



**RHONDDA CYNON TAF**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**STANDARDS COMMITTEE**

**19 NOVEMBER 2021**

**MEMORANDUM OF UNDERSTANDING**

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION.**

**1. PURPOSE OF REPORT**

The purpose of the report is to provide Members with a draft Memorandum of Understanding for Members comment and feedback to the Democratic Services Committee before its presentation to full Council.

**2. RECOMMENDATIONS**

2.1 It is recommended that Members:

- (i) Consider and comment on the draft 'Memorandum of Understanding' attached as appendix A and to agree for this to be reported back to the Democratic Services Committee, before endorsement by full Council.

**3. BACKGROUND**

- 3.1 The statutory framework for the conduct of Members is set under Part 3 of the Local Government Act 2000. Under powers granted in the Act, the National Assembly for Wales (now Senedd Cymru) made an order specifying principles governing the conduct of Members ('the Principles of Conduct' SI 2001/2276); and issued a model code regarding the conduct expected of Members, reflecting the Principles of Conduct. The model statutory code has been adopted by Rhondda Cynon Taf County Borough Council, without variation, and is enshrined, as the Members' Code of Conduct, within the Council's Constitution. Members must comply with the duties set out in the Members' Code of Conduct. Sanctions may be imposed on any Member found to be in breach of the Code.
- 3.2 The Democratic Services Committee have proactively been undertaking work to promote and encourage diversity in democracy through the Diversity in Democracy Working Group.

- 3.3 At the meeting of the Democratic Services Committee on the [10<sup>th</sup> May](#) Members received and supported the interim report of the Diversity in Democracy working group and its resulting recommendations.
- 3.4 Due to the importance of the work of the group and its links with the work of the WLGA in respect of 'Council's Diversity Pledges' the interim report was presented to Council for further endorsement and to raise the profile of the work undertaken.
- 3.5 Members of the Council endorsed the 16 recommendations outlined by the working group and also committed to becoming a Diverse Council.

#### **4 MEMORANDUM OF UNDERSTANDING**

- 4.1 Within its interim report, the working group took forward a recommendation in respect of the creation of a 'Memorandum of Understanding'  
*"To consider introducing a 'statement of understanding' for Members outlining their duties as a Councillor including the need to have mutual respect within the Council Chamber."*
- 4.2 The intended outcome of the statement would be a demonstration of mutual respect to other people with varying political opinions and a show of working together for the benefit of its communities.
- 4.3 A draft Memorandum was presented to the Democratic Services Committee on the 27<sup>th</sup> September, to which Members agreed for its presentation to the Council's Standards Committee for further comment and feedback.
- 4.4 The Draft Memorandum is attached at appendix A for Committee Members' comments. The Memorandum would provide an opportunity for Members to publicly commit to using their term of office to work for the Council, the County Borough and its citizens, and to commit to the standards of conduct expected by the Council. Its considered its adoption would strengthen standards and ethical arrangements within the Council and would support and sit alongside the Council's Code of Conduct for Members, the Standards of Conduct Expected By Members Local Resolution Policy and Member-Officer Protocol.
- 4.5 Following comments from the Standards Committee the draft will be presented back to the Democratic Services Committee for final consideration before presentation to Council.

#### **5 EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY**

- 5.1 The work of the Democratic Services Committee Diversity working group looks to improve the equality and diversity across the County Borough and within the local democracy setting. The more representative of society and diverse our Councillors are the better understanding they will have of the needs of the local community and therefore are better equipped at carrying out their duties and responsibilities

## **8 WELSH LANGUAGE IMPLICATIONS**

- 8.1 Encouraging diversity within democracy includes promotion of all languages. The Council has positively promoted and supported bilingual engagement at Council meetings and provision of Committee materials.

## **9 CONSULTATION**

- 9.1 Diversity in Democracy Working Group.
- 9.2 Democratic Services Committee – 27<sup>th</sup> September 2021

## **10. FINANCIAL IMPLICATION(S)**

- 10.1 None

## **9. LEGAL IMPLICATIONS**

- 9.1 The Local Government and Elections (Wales) Act 2021 outlines a number of duties placed on Local Authorities in respect of the diversity agenda.

## **10. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.**

- 10.1 The work of a Councillor is fundamental to the Council's Corporate plan, as Councillors are the mouthpiece for the communities that they serve.
- 10.2 Ensuring that there are greater opportunities for a more diverse democracy across RCT links to the Wellbeing of Future Generations goals of a more equal Wales and a Wales of cohesive communities

## **11 CONCLUSION**

- 11.1 Trying to achieve a diverse culture is challenging and the Democratic Services Committee working group have, in a short period of time, already identified potential barriers that may dissuade members of the public to stand as a candidate for election.
- 11.2 As a Council we need to ensure that any perceived barriers are eradicated and instead celebrate and promote the rewarding experiences of becoming a Councillor.
- 11.3 Ensuring Members have a clear understanding of their roles and behaviour in and outside of the Council Chamber is paramount to ensuring a safe and inclusive working environment for all.

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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