

**STANDARDS COMMITTEE**

**18<sup>TH</sup> NOVEMBER 2005**

**DIRECTORATE OF FINANCE AND CORPORATE SERVICES**

**REPORT OF THE HEAD OF LEGAL SERVICES  
- C.A.JOHN**

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**STANDARDS COMMITTEE – 18<sup>th</sup> NOVEMBER 2005**

**REPORT OF THE MONITORING OFFICER**

**1. Grant/Regrant of Dispensations under The Code of Member Conduct**

**1.A Local Councillors as School Governors**

At the time of writing this report I have not received any applications for general dispensations for Councillors or Members of School Governing Bodies.

**1.B Specific Member Applications for Dispensation**

At the time of writing this report I have not received any specific applications from Councillors or other co-opted Members of Boards for grant of dispensations.

**1.C Additional Applications made after issue of this Report**

With respect to 1.A or 1.B above, any applications received after publication of this Report will be tabled at Committee to be dealt with under the Chairpersons discretion for dealing with urgent items.

**2. Adjudication Panel for Wales – Annual Report 2004-2005 (See Appendix 1 hereto)**

I circulate a copy of the Adjudication Panel for Wales Annual Report 2004–2005 in the format of a letter dated 5<sup>th</sup> July 2005 for Standards Committee to formally receive and note.

**Recommended**

This Report is for information purposes only.

3. **Ombudsman – Public Services Ombudsman For Wales – The Annual Report 2004/2005 (See Appendix 2 hereto)**

I enclose herewith the above Report for Members consideration and for Members to make recommendations to Council relative to any matters contained therein.

**Recommended**

Committee to make such recommendations to Council as they see fit following upon their consideration of matters contained within the said Report.

4. **Consultation on the Proposed Amendments to The Standards Committee (Wales) Regulations 2001 SI 2001/2283 (“the Regulations”) (Annex A hereto refers)**

I enclose herewith a copy of the consultation document for Members to consider and comment on. Feedback received from Members to date plus my own views indicate that:

Of paragraphs 1 and 2 there is no objection to the proposals.

Of paragraph 3 there is wide support for enabling independent Members to serve 2 terms. A maximum of 12 years is hence suggested. I believe in England the maximum is 10 years. One of your Members has suggested 8 years. I would like Committee’s formal views on this.

Of paragraph 4 – which removes the conflict between Section 22 and Section 24 – the attendance of the ‘Chairperson’ at meetings – the amendment is sensible and necessary.

Of paragraph 5 – the exempt information provisions – there are no objections to the proposal.

Of paragraph 6 – establishment and membership of sub-committees – a maximum of 3 members including an independent as chair has been suggested to me.

Of paragraph 7 – delegation to sub-committee to deal with grants of dispensation – I agree with the views expressed by the Welsh Assembly Government.

Of paragraph 8 – again I believe the legal position is as stated by the Welsh Assembly Government. I comment that I personally would only support Monitoring Officers having limited delegation to deal with dispensations – specifically as determined by their own Committees. I feel that for most specific dispensation applications the benefit of independent scrutiny with the degree of detachment it brings to Committee’s consideration of these issues by independent Members is of great value especially to better consider what public opinion may be relating to issues debated.

Of paragraph 9 – appointment to Standards Committee to be made directly by an independent panel – there is general support for this view.

### **Recommended**

That Members consider the above and formalise their views for the same to be transmitted to the Welsh Assembly Government.

### **Officer Contact**

For further information on this report please contact:-

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