



CORRESPONDENCE FILE 1
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Executive Meeting

12 Mehefin / June 2023

included in the consultation questions below.

Consultation questions - Independent Review of the Ethical Standards Framework (Richard Penn)

Question 1

Do you agree the relevant regulations relating to the Ethical Standards Framework should be amended to align with the definitions relating to protected characteristics in the Equality Act 2010, and that we should amend the definition of equality and respect in section 7 of The Conduct of Members (Principles) (Wales) Order 2001?

Question 2

Should the Adjudication Panel Wales (APW) be able to issue Restricted Reporting Orders?

Question 3

Should there be express legal provision to enable the APW to protect the anonymity of witnesses?

Question 4

Do you support the proposed changes to the permission to appeal procedure outlined in this recommendation. If not, what alternatives would you suggest?

Question 5

Should there be an express power for the APW to summon witnesses to appeal tribunals?

Question 6

Should there be any changes in the procedure for referring appeals decisions back to standards committees?

Question 7

Do you agree there should be an express provision to enable part or all of tribunal hearings to be held in private?

Question 8

Do you agree that the requirement to provide not less than seven days' notice of the postponement of a hearing should be retained?

Question 9

Should there be a wider range of sanctions available to the APW, and if so, what should they be?

Question 10a

Do you support the proposed amendments to the process for interim case tribunals outlined in this recommendation? If not, could you please explain.

Question 10b

If you do support the changes to the process for interim case tribunals, do you agree that an intermediate arrangement should be put in place i.e. by shortening and streamlining the process for interim case tribunals in The Adjudications by Case Tribunals and Interim Case Tribunals (Wales) Regulations 2001? If yes, do you have any suggestions as to how this process could be streamlined within the regulations?

Question 11

Do you have any further views on the recommendations made in relation to the operation of the APW?

Question 12

Do you have any suggestions as to how work might be taken forward to raise awareness of the Ethical Standards Framework, in particular for people with protected characteristics as described in the Equality Act 2010?

Question 13

Advertising for independent members of standards committees: Do you agree

the requirement to advertise vacancies for independent members on standards committees in newspapers should be removed?

Question 14a

Former council employees sitting as independent members on standards committees: Do you agree that the lifelong ban on former council employees being independent members of their previous employer's standards committee should be removed?

Question 14b

If yes, what do you think would be a suitable period of grace between employment and appointment to a standards committee, and should this be the same for all council employees, or longer for those who previously holding statutory or politically restricted posts?

Question 15

Former councillors sitting as independent members on standards committees: Do you agree that the lifelong ban on serving as an independent member on the standards committee of the council to which a councillor was elected should be removed? If yes, what do you think would be a suitable period of grace?

Question 16

Standards committees' summoning witnesses and sanctions: Should standards committees have the power to summon witnesses?

Question 17

Do you agree that the sanctions a standards committee can impose should be changed or added to? If yes, what sanctions would you suggest?

Question 18

We would like to know your views on the effects that the above changes to the Framework and Model Code of Conduct would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be?

Question 19

How could positive effects be increased, or negative effects be mitigated?

Question 20

Please also explain how you believe the proposed amendments could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Question 21

Do you have any other comments you wish to make on the matters raised in this consultation, including for those Report Recommendations where no specific question has been posed?

How to respond

Submit your comments by 23 June 2023, in any of the following ways:

- complete our [online form](#)
- download, complete our [response form](#) and email PennConsultationResponses@gov.wales
- download, complete our [response form](#) and post to:

Local Government Policy Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing

Written Statement: Electoral Reform White Paper

Mick Antoniw MS, Counsel General and Minister for the Constitution

First published:

30 March 2023

Last updated:

30 March 2023

In July 2021 we published our framework for Electoral Reform, and last October I published a White Paper for consultation on detailed proposals for the modernisation of electoral administration in Wales. We received almost 150 responses to our consultation, and I am grateful to every individual and stakeholder organisation that shared their views on our ambition to improve democratic health.

Today I have published [a summary of the responses](#) received to that consultation and now set out the next steps on our journey to deliver this Government's commitment to reduce the democratic deficit in Wales and develop an electoral system fit for the 21st century.

We are building on what we have already achieved, including extending the franchise to 16 and 17-year-olds and qualifying foreign citizens in Wales and delivering a set of electoral innovations at the local elections last May that showed digital innovation can unlock more efficient and accessible elections without undermining integrity.

Respondents to our consultation expressed broad support for our ambitions set out in the White Paper. We will continue to work with stakeholders throughout this Senedd term as we progress our proposals and bring forward legislation in anticipation of the next major devolved elections in Wales in 2026 and 2027. We do so mindful of the views expressed about ensuring value for money, local authority capacity to deliver and the need to carefully manage differences between devolved and reserved elections – which should not be a brake on our modernisation agenda.

I would like to highlight some of the reforms we now intend to take forward:

- To simplify electoral registration, we will work with local authorities in Wales to design and pilot the automatic registration of electors for devolved elections.
- To strengthen electoral administration, we will establish an Electoral Management Board in line with the proposals in the White Paper.
- We will also take forward reforms to the processes for conducting community and electoral reviews and for the transfer of the functions of the Independent Remuneration Panel for Wales to the Local Democracy and Boundary Commission for Wales.

- To build democratic health we will improve accessibility of devolved elections for disabled voters by placing duties on returning officers to provide equipment to help disabled people vote independently, according to Electoral Commission guidance.
- We will improve candidate safety by legislating to extend the scope of the offence of undue influence.

As we deliver these changes we will continue to work with stakeholders on our longer-term programme of electoral reform. In this longer-term programme of work, we will look to consolidate electoral law to improve clarity and accessibility, including by restating the franchise for devolved elections in one bilingual act.

First published

30 March 2023

Last updated

30 March 2023