

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

9th September 2024

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – MR C GRIFFITHS

Matter for Decision

Wards Affected: All

Town and Community Council Code of Conduct Matters

Purpose of the Report

1. To draw to Members attention the role of the Neath Port Talbot County Borough Council's ("the Council") Standards Committee and to consider the results of a recent town and community council survey.

Background

2. Part III of the Local Government Act 2000 introduced a new Ethical Framework for Councils. As part of this framework, the Council has a Standards Committee. This Committee is also responsible for standards functions in relation to the Town and Community Councils (and their Members) in the area of the County Borough Council.
3. Another critical part of the Ethical Framework is the Code of Conduct for Members. One of the functions of the Standards Committee is to assist the Council and the Town and Community Councils in securing compliance with the Code.
4. To ensure the Standards Committee can fully discharge its function in respect of Town/Community Councils, the Monitoring Officer suggested that it would be wise to obtain some updated conduct related information from each Town/Community Council, which can form the basis of discussion at the next Standards Committee and also to allow members of the Standards Committee to determine what specific areas they would like to consider as part of their forward work programme.
5. To that extent a questionnaire was produced which is annexed to this report at Appendix 1 and issued to all town and community councils. Only 4 responses out of the 16 Town and Community Councils were received.

Financial Impact

6. There are no financial impacts associated with this Report.

Integrated Impact Assessment

7. There is no requirement to undertake an integrated impact assessment for this report.

Workforce Impacts

8. There are no workforce impacts associated with this Report

Legal Impacts

9. The Standards Committee is governed by the obligations set out in the Local Government Act 2000 and its composition and running is as set out in the Standards Committee (Wales) Regulations 2001.

Consultation

10. There is no requirement under the Constitution for external consultation on this item.

Recommendations

11. That Members discuss the findings from the survey undertaken of Town and Community Councils and consider what steps the Standards Committee would wish to embark on to provide further support.

Reason for Report

12. That Members of the Standards Committee are aware of the remit of the Standards Committee and the legislative background in which the Standards Committee operates

Appendices

13. Appendix 1 – Draft Questionnaire to Town/Community Councils and results

List of Background Papers

14. The Constitution of Neath Port Talbot County Borough Council

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

Responses

<p>Have all members received Code of Conduct training?</p> <p>In what format did this training take?</p> <p>If not all members have had training please indicate the number of members who have not and what training opportunities are afforded to them?</p>	<p>2 authorities confirmed all members had received training and 2 confirmed that not all members had received training.</p> <p>Training took place in different formats:</p> <ul style="list-style-type: none"> • Online training via One Voice Wales • From NPTCBC Monitoring Officer • Links to online resources • Direct discussions with clerk and attendance at County Borough Council training <p>Comments received included:</p> <ul style="list-style-type: none"> • 6 of 14 have received training, 2 were unable to connect to training rest are new members and will do the course soon • 4 members have not had training but have received the presentation in paper form. Additionally all Members who were not able to attend that training session were given verbal updates by the Clerk. • 14 Members as part of basic induction, 4 Members directly through OVW, 4 Members possibly through NPT CBC • Members are provided with the code at the beginning of the term and are reminded to review the code annually - They are not required to confirm compliance
<p>What specific Code of Conduct training has been provided to Members in the year 2023-2024 and what has been the take up of such training (if information is available)?</p>	<p>See above</p>
<p>How many complaints concerning Members conduct have been referred to you as Clerk in the year 2023-2024?</p>	<p>Of the 4 authorities who submitted a return all indicated that they had received one or two informal complaints.</p>
<p>How many complaints concerning a breach of the Code of Conduct have been made to the Public Service Ombudsman for Wales in respect of your members in the year 2023-2024 that you are aware of?</p>	<p>The responses indicated that none of the informal complaints were investigated by the Public Service Ombudsman for Wales</p>
<p>How many declarations of interest have been made in Council meetings during the year 2023-2024?</p>	<p>Responses confirmed that members of the Town and Community Council routinely declared interests. However, it was commented that The DoI numbers we provide won't reflect the position</p>

	accurately. NPTCBC employees always declare an interest if there is an NPTCBC subject reference and are temporarily removed. Members who are associated with community groups will do the same. The figure is high as any references to Planning in particular (at every meeting) and community group work (at every meeting) Members will be removed for that conversation.
How many of your members have sought dispensation to speak upon matters which they have a prejudicial information in the year 2023-2024	All 4 responses confirmed no dispensations had been sought.
Has your Council adopted a training plan for its members as required by the Local Government and elections (Wales) Act 2021	All 4 responses confirmed yes.
If the Answer to Q.8 is YES, has the training plan been published on your Council's website	All 4 responses confirmed yes.
If the answer to Q.8 is No, when will the Council be adopting a Training Plan?	N/A
If the Answer to Q.8 is YES, does the training plan require members to undertake code of conduct training	3 responses confirmed yes and 1 response said no
Has your Town/Community Council signed the Town and Community Councils, Civility and Respect Pledge?	2 responses confirmed yes and 2 responses confirmed no
If yes, when was this signed	1 response confirmed it was signed in March 2023, 1 response confirmed it was signed in April 2024 and 2 responses confirmed it will be considered in due course.
If the Answer to Q.13 is NO, do you intend to sign the Pledge?	Of the 2 responses who had not signed both indicated they would give consideration to signing.
If member's behaviour is contrary to that pledge, how do you address it	Responses included: <ul style="list-style-type: none"> Initially, on an informal basis by calmly asking members to treat each other with dignity and respect and perhaps follow up with a friendly chat/email. Usually with a conversation at the time (in a meeting) by the Chair and if considered necessary, the Leader and Clerk will then follow up with another conversation. Internally in the first instance, we have a Local Resolution Protocol, advice from Monitoring Officer and OVV Mayor informed of the issue. Clerk to discuss issue with individual Councillor - Always making reference to Code of Conduct and now the Civility and respect pledge If Councillor not willing to alter

	behavior then advice would be taken from NPT Legal department
Do you feel there is any additional support the Standards Committee could provide your Town/Community Council?	2 responses indicated: <ul style="list-style-type: none">• Happy with the arrangements we have, but perhaps a bit more clarity as to when their role would be most applicable.• NPT Legal department (Craig) is extremely helpful in obtaining a way forward when issues of these arise (thankfully rarely) - A discussion with the Councillor is usually sufficient to alter behaviours