

Agenda – Standards of Conduct Committee

Meeting Venue:	For further information contact:
Video-conference via Zoom	Meriel Singleton
Meeting date: 13 May 2024	Committee Clerk
Meeting time: 09.30	0300 200 6565
	SeneddStandards@senedd.wales

- 1 Introductions, apologies and substitutions**
- 2 Individual Member Accountability**
(9.30 – 9.50) (Pages 1 – 4)
- 3 Dignity and respect inquiry – Chair update**
(9.50 – 10.10)
- 4 Letter from the First Minister**
(10.10 – 10.30) (Pages 5 – 6)
- 5 Letter from Andrew RT Davies MS**
(10.30 – 10.50) (Pages 7 – 8)
- 6 Consider a report from the Commissioner for Standards in accordance with Standing Order 22.2(i)**
(10.50 – 11.00) (Pages 9 – 11)



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Ref: 052MISC24

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Rt Hon Sir Lindsay Hoyle
The Speaker of the House of Commons
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09 May 2024

Dear Sir Lindsay,

As you may be aware the Welsh Government is taking forward changes to the electoral arrangements for the Senedd. Debates on this issue have highlighted the lack of a recall mechanism in place for Members of the Senedd equivalent to that for Members of the House of Commons.

There is broad consensus in the Senedd that there needs to be appropriate mechanisms in place to ensure Members adhere to the highest standards. The Senedd's Standards and Conduct Committee is taking forward an inquiry to consider individual Senedd Members' accountability. This will include consideration of a process for recall that is compatible with the new closed list system for Senedd elections.

The Committee will no doubt wish to draw on a broad range of views and expertise in conducting its inquiry. I am sure that your experience in the operation of the Recall of MPs Act 2015 would be invaluable to this work and encourage you to engage with it. I or my officials would be happy to help facilitate such a discussion.

I am copying this letter to the Counsel General, the Chair of the Senedd's Standards and Conduct Committee and to the Llywydd.

David T.C. Davies

Rt Hon David TC Davies MP
Secretary of State for Wales
Ysgrifennydd Gwladol Cymru

Vikki Howells AS/MS
Chair of the Standards of Conduct Committee
Vikki.Howells@senedd.wales

May 2024

Dear Chair,

I recognise the level of concern raised regarding donations to my campaign as part of the Welsh Labour leadership contest. I very much regret the anxieties this caused for other members and I take seriously the work of seeking a resolution with the input of colleagues. While Senedd debates have shown it is accepted that the decisions taken complied with existing rules, the wider questions, reservations and concerns raised underscore the need for action that allows us to look at well developed reforms that are fit for the future.

It is important we work collectively to ensure that the rules and processes relating to political donations are robust, transparent and have the confidence of the public.

I have considered carefully the range of views expressed by colleagues in recent weeks and given thought to the best route to developing considered reforms that can have a lasting impact. It is, of course, important that proposed reforms are given careful and detailed consideration and that collectively, we put the interests of our democratic traditions ahead of any narrow party political priority. With an approach based on evidence and join working, my hope is that we can draw on the vast areas of agreement that exists across the Senedd. The Standards Committee plays an integral role in considering these important questions. It is well placed, I believe, to now consider proposals to consider and bring forward proposals to update the Standing Orders and Code of Conduct in relation to donations made to Members of the Senedd.

It will of course be for the Committee to decide their own terms of reference in such work. However, it would seem sensible for consideration to be given to meaningful and workable changes concerning the following areas in relation to donations:

- the level of reporting and disclosure and;
- whether there should be a cap on donations from any one entity or individual.

As the Trefnydd has set out, it is important that we consider the nature of contributions that are clearly acceptable to the Senedd but may be disqualified by rules that overly simplistic. For instance, the treatment of donations provided in wills or via collective contributions from workers via their democratic trades unions should be considered carefully. It is also

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

important that a thorough and dispassionate view is taken of the existing protections that are in place and have worked well in preventing conflicts of interest.

While we cannot expect full agreement across politically contentious matters on a cross party basis, there is an opportunity to make progress on areas of agreement. In addition to this proposed process, I will be asking the Welsh Government's Propriety and Ethics Director to consider recommendations on how to strengthen public confidence regarding any potential conflicts of interest where a Member of the Senedd is also a member of the government.

I would like to work with the committee to explore the opportunity to bring greater transparency to the way the Senedd and Welsh Government engages with organisations that seek to influence decisions taken in Wales. To this end, I would welcome a joint approach to revisiting the case for the creation of register of lobbyists in Wales. By looking to best practice that exists in other nations, the Senedd and the Welsh Government could benefit from a more transparent system that helps organisations engage decision makers in a way that carries the confidence of the public over the long term.

With a stronger Welsh Parliament that exercises far reaching powers that touch the lives of people across Wales, it is right that we ask how can make our decision making processes more transparent.

In recent weeks, I have exchanged letters with the leader of Plaid Cymru regarding the matter of a proposed recall system for the Senedd which also has the ability to generate greater confidence in our Senedd.

In my role as leader of Welsh Labour, I have already instigated a review process and I am pleased this is being taken forward within my own party.

I will be discussing the proposals set out above with the leaders of all parties in the Senedd and I am copying this letter to each of them as well as the Llywydd.

A handwritten signature in black ink that reads "Vaughan Gething". The signature is written in a cursive, flowing style.

VAUGHAN GETHING

Vikki Howells MS
Chair, Standards of Conduct Committee

Sent by email

0300 200 7233 

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/AndrewRTDaviesAM 

9th May 2024

Dear Vikki

Re: First Minister letter to the Chair of the Standards of Conduct Committee

I write with regard to the above.

In his letter, the First Minister outlined some proposed workstreams for your Committee. These focused on donations to party leadership campaigns. However, I have some concerns with the First Minister's suggested terms of reference. Specifically, I am concerned that they fail to take into account the compatibility of the Ministerial Code with the Code of Conduct for Members of the Senedd, and the ability of the Standards Commissioner to investigate a complaint if it involves a Senedd Member who is also a serving minister.

As you will be aware, in practice party leadership candidates will frequently also be serving ministers. As such, it is important that any potential anomalies are addressed. It is therefore vital that, if the Committee takes this work forward, it considers the compatibility of the Ministerial Code with the Code of Conduct for Senedd Members. I therefore suggest that the Committee seeks evidence from current and former Standards Commissioners and other interested parties as to how the two Codes could be assimilated. This would allow the Standards Commissioner to undertake an investigation into any complaints made.

Having previously served as a member of the Committee for many years, I appreciate the level of work it has to undertake. I also appreciate how detailed and time consuming this work can be. I would therefore be grateful if you would confirm that, if the Committee decides to undertake this work, it has the resources and ability to do so, with no detrimental impacts on its capacity to fulfil its core purpose.

Thank you for taking the time to consider my concerns, and I look forward to hearing from you.

Out of courtesy, I am copying this letter to the respective party leaders in the Senedd and to the Presiding Officer.

Kind regards,

Andrew RT Davies

Andrew RT Davies MS

Leader of the Welsh Conservatives in the Welsh Parliament
South Wales Central Regional MS



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