



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

**Y Pwyllgor Safonau Ymddygiad
The Committee on Standards of Conduct**

**Dydd Mawrth, 8 Rhagfyr 2009
Tuesday, 8 December 2009**

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Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal,
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.
In addition, an English translation of Welsh speeches is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Jeff Cuthbert	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Chris Franks	Plaid Cymru The Party of Wales
Jenny Randerson	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Brynle Williams	Ceidwadwyr Cymru Welsh Conservatives

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Keith Bush	Cynghorydd Cyfreithiol Legal Adviser
Sulafa Halstead	Clerc Clerk
Catherine Hunt	Dirprwy Glerc Deputy Clerk

Dechreuodd y cyfarfod am 9.30 a.m.
The meeting began at 9.30 a.m.

Cyflwyniad ac Ymddiheuriadau
Introduction and Apologies

[1] **Jeff Cuthbert:** I welcome everyone to this meeting of the Committee on Standards of Conduct. I remind you of the formalities. This is a bilingual committee and you can speak Welsh or English. Headphones are available. I welcome Members and officials, and should anyone come into the public gallery, they should regard themselves as welcomed. I ask everyone to switch off their mobile phones. If the fire alarm sounds, there will be a bilingual message, and the ushers will tell us what to do, directing us to the fire exit.

[2] Item 1 is 'introductions and apologies'. We have not been notified of any apologies and we have 100 per cent attendance. Thank you for that.

9.31 a.m.

Ymgynghoriad Cynulliad Gogledd Iwerddon—Ymateb Drafft
Northern Ireland Assembly Consultation—Draft Response

[3] **Jeff Cuthbert:** Item 2 is the reason why it was necessary for us to meet now. We have received a letter from the Northern Ireland Assembly in relation to its inquiry on the appointment of an Assembly Commissioner for Standards. A draft response to that letter is included in your papers as annex B to paper 1. Since the proposal on which it is consulting is so close to the one that we are in the process of implementing through the Proposed National Assembly for Wales Commissioner for Standards Measure 2009, Members are asked to consider the draft response that has been written, which refers the Northern Ireland committee to the work that we have undertaken with that proposed Measure. This includes a summary of the purpose of the proposed Measure and its key provisions. It wants to receive responses by 18 December; therefore, this was our only opportunity to agree what our response would be.

In a moment, I will ask you for your comments and whether you are content with the draft response that has been prepared in annex B. The Northern Ireland committee might also invite people to appear before it. I have made it clear that I will be happy to go to give oral evidence, if that is the committee's wish. Indeed, the committee might want to come here to meet us as part of the inquiry. I am sure that we would have no problems with that, whichever way it was. Do you wish to make any comments, or are you content with the draft response that has been prepared?

[4] **Brynle Williams:** I went through it this morning and it seems to cover everything. The response is acceptable to me.

[5] **Jenny Randerson:** It is very straightforward. It explains the situation that we are in. I do not think that there is anything to argue about.

[6] **Chris Franks:** I am also content. I am pleased that we are able to co-operate with our friends and move things forward.

[7] **Jeff Cuthbert:** We are all content, so we can agree that the draft response will form the basis of our response to the consultation.

9.33 a.m.

Blaenraglen Waith y Pwyllgor Committee Forward Work Programme

[8] **Jeff Cuthbert:** There are a number of issues that we will need to consider over the coming months. They include an update from Richard Penn, the current Commissioner for Standards. He has provided these at various times, but we have not had one recently. In part, that is due to the enormous amount of work that has been involved in the drafting of the proposed Measure. It is likely that the commissioner will wish to present an annual report, but we will need to invite him to do that. I suggest that we do that at our February meeting. In a little while, I will talk about possible dates for slots, but does that seem reasonable to you? I see that it does.

[9] Standing Order No. 16.1(iii) requires this committee to

[10] 'supervise the arrangements for the compilation, maintenance and accessibility of the Register of Members' Interests and the Record of Membership of Societies and the form and content of the Register and the Record'.

[11] That means that we have responsibility for any updates to reflect changes, such as to the code of conduct, or to the guidance on registration, declaration and recording of Members' interests. For example, changes could result from the recommendations of the independent panel, or indeed from a new Standing Order. The Proposed Commissioner for Standards Measure is due to receive Royal Approval tomorrow, so we will need to meet to ensure that its provisions are properly accounted for. There will certainly be work on our plate over the next few months. There will also be a new Standing Order for the recording of the employment of family members, and guidance will also need to be put in place, so that is more work for us. Indeed, the independent panel recommended that:

[12] 'In addition to recording information on other employment on the Register of Interests, Assembly Members should also be required to detail the time involved in this additional employment'.

[13] We will need to produce guidance relating to that. I suggest that we start this process

at the February meeting.

[14] This is not quite the final point, but we are getting there. Standing Order No. 16.1 includes provision for the Committee on Standards of Conduct to present an annual report to the Assembly on complaints made under Standing Order No. 16.1(i), and the actions taken in consequence. I am pleased to say that no complaints have been brought before the committee, but there is scope to report on the committee's conclusions in respect of ethical standards for Assembly business. I suggest that, if we agree these dates for future meetings, we could consider that in March or April—there is no rush for that, but we have to do it. Is there anything else that we could add to our future work programme?

[15] **Chris Franks:** I do not have any suggestions, but I would just like to say that I am comforted that so much work has been done prior to this meeting to set out work for us in the new year. I register my thanks for that. I have nothing else to add.

[16] **Brynle Williams:** Will we be looking at family interests and so on for the next Assembly, post 2011?

[17] **Jeff Cuthbert:** Yes, I think that that is the undertaking. Of the changes that the independent panel recommended, some have been agreed for implementation straight away, and are straightforward, and others will require notification. It is unlikely that these particular changes will be in place before the next Assembly elections.

[18] We need to agree the future meeting dates, and slots are available on 2 February, 9 March, 27 April and 25 May.

[19] **Chris Franks:** Do those dates follow a regular pattern?

[20] **Jeff Cuthbert:** No.

[21] **Ms Halstead:** It is every four weeks during term time.

[22] **Jeff Cuthbert:** The schedule takes account of half terms and public holidays. So, it includes only working weeks. Does that sound reasonable?

[23] **Jenny Randerson:** At this time, Chair.

[24] **Jeff Cuthbert:** Those are the slots that are available now, so we can pencil them in. The work that we have outlined could well take up all those slots.

[25] **Chris Franks:** The only point that I would make is that, if we are to deal with complex matters that place demands on our time—which is not a problem at all—Tuesday mornings can be quite busy. So, although I do not ask that we change any of these dates, I do ask that if we think that a substantial period of time will be required for a particular meeting, due consideration be given to the fact that a lot of other business is scheduled for Tuesday mornings.

[26] **Jeff Cuthbert:** That is understood, and we will be as flexible as we can. Clearly, with the proposed Measure that will receive Royal Approval tomorrow, I trust—

[27] **Jenny Randerson:** The Queen may turn around and say 'no'.

[28] **Jeff Cuthbert:** Perhaps she will not accept Rhodri's resignation either—who knows? That would set the cat among the pigeons. We then have a duty to ensure that everything is in place, and that various Standing Orders, codes and protocols are brought about.

[29] Does anyone wish to raise any other business?

[30] **Brynle Williams:** I just want to wish everyone the compliments of the season and thank them for their work over the past 12 months. I know that it is your place to say that, Chair, but I wanted to say the same from this side of the table.

[31] **Jeff Cuthbert:** I defer to you, Brynle, and I endorse those comments. I now declare the meeting closed.

Daeth y cyfarfod i ben am 9.40 a.m.
The meeting ended at 9.40 a.m.