

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

27 January 2021

REPORT OF THE HEAD OF LEGAL SERVICES – MR C GRIFFITHS

Matter for Decision

Wards Affected: All

Town and Community Council Code of Conduct Matters

Purpose of the Report

1. To highlight to members the response received from Town and Community Council to a questionnaire on standards matters.

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. Members have been invited to attend Town/Community Council meetings in recent months in order to observe Town/Community Councils and the views of members of the Standards Committee will be discussed at the Standards Committee of the 6th March 2020 as part of this report.
5. Nevertheless to ensure that the Standards Committee can fully discharge its function in respect of Town/Community Councils, the Monitoring Officer is of the view that it would be wise to obtain some 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.

6. At the Standards Committee meeting of the 6th March 2020, members agreed a questionnaire be issued to all Town and Community Councils to request information on their approach to various matters. Emails were then forwarded to Town and Community Council clerks on the 10th March 2020 and followed up by emails on the 15th June 2020 and 18th September 2020.
7. 5 responses were received and the below sets out a summary of the answers provided:

Questions	Answers Provided
Have all members received Code of Conduct training?	<p>3 of the 5 Councils confirmed all members had received in house training from One Voice Wales and refresher courses had recently been held for any new members who had been appointed.</p> <p>2 of the 5 Councils added that not all members had been trained. Although training had been offered (both in person and via on-line resources), not all members had chosen to participate in this.</p>
In what format did this training take?	All Councils confirmed training took place via One Voice Wales, On-line resources and refresher courses held by Clerks.
If not all members have had training please indicate the number of members who have not and what training opportunities are afforded to them?	2 of the 5 Councils added that not all members had been trained. Although training had been offered (both in person and via on-line resources), not all members had participated in this.
How many complaints concerning Members conduct have been referred to you as Clerk in the year 2019-2020?	<p>3 of the 5 confirmed that no referrals had been made.</p> <p>2 of the 5 confirmed that they have seen 2 referrals.</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 2019-2020 that you are aware of?</p>	<p>3 of the 5 confirmed that no referrals had been made.</p> <p>2 of the 5 confirmed that they have seen 2 referrals.</p>
<p>How many declarations of interest have been made in Council meetings during the year 2019-2020?</p>	<p>Councils confirmed that the number varied on a given year but for each Council who responded, the figures:</p> <p>35 14 1 31 7</p>
<p>How many of your members have sought dispensation to speak upon matters which they have a prejudicial information in the year 2019-2020</p>	<p>No Councils reported members seeking a dispensation</p>

Financial Impact

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

Integrated Impact Assessment

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

Workforce Impacts

10. There are no workforce impacts associated with this Report

Legal Impacts

11. 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

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

Recommendations

13. That Members discuss the findings from the questionnaire returns and identify areas of work for the Monitoring Officer to address with Town and Community Councils

Reason for Report

14. 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

15. Appendix 1 – Draft Questionnaire to Town/Community Councils

List of Background Papers

16. The Constitution of Neath Port Talbot County Borough Council

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