

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

STANDARDS COMMITTEE

7th September 2021

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

Matter for Information

Wards Affected: All

Code of Conduct Guidance by the Public Service Ombudsman for Wales

Purpose of the Report

1. To inform the Committee of a consultation on new guidance on the Members' Code of Conduct, issued by the Public Services Ombudsman for Wales ("the Ombudsman").

Background

2. Under section 68 of the Local Government Act 2000, the Public Services Ombudsman for Wales ('the Ombudsman') may issue guidance to relevant authorities on matters relating to the conduct of their members and co-opted members.
3. Under this statutory power, the Ombudsman has issued two separate sets of guidance on the Members' Code of Conduct – one for Members of Principal Councils and another for Members of Town and Community Councils intended to help Members to understand their obligations under the Code. The Ombudsman's guidance was last updated in 2016.
4. The revised guidance outlines Members' duties under the Code and explains the test applied by the Ombudsman when deciding whether to investigate an alleged breach of the Code. It also includes examples drawn from cases considered by the Ombudsman, local standards committees and the Adjudication Panel for Wales and reflects on issues of concern and recent trends.

5. The separate guidance for Members of Town and Community Councils is tailored to the different nature of the role that community councillors undertake in their communities.
6. Upon receipt of the guidance, copies were issued to all elected members in Neath Port Talbot County Borough Council and forwarded to Town/Community Council clerks for onward distribution to their members.

Financial Impact

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

Integrated Impact Assessment

8. There is no requirement for an integrated impact assessment for this report.

Workforce Impacts

9. There are no workforce impacts associated with this Report

Legal Impacts

10. Under section 68 of the Local Government Act 2000, the Public Services Ombudsman for Wales ('the Ombudsman') may issue guidance to relevant authorities on matters relating to the conduct of their members and co-opted members.

Consultation

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

Recommendations

12. That Members note the findings in the Public Service Ombudsman for Wales Code of Conduct Casebook

Appendices

13. Appendix 1 – Code of Conduct Guidance for Members of County Borough Council
Appendix 2 – Code of Conduct Guidance for Community and Town Councils

List of Background Papers

14. The Constitution of Neath Port Talbot County Borough Council incorporating the Members Code of Conduct

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