

<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>14 June 2023</b>
<b>REPORT TITLE:</b>	<b>Local Resolution Protocol in the Town and Community Councils</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To provide information about how the Standards Committee is going to assist Town and Community Councils in an informal resolution process</b>
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## **1. INTRODUCTION AND BACKGROUND**

1.1 The previous Public Services Ombudsman for Wales (PSOW) introduced a threshold test for conducting investigations into alleged breaches of the code of conduct. This change applied to both county councillors and Town and Community councillors. The current Ombudsman [in post since April 2022], continues to use this “two stage test”.

1.2 County Councils were previously asked to each devise a local resolution protocol to deal with “low level disputes” alleging breaches of the code; with specific reference to disputes between councillors involving allegations of a failure to show respect / consideration.

This Council has recently adopted an updated local resolution protocol (LRP) for its elected and co-opted members [discussed under item 10 on the Agenda at the last Standards Committee meeting in December 2022; a link to the report is available [here](#)]. The process remains voluntary for individual councillors.

A link to the LRP was included in the Standards Committee Newsletter sent to members in March 2023.

1.3 Following a similar request being made by the PSOW for suitable, informal arrangements for Town and Community councils [TCCs], [One Voice Wales](#) (the principal organisation for community and town councils in Wales) devised and published a Local Resolution Protocol for TCCs which can be seen [here](#).

1.4 Whilst the One Voice Wales LRP is available for all TCCs to adopt, the Standards Committee has previously assisted TCCs (in an effort to support these councils) when circumstances fall outside the remit of that LRP. Such involvement has been at the discretion of the Chair of the Standards Committee.

1.5 As work has recently been done to assist County Councillors with a LRP, it is timely to consider developing a LRP which will complement the One Voice Wales LRP / that is useable when the OVW document cannot assist TCCs.

## 2. THE PROPOSAL

2.1 Previously, the Standards Committee has made it clear that it would expect the One Voice Wales LRP to be used by members and Clerks in TCCs. However, in limited circumstances, the Standards Committee will become involved.

2.2 A draft Town and Community Council Local Resolution Protocol is attached at **Enclosure 1**.

2.3 The proposed TCC LRP details that the Standards Committee will become involved, via the Standards Committee's Chair, upon request from the Chair or a Clerk of the town or community council or following a TCC resolution, and only in circumstances where the Standards Committee's Chair considers it would be beneficial, that resources/capacity permit and that the matter(s) of concern are within the terms of reference of the Standards Committee, specifically that they relate to matters of conduct.

## 3. OTHER AUTHORITIES

3.1 A request was made so ascertain the position of other Standards Committees in North Wales in relation to their involvement in assisting to restore relationships following disputes in their TCCs. Two responses were received and neither Council operate a separate LRP for the TCCs in their area; they only refer to the LRP developed by One Voice Wales.

## 4. THE PROCESS FOR OPERATING THE PROPOSAL

4.1 If the Standards Committee accepts the proposal put forward in this report, the workings of what is included in **Enclosure 1** (as amended, if required) will be shared with the TCCs in the next Standards Committee Newsletter.

4.2 Arrangements will be made for the independent members and the TCC representatives on the Standards Committee to undertake Mediation training, so as to assist them in relation to all their LRP duties.

## 5. RECOMMENDATION

5.1 For the Standards Committee to confirm:

5.1.1 its agreement to the draft Local Resolution Protocol, attached at **Enclosure 1** of this report, for use in the Town and Community Councils, and subject to this, for

5.1.2 the details of the LRP to be communicated to the Town and Community Councils in their next Newsletter by the Standards Committee.

## ENCLOSURE 1:

### **DRAFT** Local Resolution Protocol for the Town and Community Councils

1. The Standards Committee encourages all Town and Community Councils to adopt a Local Resolution Protocol [LRP] and suggests that Councils utilise the LRP published by One Voice Wales. A copy is available here.
2. In circumstances where the One Voice Wales LRP is not suitable or is unworkable, a request for informal assistance can be made to the Chair of the Standards Committee. A request must be made by the:
  - 2.1 Chair of the Town or Community Council;
  - 2.2 Clerk of the Town or Community Council; or
  - 2.3 Town or Community Council itself following a resolution.
3. The Standards Committee's Chair will consider each matter based upon its own facts and will only become involved in circumstances where the Chair considers that:
  - 3.1 The Standards Committee's involvement could be beneficial;
  - 3.2 The Standards Committee has the resources and /or the capacity to assist; and
  - 3.3 The matter of concern falls within the remit of the Standards Committee's terms of reference, and in particular relates to issues of conduct / behaviour.

The Standards Committee will not become involved in governance issues within Town and Community Council.  
The Chair has the absolute discretion to decide if the Standards Committee will become involved in the matter or not.  
The decision of the Standards Committee's Chair is final.
4. Any process followed by the Standards Committee's Chair will be voluntary for all parties. It will be an informal process with limited paperwork.

Agreed by the Standards Committee – [DATE]