

## CYNGOR SIR CEREDIGION

<b>Adroddiad i'r:</b>	<b>Pwyllgor Moeseg a Safonau</b>
<b>Dyddiad y cyfarfod:</b>	<b>19 Mai 2021</b>
<b>Teitl:</b>	<b>Adran 62-63 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021</b>
<b>Diben yr adroddiad:</b>	<b>Nodi'r dyletswyddau newydd y mae Adran 62-63 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 yn eu gosod ar arweinwyr gwleidyddol a'r pwyllgor safonau.</b>

Mae Deddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 yn gosod dyletswyddau newydd ar arweinwyr grwpiau gwleidyddol a phwyllgorau safonau. Mae Atodiad A yn cynnwys yr adrannau perthnasol, sef adran 62 ac adran 63.

O ran dyletswyddau arweinwyr grwpiau gwleidyddol mewn perthynas â safonau ymddygiad, mae Adran 52A o Ddeddf Llywodraeth Leol 2000 yn datgan bod yn rhaid i arweinydd grŵp gwleidyddol sy'n cynnwys aelodau o gyngor sir yng Nghymru gymryd camau rhesymol i hyrwyddo a chynnal safonau ymddygiad uchel gan aelodau'r grŵp; a rhaid iddo gydweithredu â phwyllgor safonau'r cyngor.

Yn adran 54 o Ddeddf Llywodraeth Leol 2000 (swyddogaethau pwyllgorau safonau), mae gan bwyllgor safonau cyngor sir neu gyngor bwrdeistref sirol yng Nghymru hefyd y swyddogaethau penodol canlynol —

- (a) monitro cydymffurfiaeth arweinwyr grwpiau gwleidyddol ar y cyngor â'u dyletswyddau o dan adran 52A(1),
- (b) cynghori, hyfforddi neu drefnu i hyfforddi arweinwyr grwpiau gwleidyddol ar y cyngor ynghylch materion sy'n ymwneud â'r dyletswyddau hynny.

Mae adran 63 yn gosod y gofynion ar gyfer adroddiad blynyddol y pwyllgor safonau. Yn ogystal â disgrifio sut y cyflawnwyd swyddogaethau'r pwyllgor, mae'n rhaid i'r adroddiad hefyd gynnwys yr hyn a wnaed i gyflawni'r swyddogaethau cyffredinol a phenodol a roddwyd i'r pwyllgor gan adran 54 neu 56. Mae'n rhaid i adroddiad blynyddol gan bwyllgor safonau cyngor sir neu gyngor bwrdeistref sirol yng Nghymru gynnwys asesiad y pwyllgor o'r graddau y mae arweinwyr grwpiau gwleidyddol ar y cyngor wedi cydymffurfio â'u dyletswyddau o dan adran 52A(1). Gall yr adroddiad blynyddol hefyd gynnwys argymhellion i'r awdurdod ynghylch unrhyw fater y mae gan y pwyllgor swyddogaethau mewn perthynas ag ef.

### Y Sefyllfa Bresennol

Gwahoddir arweinwyr gwleidyddol Cyngor Sir Ceredigion i'r Pwyllgor Moeseg a Safonau yn flynyddol i drafod y dulliau o hyrwyddo a chynnal safonau ymddygiad uchel gan Aelodau Cyngor Sir Ceredigion.

### Cynnig

Gofynnir i'r Pwyllgor nodi'r dyletswyddau newydd ac ystyried ffyrdd y gellir gweithredu a chyflawni rôl fonitro'r Pwyllgor a pha dystiolaeth/camau gweithredu y gallai fod eu

hangen ar y Pwyllgor gan yr arweinwyr gwleidyddol er mwyn cyflawni gofynion y ddeddfwriaeth.

**Argymhellion:**

1. Nodi'r dyletswyddau newydd y mae Adran 62-63 o Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021 yn eu gosod ar arweinwyr gwleidyddol a'r pwyllgor safonau.
2. Ystyried sut y gall y Pwyllgor asesu i ba raddau y mae arweinwyr grwpiau gwleidyddol ar y cyngor wedi cydymffurfio â'u dyletswyddau o dan adran 52A(1).

**Enw Cyswllt:** Lisa Evans  
**Swydd:** Swyddog Craffu a Safonau  
**Dyddiad yr Adroddiad:** 23 Ebrill 2021  
**Acronymau:**

# Local Government and Elections (Wales) Act 2021

## *Conduct of Members*

### **62 Duties of leaders of political groups in relation to standards of conduct**

(1) The 2000 Act is amended as follows.

(2) After section 52 insert—

#### **“52A County and county borough councils: duties of leaders of political groups in relation to standards of conduct**

(1) A leader of a political group consisting of members of a county council or county borough council in Wales—

(a) must take reasonable steps to promote and maintain high standards of conduct by the members of the group, and

(b) must co-operate with the council's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions.

(2) In complying with subsection (1), a leader of a political group must have regard to any guidance about the functions under that subsection issued by the Welsh Ministers.

(3) The Welsh Ministers may by regulations make provision for the purposes of this section about the circumstances in which—

(a) members of a county council or county borough council in Wales are to be treated as constituting a political group;

(b) a member of a political group is to be treated as a leader of the group.

(4) Before making regulations under subsection (3), the Welsh Ministers must consult such persons as they think appropriate.”

(3) In section 54 (functions of standards committees), after subsection (2) insert—

“(2A) A standards committee of a county council or county borough council in Wales also has the specific functions of—

(a) monitoring compliance by leaders of political groups on the council with their duties under section 52A(1), and

(b) advising, training or arranging to train leaders of political groups on the council about matters relating to those duties.”

(4) In section 106 (Wales: orders and regulations)—

(a) omit subsection (5);

- (b) in subsection (7) after “section 21G” insert “or regulations under section 52A(3)”.
- (5) In the 2013 Act, omit section 68(4)(a).
- (6) In this Act, omit section 63(2).

## **63 Duty of standards committee to make annual report**

- (1) In Part 3 of the 2000 Act, at the end of Chapter 1 insert—

### **“56B Annual reports by standards committees**

- (1) As soon as reasonably practicable after the end of each financial year, a standards committee of a relevant authority must make an annual report to the authority in respect of that year.
  - (2) The annual report must describe how the committee's functions have been discharged during the financial year.
  - (3) In particular, the report must include a summary of—
    - (a) what has been done to discharge the general and specific functions conferred on the committee by section 54 or 56;
    - (b) reports and recommendations made or referred to the committee under Chapter 3 of this Part;
    - (c) action taken by the committee following its consideration of such reports and recommendations;
    - (d) notices given to the committee under Chapter 4 of this Part.
  - (4) An annual report by a standards committee of a county council or county borough council in Wales must include the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties under section 52A(1) during the financial year.
  - (5) An annual report by a standards committee of a relevant authority may include recommendations to the authority about any matter in respect of which the committee has functions.
  - (6) A relevant authority must consider each annual report made by its standards committee before the end of 3 months beginning with the day on which the authority receives the report.
  - (7) The function of considering the report may be discharged only by the relevant authority (and accordingly is not a function to which [section 101](#) of the Local Government Act 1972 applies).
  - (8) In this section “financial year” means a period of 12 months ending with 31 March.”
- (2) Until section 62 comes into force, section 56B of the 2000 Act is to be read as if subsection (4) were omitted.