. The complainant provided no details of the complaint to enable the ombudsman to consider them and no evidence was provided. Ombudsman stated it is not the purpose of the Code to inhibit free speech and the robust expression of political differences. Without the complainant's view of what was said, or the nature and context of the alleged incidents, there can be no consideration of whether the comments or conduct could amount to a breach of the Code.

Mae'r dudalen hon yn wag yn



# Report

## Standards Committee

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Date: 19<sup>th</sup> October 2023

**Subject** **Welsh Government Statutory and Non-Statutory Guidance for Principal Councils in Wales (including guidance on standards of conduct)**

**Purpose** To inform the Committee of the Welsh Government's Statutory and Non-Statutory Guidance for Principal Councils in Wales (the Democracy Handbook'), issued in June 2023, which includes finalised guidance on the new duties of political group leaders in relation to standards of conduct and corresponding new duties placed on standards committees (introduced by Part 4 of the Local Government and Elections (Wales) Act 2021).

**Author** Head of Law and Standards

**Ward** General

**Summary** The Local Government and Elections (Wales) Act 2021 ("the 2021 Act") introduced a number of new duties for leaders of political groups on the Council and Standards Committee in relation to the promotion and maintenance of high standards of conduct. All of these additional duties under the 2021 Act came into force on 5th May 2022.

Group leaders have a duty to take reasonable steps to promote and maintain high standards of conduct by the members of their groups and a duty to co-operate with Standards Committee. Standards Committee must monitor group leaders' compliance with these duties and provide appropriate advice and training. In addition, there is a new statutory requirement for Standards Committee to produce an annual report.

Welsh Ministers have the power to issue statutory guidance which group leaders and standards committees must have regard to when exercising these additional functions. The Minister for Finance and Local Government has now finalised the statutory guidance under section 52A (2) of the 2000 Act following a consultation period which ended on 16<sup>th</sup> May 2022.

**Proposal**

- i) That the Committee notes the contents of the report and the statutory guidance document included at Appendix 1.
- ii) That the Committee considers and agrees the proposal that the annual review of the duties placed on group leaders takes place during the first committee meeting in each financial when group leaders are invited to attend to present their bi-annual reports on conduct.
- iii) That the Committee reconsiders the information which should be published in the members' Register of Interests in relation to registering

beneficial interests in land, and puts forward any recommended changes to full Council at its next meeting.

**Action by** Head of Law and Standards

**Timetable** Immediate

This report was prepared after consultation with:

- Head of Finance
- Head of People, Policy & Transformation

## Background

1. The Local Government Act 2000, Part III (and regulations made thereunder) sets an ethical framework for the conduct of local government members. Key components of the ethical framework include the statutory Members' Code of Conduct, which sets out the duties imposed on all elected and co-opted Members; and the statutory provisions relating to Standards Committees, established to promote and maintain high standards of conduct by the members and co-opted members of the authority.
2. The Local Government and Elections (Wales) Act 2021 ('the 2021 Act'), Part 4 introduced certain changes to the statutory ethical framework which took effect from 5th May 2022, and includes:
  - (a) New duties for leaders of political groups to take reasonable steps to promote and maintain high standards of conduct by members of their group, and to co-operate with the standards committee in the discharge of its functions; and
  - (b) New duties for standards committees to monitor the compliance of political group leaders with their new duties; and for advising and training (or arranging training) of political group leaders in relation to those duties 2 (referred to in paragraph (a) above); and to submit an annual report to full Council.
3. In complying with the new duties, political group leaders and standards committees must have regard to any guidance issued by the Welsh Ministers. Draft statutory guidance was issued in February 2022 for consultation. The draft guidance was considered by this Committee on 10<sup>th</sup> March 2022 with a view to agreeing a response to the consultation. On 15th June 2023, the Welsh Government issued its finalised Statutory and Non-Statutory Guidance on democracy within principal councils ('the Guidance').
4. Part 2 of the Guidance refers to guidance on elected members' support, training and development and includes the following topics:
  - 4.0 Statutory guidance on duties of leaders of political groups in relation to standards of conduct.
  - 5.0 Statutory guidance on the functions of standards committees.
  - 6.0 Duty of a standards committee to monitor group leaders' compliance with their duties, and provision of advice and training.
  - 7.0 Duty of standards committee to make annual report.

5. The finalised Guidance largely reflects the same provisions that were included within the Consultation Draft Guidance previously considered by the Committee at its meeting in March 2022.
6. The Guidance was amended at paragraph 6.4 to read that standards committees, as opposed to standards committee chairs as originally proposed, should meet with group leaders at the beginning of each council year to agree a number of issues, to include:
  - frequency of meetings between political group leaders and the standards committee through the year to discuss compliance with the duties covered by this guidance;
  - annual reporting processes;
  - and issues arising from the analysis of complaints in respect of standards of behaviour.
7. The committee has previously agreed that it will monitor group leaders' compliance with their duties by receiving a bi-annual report in an agreed format and through the attendance by group leaders at standards committee on a bi-annual basis to discuss the content of their report. These arrangements must be reviewed by the Committee with group leaders on an annual basis, as part of the process described in paragraph 6 above. It is suggested that this meeting is included as part of the first Standards Committee each year when group leaders are invited to present their report.
8. The Committee will note that paragraph 2.34 includes guidance on Members' home addresses and the Members Register of Interests, confirming that: '... it is the view of the Welsh Government that while members have an obligation to declare interests and not to participate in or influence council business, there is no requirement for members to include their full primary address (or any other address) when registering beneficial interests in land in the authority's area. It would be sufficient for members to state that they own a property in the authority's area (for example identifying the road or ward), in order to discharge their duties under paragraph 15 of the Code.' This replicates the provisions of the draft guidance considered previously by the Committee in March 2022. Members will note that, whilst the Welsh Government's view is that identifying the ward in which property is located may be sufficient to discharge a Member's duty under the Code of Conduct (to register a description of 'any land and property in the authority's area in which you have a beneficial interest (or a licence to occupy for more than 28 days)', however, the Ombudsman's statutory guidance on the Code of Conduct refers to the street name or postcode.
9. The Committee may also wish to note that the Welsh Government has developed a set of short videos on ethical standards and the code of conduct, which can be found within the consolidated Guidance as a html online by using the following links:  
[https://www.youtube.com/watch?v=oolt7Nlz\\_4o](https://www.youtube.com/watch?v=oolt7Nlz_4o)  
<https://www.youtube.com/watch?v=nJ0-2Z8i1qY>  
<https://www.youtube.com/watch?v=Vf3nLmGsfsA>
10. Councils are encouraged to use the videos for their own purposes. The Head of Democratic Services and Monitoring Officer will progress the sharing of these links with Community Council Clerks for Newport as soon as possible with the recommendation that they are shown at their next meeting as a reminder of the Code of Conduct and the complaints process.

## **Financial Summary**

1. There are no financial implications.

## Risks

13

Risk Title / Description	Risk Impact score of Risk if it occurs* (1-5)	Risk Probability of risk occurring (1-5)	Risk Mitigation Action(s) What is the Council doing or what has it done to avoid the risk or reduce its effect?	Risk Owner Officer(s) responsible for dealing with the risk?
An ineffective Standards Committee would undermine public confidence in local government and would lead to poor quality decision making, with the risk of legal challenge, reputational harm to the Council and sanctions imposed on individual Members	4	1	Implementing the requirements of the Statutory guidance will encourage the Promotion of high standards of ethical conduct among elected Members and officers, and by providing for the delivery of effective training.	Standards Committee Monitoring Officer Deputy Monitoring Officer

## Links to Council Policies and Priorities

- 14 The Nolan principles, which underpin the ethical standards framework, and principles of good governance, are all enshrined in the Council's corporate and well-being objectives. The Members' Code of Conduct is contained within the Council's constitution.

## Proposed Action

- i) That the Committee notes the contents of the report and the statutory guidance document included at Appendix 1.
- ii) That the Committee considers and agrees the proposal that the annual review of the duties placed on group leaders takes place during the first committee meeting in each financial when group leaders are invited to attend to present their bi-annual reports on conduct.
- iii) That the Committee reconsiders the information which should be published in the members' Register of Interests in relation to registering beneficial interests in land, and puts forward any recommended changes to full Council at its next meeting.

## Options Available

- i) Accept the recommendations set out in this report.
- ii) Do not accept the recommendations and put forward alternative proposals to enable the Council to comply with its statutory duties in relation to members' support, training and development as per the Statutory Guidance.

## **Comments of Chief Financial Officer**

There are no financial impacts associated with this report.

## **Comments of Monitoring Officer**

Included in the Report.

## **Comments of Head of People, Policy & Transformation**

There are no specific staffing implications or policy implications.

## **Fairness and Equality Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The principles of fairness and equality are embodied within the Members Code of Conduct and the Ethical Framework. No FEIA is required, as the Annual Report is for information purposes only.

- There are no negative impacts in terms of equalities or social disadvantage.
- In terms of the sustainable development principle and 5 ways of working

**Long-term** – The Statutory Framework will assist Standards Committee and the Council in working towards improving ethical standards in the long-term

**Prevention** – The new duties placed on group leaders will help to prevent future complaints of misconduct

**Integration** – The Guidance has been produced following a period of consultation which with key stakeholders including Standards Committee

**Collaboration** – The new duties placed on group leaders to report and interact with Standards Committee will encourage a more collaborative approach to maintaining standards of conduct amongst members.

**Involvement** – The bi-annual reports to be produced by Group Leaders will encourage greater involvement in resolving code of conduct matters and complaints.

The Statutory and Non-Statutory Guidance is published in English and Welsh.

## **Background Papers**

Appendix 1: Statutory and Non-Statutory Guidance for Principal Councils in Wales, June 2023

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

Report to Standards Committee in relation to draft guidance - 10<sup>th</sup> March 2022

<https://democracy.newport.gov.uk/documents/s21289/Standards%20Committee%20Report%20->

[%20draft%20guidance%20on%20Standards%20of%20Conduct%20March%202022.pdf?LLL=0](#)

Dated: 11<sup>th</sup> October 2023





# Report

## Standards Committee

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### Part 1

Date: 19th October 2023

Item No:

**Subject** Standards Committee Annual Report 2022/2023

**Purpose** To submit a draft of the Standards Committee Annual Report 2022/23 for comment and approval

**Author** Head of Law and Standards

**Ward** General

**Summary** In accordance with the Local Government & Elections (Wales) Act 2021, Standards Committee are required to make an annual report after the end of each financial year and Council is required to consider that report within 3 months.

The statutory annual report must describe how the Committee's functions have been discharged during the previous year and, in particular, must include a summary of any reports, actions or recommendations made or referred to the Committee. In addition, the annual report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups.

A draft of the Annual Report for 22/23 is attached for comment and approval prior to its presentation to the next meeting of full Council on 28<sup>th</sup> November 2023.

**Proposal** To comment and approve the Annual Report for presentation to full Council on 28<sup>th</sup> November 2023

**Action by** Head of Law and Standards

**Timetable** Immediate

## **Background**

1. Standards Committee have presented an Annual Report to the Council over the past 10 years, which provides information about the work carried out by the Committee during the previous 12 months, identifies particular issues that have arisen and sets out the forward work programme for the forthcoming year. The previous annual report was presented to Council on 22<sup>nd</sup> November 2022 and covered the 12 month period from November 2021 to November 2022.
2. Since May 2022, there has been a statutory requirement under the Local Government & Elections (Wales) Act 2021 for Standards Committee to make an annual report as soon as reasonably practicable after the end of each financial year and for full Council to consider that report within 3 months. The statutory report must describe how the Committee's functions have been discharged during the previous year and, in particular, must include a summary of any reports, actions or recommendations made or referred to the Committee. In addition, the Annual Report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups. Copies of the Standards Committee Annual Report must also be provided to the Ombudsman and all of the local community councils.
3. In order to align with the financial year, as recommended by the Annual Report for 2021/22 to meet the new legislation, this report considers a shorter reporting period of December 2022 to March 2023.
4. A draft of the Annual Report for 2022/23 is attached for comment and approval prior to its presentation to the next meeting of full Council on 28<sup>th</sup> November 2023.
5. The Report confirms that, once again, no serious complaints of misconduct were referred to the Standards Committee by the Ombudsman during the period December 2022 and March 2023 and no complaints were referred for determination by the Committee under Stage 3 of the Local Resolution Protocol.
6. The training requirements for City Councillors, community councils and their clerks will continue to be monitored as part of the Committee's forward work programme. The Committee will also be undertaking a review to ensure that all mandatory training has been completed and that all declarations of acceptance of office and registers of members' interests have been completed properly, following the May elections
7. The Annual Report also contains a draft forward work programme for the forthcoming 12 months.

## **Financial Summary**

8. There are no financial implications.

## **Risks**

This report is a retrospective consideration of the work of the Standards Committee.

## **Links to Council Policies and Priorities**

9. The Nolan principles, which underpin the ethical standards framework, and principles of good governance, are all enshrined in the Council's corporate and well-being objectives.

## Proposed action

9. To comment and approve the Annual Report for presentation to full Council on 28<sup>th</sup> November 2022

## Comments of Chief Financial Officer

10. There are no financial implications.

## Comments of Monitoring Officer

11. Included in the Report.

## Comments of Head of People, Policy and Transformation

12. The Annual Report assists the Standards Committee and the Council in improving ethical standards.

There are no human resources arising from the report.

## Fairness and Equality Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

13. The principles of fairness and equality are embodied within the Members Code of Conduct and the Ethical Framework. No FEIA is required, as the Annual Report is for information purposes only.

- There are no negative impacts in terms of equalities or social disadvantage.
- In terms of the sustainable development principle and 5 ways of working

**Long-term** – The Annual Report will assist Standards Committee and the Council in taking a long-term view about improving ethical standards

**Prevention** – The Annual Report guide will help to prevent future complaints of misconduct

**Integration** – The Annual Report has been produced in consultation with key stakeholders

**Collaboration** – The Annual Report will assist people in interacting with councils and elected members, in a more collaborative way. It will also facilitate collaboration between Standards Committees in discussing matters of common interest.

**Involvement** – The Annual Report will encourage greater involvement in reporting and resolving complaints

## Consultation

14. No comments at this stage.

## **Background Papers**

15. There are no additional background papers.

Dated: 9<sup>th</sup> October 2023



# **Standards Committee Annual Report 2022-23**

## **Foreword by the Chair**

I am pleased to present the tenth Annual Report of the Standards Committee for 2022/23. The Annual Report provides information to the Council about the work carried out by the Committee during the past 12 months and identifies particular issues that have arisen.

This tenth Annual Report covers the period from December 2022 to March 2023 and follows on from the last report presented to Council in November 2022. The Annual Report was previously presented to Council on a voluntary basis. However, Section 63 of the Local Government & Elections (Wales) Act 2021 introduced an additional statutory duty under Part 3 of the Local Government Act 2000, which requires Standards Committee to make an annual report after the end of each financial year and for full Council to consider that report within 3 months. The statutory report must describe how the Committee's functions have been discharged during the previous year and, in particular, must include a summary of any reports, actions or recommendations made or referred to the Committee. In addition, the Annual Report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups. Copies of this Annual Report must also be sent to the Public Services Ombudsman for Wales and to the local community councils.

Section 63 of the 2021 Act inserts a new section 56B into the 2000 Act which places a requirement on Standards Committee to make an annual report to the relevant authority. In the case of a principal council, the requirement to report to "the authority" in this context includes any community councils in its area. The draft guidance set out those matters that should be included within the annual report. We were satisfied that the format of this Annual Report to full Council meets most of the requirements of the 2021 Act. The only difference is that the statutory report needs to be in relation to the previous financial year, while the current report (usually presented in November) reflects on the previous 12 calendar months. In order to support this change, this report considers a brief period of time that spans from the time of presenting the last report, to the end of the last financial year. In terms of the future work programme, it may be advisable to bring the annual reporting year more into line with the financial year and presenting this report earlier in the year. Also, the guidance recommends that the Standards Committee annual report is also submitted to each of the local community councils and a copy is sent to the Ombudsman. The annual report also needs to set out how the Committee is discharging its new duties in relation to monitoring group leaders' compliance with their new duties, and the provision of advice and training to group leaders.

The Standards Committee is committed to promoting high standards of ethical conduct among elected Members and officers in order to maintain public confidence in local government. The Committee will continue to proactively review all ethical standards policies and procedures as part of the forward work programme.

This year, we are pleased to report that no serious complaints of misconduct were referred to the Standards Committee by the Ombudsman during the reporting period and no complaints were referred for determination by the Committee under Stage 3 of the Local Resolution Protocol. However, as I have mentioned previously, there is no room for complacency, and it is essential that these standards are maintained.

The training requirements for City Councillors, community councils and their clerks will continue to be monitored as part of the Committee's forward work programme. We will also be undertaking a review to ensure that all mandatory training has been completed and that all declarations of acceptance of office and registers of members' interests have been completed fully.

There have been no changes to the independent members of the Standards Committee during the past year and John Davies continues to serve as the community council representative.

Councillors Paul Cockeram, Farzina Hussain and David Fouweather continue to serve on the Committee as elected member representatives.

Finally, I would like to thank all Members of the Committee and Council officers for their advice and support throughout the last 12 months.

Andrew Mitchell (Chair of Standards Committee)

## 1. **Introduction**

### 1.1 **Terms of Reference**

The Local Government Act 2000 Part III requires the Council to establish a Standards Committee to carry out the following statutory functions: -

- (a) Promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- (b) Assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) Monitoring the operation of the Members' Code of Conduct;
- (e) 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;
- (f) Granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- (g) Dealing with any reports from the Monitoring Officer and hearing any complaints of misconduct or breaches of the Members' Code of Conduct referred by the Public Services Ombudsman for Wales and determining appropriate action, including the imposition of any sanctions;
- (h) The exercise of (a) to (g) above in relation to the community councils and the members of those community councils.

As from May 2022, the Standards Committee also has the following additional statutory functions, in accordance with the Local Government & Elections (Wales) Act 2021

- (i) Monitoring compliance by leaders of political groups on the Council with their duties under section 52A (1) of the 2000 Act (as amended) to take reasonable steps to promote and maintain high standards of conduct by the members of their groups, and to co-operate with Standards Committee in the exercise of these functions.
- (j) Advising, training, or arranging to train leaders of political groups on the Council about matters relating to those duties

Standards Committee also carries out the following additional functions, making recommendations to the Council, as appropriate:-

- (k) The hearing and determination of "low level" complaints of misconduct at Stage 3 of the Local Resolution Protocol;
- (ii) Providing advice to the Council on the Council's Codes of Practice, including the Officers' Code of Conduct and the Whistle Blowing policy;
- (iii) Monitoring and updating the Codes of Practice as required; and
- (iv) Overseeing the Council's confidential complaints procedure;

## **1.2 Structure and Membership**

The composition and membership of the Standards Committee is prescribed by the Standards Committees (Wales) Regulations 2001 (as amended).

The Standards Committee comprises: -

5 Independent Members (persons who have no connection with the local authority)

- Andrew Mitchell (Chair)
- Kerry Watkins (Vice Chair)
- Dr Paul Worthington
- Richard Morgan
- Gill Nurton

3 councillor representatives: -

- Councillor Paul Cockeram
- Councillor Farzina Hussain
- Councillor William Routley (replacing Councillor David Fouweather as from May 2023)

1 community council representative: -

- John Davies (Bishton Community Council)



The independent members serve a term of office of 4 years, although they are eligible to serve two consecutive terms of office. The Councillors are appointed annually by the Council at the AGM and replacement members can be appointed, as necessary, at any time. The community council representative continues as a member of the Committee until his term of office ends or he ceases to be a community councillor, or until he is replaced by another nominee.

### **1.3 Enforcement of the Members Code of Conduct**

The Council's Monitoring Officer is Elizabeth Bryant, the Head of Law & Standards, and the Deputy Monitoring Officer is Mike Wallbank, the Assistant Head of Legal Services

The Monitoring Officer and Deputy Monitoring Officer are responsible for: -

- advising Standards Committee on law and procedure,
- ensuring compliance with statutory requirements (Registers of Members interest etc.)
- resolution of "low-level" complaints under Stage 2 of the Local Resolution Protocol
- investigation of complaints referred by the Ombudsman

The Public Services Ombudsman for Wales ("Ombudsman") is responsible for: -

- considering all formal complaints of breaches of the Members Code of Conduct and applying a two-stage test of (1) prima facie evidence of misconduct and (2) whether the breach is so serious as to warrant any sanction
- investigating and reporting (where appropriate) any serious breaches of the Code to the Standards Committee or a Case Tribunal of the Adjudication Panel for Wales

The Adjudication Panel for Wales: -

- Case Tribunals hear serious misconduct cases referred by the Ombudsman
- Interim Case Tribunals can suspend Councillors for up to 6 months pending investigation of serious complaints
- Determine appeals against Standards Committee decisions or sanctions
- Can suspend Councillors for up to 1 year or disqualify for up to 5 years

The Standards Committee

- Conduct hearings and determine complaints referred to them by the Ombudsman and the Monitoring Officer
- Can censure or suspend Councillors for up to 6 months

## **2. The Committee's work in 2022/23**

The Standards Committee is required to meet at least once annually in accordance with the Local Government Act 2000. In practice, the Committee meets on a scheduled quarterly

basis and additional special meetings are arranged, as necessary, to deal with specific matters such as misconduct hearings and requests for dispensation.

Three members are required to attend for a quorum at meetings (including the independent Chair or Vice Chair) and at least half of those present must be independent. The community council representative is not “independent” for this purpose.

The Standards Committee met on one occasion during the reporting period, which is much shorter than usual to align with the new legislative requirements: -

- 12<sup>th</sup> January 2023

The meeting has been conducted in accordance with Sections 46 and 47 of the Local Government and Elections (Wales) Act 2021 and the Council’s published arrangements for “hybrid” or multi-location meetings. The Committee meeting has been conducted on a “hybrid” basis, with some members present in person and others joining remotely, and the meetings have been broadcast live.

## **2.1 Dispensation Applications**

There have been no applications for dispensations during the reporting period in accordance with the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 and Section 81(4) of the Local Government Act 2000.

Standards Committee are able to grant special dispensation for individual members to speak and/or vote on a particular matter where they would otherwise be disqualified because of a “personal interest” under the Code.

## **2.2 Local Resolution Protocol**

In accordance with the recommendations of the Minister for Local Government and the Ombudsman, the Council has adopted an internal procedure for dealing with “low-level” member/member and officer/member complaints that are not sufficiently serious as to warrant formal investigation and sanction.

It was agreed that the Monitoring Officer would periodically update the Committee on the numbers and types of complaints determined at officer level under Stages 1 and 2 of the Protocol but maintaining the anonymity of both the complainant and the Councillor concerned.

No complaints were formally determined under Stages 1 and 2 of the Protocol and no complaints were referred to Standards Committee under Stage 3 during the reporting period.

One Voice Wales has developed a similar Local Resolution Protocol for community councils, in conjunction with the Ombudsman, and further guidance has been provided. The responsibility for resolving these minor complaints rests with the community council clerk, the Chair and Vice-Chair. The Monitoring Officer and Deputy Monitoring Officer will continue

to provide advice and assistance to community council clerks in relation to the local resolution of minor complaints.

### **2.3 Succession Planning**

In accordance with the Standards Committee (Wales) (Amendment) Regulations 2006, independent members are appointed for a period of four years, but they can be re-elected for a second term of office. However, after a consecutive period of 8 years' service, their term of office automatically comes to an end.

There have been no changes to the independent members of the Standards Committee during the reporting period and John Davies continues to serve as the community council representative. Councillors Paul Cockeram, Farzina Hussain and David Fouweather continue to serve on the Committee as elected member representatives.

Andrew Mitchell continues to serve as the independent Chair of Standards Committee and Kerry Watkins continues as the Deputy Chair.

### **2.4 Group Leaders duty**

Section 52A(1)(a) of the 2000 Act (as amended by the 2021 Act) requires that a leader of a political group consisting of members of a county council or county borough council in Wales, must take reasonable steps to promote and maintain high standards of conduct by the members of the group. A "group" for this purpose is defined as 2 or more members who give notice to the Proper Officer that they wish to be treated as a group for the purposes of political balance requirements and the allocation of seats on Council Committees. It should be noted that opposition Group Leaders are only entitled to receive a senior salary under the IRP determinations if their group represents not less than 10% of the overall Council membership (which means a minimum of 6 Councillors, as from May 2022, when the Council was increased to 51 members). The guidance makes it clear that this duty does not make leaders of a political group accountable for the behaviour of their members, as conduct is a matter of individual responsibility. However, they do have a role in taking reasonable steps in maintaining standards, setting an example, using their influence to promote a positive culture, being proactive in promoting high standards of conduct in their group and addressing issues as soon as they arise. A leader of a political group who fails to comply with the new duty in a meaningful way, may potentially be regarded as bringing their office into disrepute, and likely to be in breach of the Code.

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

The guidance also suggests that the Standards Committee may wish to meet with group leaders periodically to review behaviour.

In November 2022, the Standards Committee met with leaders of all four political groups on the Council – Labour, Conservative, Newport Independents Party and Lliswerry Independents group –, to agree how this duty should be monitored and the nature and frequency of the information that should be submitted to the Committee. We discussed the following matters: -

- demonstrating personal commitment to and attending relevant development or training around equalities and standards;
- encouraging their group members to attend relevant development or training around equalities and standards;
- demonstrating personal commitment to and attending relevant development or training around equalities and standards;
- encouraging group members to attend relevant development or training around equalities and standards;
- ensuring nominees to a Committee have received the recommended training for that Committee;
- working to implement any recommendations from the Standards Committee about improving standards;
- working together with other group leaders, to collectively support high standards of conduct within the Council.

Group Leaders were invited to attend the Committee in April 2023 to share updates with the Committee concerning the learning and development activities completed by their members, including that which relates to the standards and behaviour expected from members under the Code of Conduct. Group Leaders were invited to present to the Committee, and to provide a written update summarising these points. The Committee looks forward to this opportunity to find out more about the steps that the Group Leaders are taking to promote and maintain high standards of ethical conduct within their respective groups.

(c) Ombudsman's Annual Report

The Ombudsman's Annual Report is issued in the months following the end of the financial year. This will be tabled for discussion at the Committee following receipt and be considered as part of the next Annual Report.

## **2.5 Ombudsman complaints**

The Ombudsman advises the Monitoring Officer of complaints made against elected members of Newport City Council and community councillors and the outcome. The Monitoring Officer updates the Committee at each meeting about the numbers of on-going complaints being referred to and considered by the Ombudsman's office. This information is provided on a general basis, without disclosing precise details of individual complaints, to avoid any issues about pre-determination in case the complaints are reported to the Standards Committee for determination.

The Committee was advised that 1 complaint was referred to the Ombudsman during the reporting period about a City Councillor and 1 further complaint was determined by the Ombudsman as requiring a referral to the Adjudication Panel for Wales.

The only complaint regarding a City Councillor concerned a failure to respond to telephone calls made by a professional acting on behalf of the complainant. The Ombudsman declined to investigate the matter on the basis that insufficient evidence had been provided of a breach and it was unlikely to be in the public interest to investigate the matter further.

The decision by the Ombudsman to refer a complaint to the Adjudication Panel for Wales relating to the criminal conviction of the form Councillor Chris Evans and a decision from the Panel is awaited during the reporting period.

### 3. Forward Work Programme for 2022/23

Date	Topic	Information
As and when applications received  Review annually	Dispensations	Granting individual and blanket dispensations to Councillors.  Reviewing decisions annually to identify common issues and consistency of approach.  Produce guidance to Members on any issues arising.
As and when required	Local Resolution Protocol complaints	Update of numbers of complaints received and outcomes.  Update on complaints resolved through Local Resolution Protocol
Quarterly	Complaints of Misconduct	Conducting hearings into any Stage 3 complaints by Members or Officers  .
April 2023	Group Leaders Discussion	Review compliance by leaders of political groups on the Council with their duties under section 52A of the 2000 Act to take reasonable steps to promote and maintain high standards of conduct by the members of their groups, and to co-operate with Standards Committee in the exercise of these functions.

		Advising, training, or arranging to train leaders of political groups about matters relating to those duties, as necessary
April 2023	National Standards Committee Forum Feedback	Chair to share highlights of the inaugural meeting of the Forum which will consist of all local government organisations in Wales with 4 monitoring officers in attendance at any one time from principal councils, a monitoring officer from the Fire Service and one from the National Park Authorities.
April 2023	Code of Conduct and General Member Training Update	Under the Council's Constitution, the Standards Committee is required to promote and maintain high standards of conduct by councillors. This includes ensuring that members have access to training regarding the Members' Code of Conduct. Ensuring that members have access to a reasonable level of training and development. falls under the remit of the Cabinet Member for Education and Early Years, and the Democratic Services Committee. This information only report includes an update on training conducted since local elections in May 2022 until December 2022.
July 2023	Penn Report	Verbal update.
July 2023	Community Council Support	Verbal update.
October 2023	Annual Report to Council	This tenth Annual Report covers the period from December 2022 to March 2023 and follows on from the last report presented to Council in November 2022 as the statutory report needs to be in relation to the previous financial year. In order to support this change, this report considers a brief period of time that spans from the time of presenting the last report, to the end of the last financial year. In terms of the future work programme, it may be advisable to bring the annual reporting year more into line with the financial year and presenting this report earlier in the year.

		<p>Review of work undertaken in the shorter reporting period, identifying any specific ethical standards issues facing the Council and priorities for the forthcoming year. This is a statutory requirement.</p> <p>The statutory report must describe how the Committee's functions have been discharged during the period and must include a summary of any reports, actions or recommendations made or referred to the Committee.</p> <p>In addition, the Annual Report must include an assessment of the extent to which leaders of political groups on the Council have complied with their new duties to promote and maintain high standards of conduct within their groups.</p> <p>Copies of the Annual Report must be sent to the ombudsman and all community councils.</p>
October 2023	Group Leaders Discussion	<p>Review compliance by leaders of political groups on the Council with their duties under section 52A of the 2000 Act to take reasonable steps to promote and maintain high standards of conduct by the members of their groups, and to co-operate with Standards Committee in the exercise of these functions.</p> <p>Advising, training, or arranging to train leaders of political groups about matters relating to those duties, as necessary</p>
October 2023	Welsh Government Statutory and Non-statutory Guidance for Principal Councils in Wales (including guidance on standards of conduct)	To update the Committee in relation to the final Statutory Guidance issued by the Welsh Government which was previously reported during the consultation process in March 2022
January 2024	Community Council Review - review of Code of Conduct Compliance and Register of Interests	Check that statutory registers are being properly maintained and procedures for declarations have

		<p>been completed by community councils, following the elections</p> <p>Engage with community councils to ensure compliance and to identify any training and development needs.</p>
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**4. Helpful Information**

**4.1 Can I attend Meetings of the Standards Committee?**

Yes, all our meetings are open to the public, except for specific items where personal or confidential information is likely to be disclosed and the public interest requires that these meetings are conducted in private, for example hearings into misconduct complaints

Dates of forthcoming meetings, agendas, reports and minutes are available on our own webpage on the Council website which can be accessed by clicking here: [Standards Committee Webpage](#)

**4.2 Who do I contact if I want to know more?**

If you wish to find out more about the Standards Committee or make a comment or suggestion, please visit our website: [Standards Committee Webpage](#) where you will find an online contact form or email us at [info@newport.gov.uk](mailto:info@newport.gov.uk)

Andrew Mitchell  
Chair of the Standards Committee

Liz Bryant  
Head of Law and Standards

Leanne Rowlands  
Democratic and Electoral Services Manager

Anne Jenkins / Taylor Strange  
Governance Officers