



RHONDDA CYNON TAF COUNCIL STANDARDS COMMITTEE

Minutes of the Hybrid meeting of the Standards Committee held on Tuesday, 5 September 2023 at 10.30 am.

This meeting was live streamed, details of which can be accessed [here](#)

Standards Committee Members in attendance:-

Independent Members in attendance:-

Mr D Bowen (Chair)
Mrs H John.

County Borough Councillor in attendance:-

Councillor A Ellis

Community Councillor in Attendance:

Mr C.A.Thomas

Officers in attendance:-

Mr A Wilkins, Director of Legal Services and Democratic Services (Monitoring Officer)

1 Apologies

Apologies for absence were received from Independent Member J Thomas and County Borough Councillor G Hopkins.

2 Welcome

The Chair welcomed all Members to the Committee and took the opportunity to advise Members that Community Councillor C.A Thomas was now the substantive Community Councillor for the Committee following the resignation of Community Councillor L Law from Hirwaun and Penderyn Community Council. The Chair formally welcomed Community Councillor Thomas and also thanked Community Councillor Law for her valuable input and experiences that she brought to the Committee during her term of office.

3 Declaration of Interest

In accordance with the Council's Code of Conduct, County Borough Councillor A Ellis declared the following personal and prejudicial interest in respect of Agenda Item 5 "I am the Chair of the Community Council referenced in the report and provided evidence in respect of the investigation". The Member advised that she would remain in the meeting due to exemption 12 (3)(a)(ii) of the Code of Conduct but would not comment on the item.

4 Minutes

It was **RESOLVED** to approve the minutes of the 24th April 2023 as an accurate reflection of the meeting.

5 STANDARDS COMMITTEE WORK PROGRAMME

The Monitoring Officer provided Members with the Standards Committee's Work Programme and the proposed items for consideration by the Standards Committee during the Municipal Year 2023-2024.

The Committee were reminded of the Standards Committee's Terms of Reference, which set out the remit of the Committee to monitor, review and advise on matters relating to the Ethical Code, Members Code of Conduct and associated matters of governance and probity.

Members' attention was drawn to Appendix 2 of the report, where the draft Work Programme for the Committee for the Municipal Year 2023-2024 was detailed. The Work Programme sought to reflect the ongoing priorities, standard reports and the frequency of reporting for the Committee's consideration.

Following discussions, the Standards Committee **RESOLVED**:

- i. To approve the Work Programme for the Municipal Year 2023-2024, as set out in Appendix 2 to the report

6 MOCK CODE OF CONDUCT HEARING TRAINING

The Monitoring Officer provided Members with an oral update in respect of the Mock Code of Conduct training that was delivered to Members of RCT and Merthyr Tydfil CBC Standards Committee during July 2023. The Monitoring Officer commented that the feedback following the training had been positive and provided Members with useful insight into the process and considerations if such a hearing was required in the future.

Members of the Committee welcomed the training that was delivered and spoke positively of the knowledge base now obtained following the Mock Hearing. Members spoke of future training opportunities which the Monitoring Officer agreed to provide, as and when appropriate.

Following discussions, the Committee **RESOLVED**

- i. To note the update.

7 PUBLIC SERVICES OMBUDSMAN FOR WALES - SUMMARY OF COMPLAINTS AGAINST MEMBERS AND INVESTIGATION OUTCOME - 1ST APRIL 2023 - 29th AUGUST 2023

The Monitoring Officer provided the Standards Committee with a summary of complaints made against Members and submitted to the Public Services Ombudsman for Wales (the 'Ombudsman') for the period 1st April 2023 – 29th August 2023.

As part of the report, details of the results of two investigations completed by the Ombudsman in relation to alleged breaches of the Code of Conduct at Ynysybwl & Coed-Y-Cwm Community Council were also provided. Members were informed that based on the circumstances of each complaint and Ombudsman findings it was determined not to be in the public interest for any further action to be taken in relation to the complaints.

It was **RESOLVED**:

- i. To note the contents of the report and provide any comments/feedback on the complaints received by the Ombudsman during the period 1st April 2023 – 29th August 2023;
- ii. To note the summary of two investigations completed by the Ombudsman in relation to alleged breaches of the Code of Conduct, attached at appendices 1 and 2 to the report.

8 PUBLIC SERVICES OMBUDSMAN FOR WALES - RECENT INVESTIGATION OUTCOMES - 'OUR FINDINGS'

The Monitoring Officer provided Members with the summary of investigation outcomes concerning alleged breaches of the Members' Code of Conduct as published by the Public Services Ombudsman for Wales (PSOW) on the 'our findings' section of her website for the period 1st April 2023 – 29th August 2023.

Members were reminded that the PSOW considers complaints that members of Local Authorities in Wales have breached the Code, and were reminded of the four findings the PSOW can arrive at:

- (a) that there is no evidence of breach;
- (b) that no action needs to be taken in respect of the complaint;
- (c) that the matter be referred to the authority's Monitoring Officer for consideration by the Standards Committee;
- (d) that the matter be referred to the President of the Adjudication Panel for Wales (the APW) for adjudication by a tribunal.

Furthermore, it was noted that occasionally an investigation may be discontinued, where circumstances change during the course of an investigation and it is considered that it would not be in the public interest to continue to investigate.

The Monitoring Officer provided a summary of the 3 investigation outcomes to the Committee during the specified period and Members of the Committee commented on the inconsistency of the outcomes noted between each investigation.

Following discussions, it was **RESOLVED**:

- i. To note and consider the contents of the summary of investigation outcomes concerning alleged breaches of the Members' Code of Conduct for the period 1st April – 29th August 2023.

9 ADJUDICATION PANEL FOR WALES - RECENT TRIBUNAL DECISIONS

The Monitoring Officer outlined the report for Members consideration, providing detail of the recent decisions made by the Adjudication Panel for Wales (APW). Members were referred to the appendices of the report, which detailed a number of APW decision notices, that had been issued following the conclusion of the cases.

Members discussed aspects of the decisions taken forward and sought clarification in respect of the disqualification of a Councillor following such decisions and the potential for any re-election, to which the Monitoring Officer responded.

Following discussions it was **RESOLVED**:

- i. To note the recent decisions made by the Adjudication Panel for Wales (as appended to the report).

10 NATIONAL STANDARDS FORUM - FEEDBACK FROM MEETING HELD ON 30TH JUNE 2023

Members were provided with feedback from the meeting of the National Standards Forum by the Chair and Monitoring Officer, following their attendance at the meeting on the 30th June 2023.

The Chair reminded Members that the Forum looks to help to raise standards across all authorities in Wales, by sharing best practice.

It was **RESOLVED**:

- i. To note the feedback from the meeting of the National Standards Forum held on 30th June 2023.
- ii. To advise the Chair whether there were any items the Committees wishes to put forward as suggestions for consideration by the National Standards Forum at its future meetings

11 ANNUAL REPORT 2022 - 2023

The Monitoring Officer presented for Members comment and agreement the draft Annual Report for the Committee for the 2022 – 2023 Municipal Year, advising Members that the publication of an Annual Report was a form of good practice which the Committee had undertaken over numerous years, and which was now a statutory requirement.

Members of the Committee agreed that the report provided an informative summary of the work of the Committee during the Municipal Year and took the opportunity to thank the Monitoring Office for his advice and guidance to the Committee.

Following discussions it was **RESOLVED**

- i. To adopt the Annual Report for the Standards Committee for the 2022 – 2023 Municipal Year.

This meeting closed at 11.15 am

**Mr D Bowen
CHAIR.**