



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

STANDARDS COMMITTEE

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

11th April 2023

Matter for Decision

Wards Affected: All Wards

Group Leaders of Neath Port Talbot County Borough Council

Purpose of the Report:

1. To discharge the legal obligation on Standards Committees to ensure leaders of political groups take steps to promote and maintain high standards of conduct by members of their groups and agree methods of monitoring.

Background:

Duty on Group Leaders

2. The Local Government and Elections (Wales) Act 2021 (“the Act”) included some new obligations for Standards Committees. The Act imposes specific duties on political leaders to promote and maintain standards of conduct within members of their group, and to cooperate with the Standards Committee in the exercise of its functions. This requires leaders of political groups to take steps to promote and maintain high standards of conduct by members of their groups.
3. The duty does not make leaders of a political group accountable for the behaviour of their members as conduct must be a matter of individual

responsibility. However, they do have a role in taking reasonable steps in maintaining standards, setting an example, using their influence to promote a positive culture, being proactive in promoting high standards of conduct in their group and addressing issues as soon as they arise.

4. Reasonable steps the group leader *may* undertake include:
 - a. demonstrating personal commitment to and attending relevant development or training around equalities and standards;
 - b. encouraging group members to attend relevant development or training around equalities and standards;
 - c. ensuring nominees to a committee have received the recommended training for that committee;
 - d. promoting civility and respect within group communications and meetings and in formal council meetings;
 - e. promoting informal resolution procedures in the council, and working with the standards committee and monitoring officers to achieve local resolution;
 - f. promoting a culture within the group which supports high standards of conduct and integrity;
 - g. attend a meeting of the council's standards committee if requested to discuss Code of Conduct issues;
 - h. work to implement any recommendations from the Standards Committee about improving standards;
 - i. work together with other Group Leaders, within reason, to collectively support high standards of conduct within the council.
5. The purpose of the new duties is to build on and support a culture which is proactive, acts on and does not tolerate inappropriate behaviour.
6. A leader of a political group who fails to comply with the new duty in a meaningful way, may potentially be regarded as bringing their office into disrepute, and likely to be in breach of the Code.
7. A political group's internal disciplinary procedures remain a matter for that group or any associated political party's own rules on discipline. However, it is expected that the group leader will take reasonable steps to promote and maintain high standards of conduct by members within group communications and meetings as well as their 'public' conduct outside of the group setting.

- 8.** The provision imposes an additional function on the Standards committee to monitor political leaders' compliance, and to advise, train or arranging to train leaders of political groups about matters relating to the above duties. It is essential the leaders of a political group co-operate, and ensure the members within their group co-operate, with the monitoring officer and standards committee when an issue is referred to the standards committee.
- 9.** Leaders of a political group should build good relations, and work constructively with the monitoring officer, seeking advice from them and the standards committee on matters of behaviour and conduct when required, both promoting positive behaviours and addressing inappropriate ones. Group Leaders should also report compliance with their duty to the standards committee. This can take the form of a short letter or report at a frequency agreed by the political Group Leaders in the council and its standards committee. Group Leaders should also report any serious concerns about members' behaviour which have not been remedied by informal actions, in line with the requirement in the Code for councillors to report breaches.

Role of Standards Committee

- 10.** The functions of the Standards Committee include monitoring compliance by leaders of political groups with the new duty imposed on them to promote and maintain high standards of conduct by members of their group. A council's political Group Leaders and its standards committee should agree on the form and frequency of a report from each group leader to the standards committee to demonstrate how compliance with the duty is achieved. The standards committee should then consider each report and provide feedback to the Group Leaders. A standards committee must also provide advice and training, or arrange to train Group Leaders on the new duty. The Standards Committee may wish to meet with Group Leaders periodically to review behaviour.
- 11.** In the last year, the Standards Committee has met with all Group Leaders to discuss compliance with this duty and accordingly a method of ongoing monitoring now needs to be agreed.
- 12.** The Monitoring Officer has drafted a template based on the examples in the guidance to prompt Group Leaders on the matters to be covered in their reports. This is attached at Appendix 1.

13. So that the Standards Committee retains independence from operational matters it will ask Group Leaders to report once per year. However, if there are matters of importance during the year these can be reported to the Monitoring Officer who will inform the Standards Committee or which might be raised by the Standards Committee seeking assurance from Group Leaders. Group Leaders will prepare their report in time for the March meeting of the Standards Committee. The report will not mention specific cases and will refer to the type of actions undertaken.
14. The Standards Committee will meet with each group leader in private session to explore their report. The Standards Committee may also seek the view of the Monitoring Officer.
15. The Standards Committee annual report will then contain a short summary of steps taken to fulfill the duty, its opinion on whether sufficient has been done, and any future pieces of work that might be undertaken etc.

Financial Impacts:

16. No implications.

Integrated Impact Assessment:

17. An Integrated Impact Assessment is not required for this report.

Valleys Communities Impacts:

18. No implications

Workforce Impacts:

19. No implications

Legal Impacts:

20. There are no legal impacts associated with this report.

Consultation:

21. There is no requirement for external consultation on this item

Recommendations:

22. That Members agree the template compliance form included at Appendix 1 and consider any alternative ways they would wish to promote compliance with the legal duty on Group Leaders.

Appendices:

23. None

List of Background Papers:

24. None

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