



RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

18 NOVEMBER 2022

NATIONAL FORUM FOR STANDARDS COMMITTEE CHAIRS – DRAFT TERMS OF REFERENCE

REPORT OF THE MONITORING OFFICER

1. PURPOSE OF REPORT

To update Members in respect of the National Forum for Standards Committee Chairs and consider the Forum's draft Terms of Reference.

2. RECOMMENDATIONS

- 2.1 It is recommended the Committee agrees the National Forum's draft Terms of Reference as set out in Appendix 1 to the report; and
- 2.2 That the proposed arrangements to support the National Forum are approved.

3. BACKGROUND

- 3.1 The Penn report commented on the variety of practice across Wales in how Standards Committees discharge their duties. At paragraph 4.4.1 the report says:

"I was struck by the variation in the way that Standards Committees in Wales see their remit and at the role played by the Independent Chairs of Standards Committees. At the one extreme Standards Committees and their Independent Chairs seem to have either been given or have adopted a very limited role, meeting infrequently and only really active when there is a hearing of a case referred by the Public Services Ombudsman for Wales. At the other extreme there are Standards Committees and Chairs that see their remit much wider than this, and as leading the development and maintenance of the ethical standards framework in that local authority."

Richard Penn, the report author, then went on to comment positively upon the work of the forum for Chairs of Standards Committees in North and Mid Wales. Whilst acknowledging the place for local decision making, he recommends that a National Forum be established along the same lines - see paragraph 4.4.5

“I attended a meeting of this Forum and had a very useful exchange with the Chairs and Monitoring Officers who attended. Although a Forum for the Chairs of Standards Committees in South Wales no doubt would serve a similar purpose in the facilitation of exchange of information and experiences about the work of Standards Committees in that part of Wales, I suggest that there should be an all-Wales Forum ... would encourage consistency of approach and the adoption of best practice across Wales.”

3.2 The National Forum will

- a) give Standards Committee Chairs the chance to share and agree to co-ordinate practice;
- b) act as a sounding board for ideas;
- c) create a support network for Chairs and Committees.

3.3 It will not be a formal joint committee and so will not be able to make binding decisions on behalf of the constituent Councils. Instead, each Standards Committee will retain primacy. Where an idea for common action is proposed, each Committee will need to agree to act in accordance with whatever consensus has been established within the forum.

3.4 The body will consist of 28 constituent authorities at the outset. A new National Park Authority is planned and there are 4 newly formed Corporate Joint Committees which must have a Standards Committee, who may also wish to join. If constituent authorities sent any more than one representative, then the meetings would be unwieldy. Therefore, each authority will be allowed a single representative who may nominate a deputy to attend in their absence. Monitoring Officers will send one representative per region.

3.5 Previously the North and Mid Wales Forum would meet in person on a peripatetic basis being hosted by each authority in turn. For the time being meetings are likely to be held remotely (which would save travel) but if they resumed meeting in person then a central location would need to be found. Typically, this would mean meeting in or near Llandrindod Wells.

3.6 Draft Terms of Reference are attached at Appendix 1 which also include proposals for how the work of the forum will be supported.

4. **LEGAL IMPLICATIONS**

4.1 There are no legal implications arising from this report.

5. **CONSULTATION**

5.1 All Standards Committees have been consulted on this proposal previously.

6. EQUALITY AND DIVERSITY IMPLICATIONS

6.1 There are no equality and diversity implications arising from this report.

7. FINANCIAL AND RESOURCE IMPLICATIONS

7.1 The secretariat support for the Forum is being provided by WLGA which will minimise impact on council resources. Further the working arrangements for the Forum have been designed to fit into existing structures such as meetings of LLG and so will need little extra resource

8. CONCLUSION

8.1 The Penn Report on the Review of the Ethical Regime in Wales (“the Penn Report”) commented on the variety of practice across Wales in how Standards Committees discharge their duties. It recommended that a National Forum for the Chairs of Standards Committees should be established modelled on the forum that exists in North and Mid Wales.

8.2 All authorities in Wales have agreed to create a National Forum to share practice. Draft terms of reference for the forum have been prepared by the Monitoring Officers Group of Lawyers in Local Government (“LLG”) for agreement.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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BACKGROUND PAPERS

Freestanding Matter

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