

## AMENDMENT TO THE MODEL STANDING ORDERS

The model standing orders, paragraph 31 currently state the following:

### **31 Allegations of breaches of the code of conduct**

a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the Standards committee.

b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Standards committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.

d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Standards committee shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

- i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
- ii. Ensure that any background papers containing the information set out in standing order 29(a) above are not made public.
- iii. Ensure that the public and press are excluded from meetings as appropriate.
- iv. Ensure that the minutes of meetings preserve confidentiality.
- v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

e Standing order 29(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Standards committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

f The Standards committee shall have the power to:

- i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
- ii. seek and share information relevant to the complaint;
- iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

g References in standing order 29 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.'

**Please note that following discussions with the Public Ombudsman for Wales Paragraph 31 as stated above should be substituted with the following:**

31 Any breach or an alleged breach of the code of conduct by a Councillor must be referred to the Public Ombudsman for Wales who will provide advice and guidance as to how the matter should be dealt with.