

CYNGOR SIR POWYS COUNTY COUNCIL

County Council – 3 March 2022

Arrangements to fill one vacancy arising from the resignation of an Independent (Lay) Member on the Standards Committee

1. Vacancy on the Standards Committee.

- 1.1 An Independent Member of the Standards Committee, Mrs Chris Mulholland resigned from the Standards Committee on 6 January 2022.
- 1.2 The County Council will therefore need to undertake an appointment process for a new Independent Member to replace Mrs Mulholland in accordance with the Standards Committees (Wales) Regulations 2001 (as amended). The Regulations and the Constitution provide that Independent Members are appointed for not less than 4 years and not more than 6 years and the convention has been to appoint for a 6 year term. Approval is sought from the County Council for officers to commence the appointments process to ensure a new Independent Member can commence their appointment.
- 1.3 The starting point under the regulations is a requirement for the Council to publish an advertisement in not less than two newspapers (which are not published by the Council) circulating within Powys advising local government electors that the Council is seeking to appoint an independent (lay) member to its Standards Committee. Such advertisement may also, if the Council considers appropriate, notify electors:
 - (a) that the chairperson and vice-chairperson of the Standards Committee are elected from independent (lay) persons; and
 - (b) the qualities and experience that may be required of independent (lay) members serving on the Standards Committee.
- 1.4 Additionally the Council can also publish such advertisement in any newspaper that it publishes or online. It is intended to publish information on the Council's website and promote the vacancy on the Council's social media platforms.
- 1.5 A suggested draft newspaper advertisement based on the one used on the last occasion is attached as **Appendix A** which will appear in the County Times and the Brecon and Radnor Express. Other news releases will also be made referring to the information on the Council's website.
- 1.6 The Council is also required under the regulations to:
 - (a) Establish criteria for the appointment of independent members to its Standards Committee, and
 - (b) Publish those criteria in the newspaper advertisement referred to above.

- 1.7 A draft set of criteria (based on that used on the last occasion) is attached as **Appendix B** .
- 1.8 The regulations further stipulate that the Council must establish a Panel to:
- (a) Consider every application received;
 - (b) Apply the criteria established in considering applications;
 - (c) Make recommendations to the County Council in relation to applications.

N.B. Appointments of Independent (Lay) members must be made by the County Council which must have regard to the recommendations of the Panel.

- 1.9 The previous practice of such Panels has been to invite applicants to attend before the Panel for interview. There may also be need to consider a shortlisting stage in the event of there being a number of applicants.
- 1.10 The regulations go on to provide that a Panel established by the Council must not consist of more than 5 panel members one of whom must be a “lay panel member” and one of whom must be a member of a community council. In this context “lay panel member” means someone who is not or has not been a County Councillor and is not or has not been an independent member of the Standards Committee.
- 1.11 Based upon the composition of panels established previously it is suggested that the panel on this occasion comprises the following:
- Lay Panel Member (Who normally Chairs the Panel) – Lord Lieutenant or the High Sheriff [or previous High Sheriff]
 - Chair of the Standards Committee
 - Independent ‘Lay’ Member of the Standards Committee.
 - 1 County Council representative from the Standards Committee – to be selected by the Standards Committee
 - 1 Town / Community Council representative from the Community Standards Sub-Committee – to be selected by the Sub-Committee
- 1.12 In the event of the non-availability of any member of the Panel it is suggested in accordance with past practice that the function of appointing a substitute be delegated to the Monitoring Officer in consultation with the Chair of the County Council and the Chair of the Standards Committee.
- 1.13 A provisional timetable for the appointment process in this connection is set out in **Appendix C** and is recommended for adoption by the County Council. It will be observed that this timetable anticipates that the County Council will make the formal appointment of a new Independent (Lay) Member to the Standards Committee at its Meeting in May or June 2022.
- 1.14 Given the obvious need to attract the widest interest and encourage as many suitable candidates as possible to apply it is suggested that the Chair and Vice Chair of the Standards Committee be authorised to take such steps as appear necessary to them to achieve these objectives. This to include (but not be limited to) the power to (i) add to and modify the contents of the newspaper notice (subject to

compliance with the regulations); (ii) undertake additional advertising/awareness raising steps; and (iii) produce additional literature/promotional material.

JOIN OUR STANDARDS COMMITTEE

The Council has a vacancy for an Independent (Lay) Member on its Standards Committee and Standards Community Sub-Committee. The successful applicant will be entitled to an allowance of £105 for a half day or £210 for a whole day plus travel expenses.

Further details are obtainable on the Powys County Council website: **details to be added** or obtained from: Clerk to the Standards Committee, Powys County Council, Llandrindod Wells, Powys, LD1 5LG (e-mail: carol.johnson@powys.gov.uk)

The deadline for receipt of application is 7 April 2022.



CYNGOR SIR POWYS COUNTY COUNCIL

STANDARDS COMMITTEE

Criteria for the Appointment of Independent (Lay) Members

1. An interest in seeking to uphold and promote high ethical standards in local government.
2. Candidates should be able to demonstrate the following qualities:-
 - (a) good character;
 - (b) understanding and communication skills;
 - (c) social awareness, including an understanding of local communities within Powys;
 - (d) maturity and sound temperament;
 - (e) sound judgement.
3. Members of the Standards Committee must be able to give a commitment to serve on the Committee and its Sub-Committee as required.
4. Some knowledge of local authority or public sector business, or knowledge or experience gained within a regulatory or ethical standard area, would be an advantage.
5. The following are not eligible to serve as Independent (Lay) Members of the Standards Committee by virtue of regulations made by the National Assembly for Wales :-
 - (i) a councillor, officer, or the spouse of a councillor or officer, of Powys County Council, any other Welsh county council, a Welsh National Park Authority, or a Fire Authority or Town or Community Council in Wales.* N.B. 'Officers' includes all staff of one of these authorities including teaching staff.
 - (ii) any person who was previously a member or officer of Powys County Council (post 1996).
 - (iii) any person who, within the previous 12 months, was a member or officer of any other Welsh county council, or a Welsh Fire Authority.

*Town and Community Councillors are welcome to apply but would be required to resign from their Town or Community Council role if appointed as an Independent Member.

APPENDIX C

Timetable for Appointments Panel for 2022 vacancy

	Dates
Agree process at Council	3 March
Delegate appointment of Standards Committee Panel Members to Standards Committee and Community Sub-Committee	Agreed 21 January 2022 subject to Council approval of process
Press Notice to papers	Week commencing [w/c] 7 March 2022
Notice in the papers (2 papers)	w/c 7 March 2022
News release and publication on the Council's website / social media – ongoing Social Media promotion	w/c 7 March 2022
Re-issue of press release (if necessary)	w/c 21 March 2022
Closing date for applications	7 April 2022 [gives us the Friday to collate applications to email/post to Panel
Shortlisting [depends on panels availability]	w/c 11 April 2022
Panel Sitting	w/c 18 or 25 April 2022 [due to Easter period]
County Council to confirm appointment (and commencement of term of office)	26 May 2022 [Annual meeting] or 14 June 2022