

STANDARDS & ETHICS COMMITTEE

14 MARCH 2006

Present: The Most Reverend Dr Barry Morgan (Archbishop of Wales/Bishop of Llandaff) (Chairperson);

David Hughes, Elaine Moore and Akmal Hanuk

Community Councillor David Suthers

County Councillors Owens and James

Observers: Anne Morgan, Maureen Headley-Clarke and Paul Stockton

Also: Kate Berry (Monitoring Officer): Kumi Ariyadasa, Legal Services Officer and Val Davies, Committee Services Officer

Apology: County Councillor Griffiths

S41 : MINUTES

The minutes of the meeting held on 12 January 2006 were approved as a correct record and signed by the Chairperson.

S42 : ETHICAL STANDARDS AUDIT

At its meeting on 12 January 2006, the Committee resolved to conduct an Ethical Standards Audit of the Authority and requested a report to provide information to assist in progressing the matter further.

The Monitoring Officer submitted a report which outlined the background to the new Ethical Framework for Local Authorities which was introduced in accordance with the Local Government Act 2000.

The Committee was advised that an Ethical Standards Audit was a useful tool in terms of benchmarking. The Committee was given an overview of the suggested Ethical Standards Questionnaires in respect of:-

- (i) Members and Officers (Appendix A) and;
- (ii) Partner Organisations, the Public, District Audit and others (Appendix B).

The Committee welcomed the questionnaires and following discussion, made a number of observations:-

- the questionnaires should be more specific as a number of the questions were open to interpretation;
- there should be more open ended questions, inviting discursive responses, with more room for comments;
- the questions should be clearer to ensure that respondents can give a full answer.
- the Questionnaire aimed at Partner Organisations could be set out differently, as there was more scope for open ended questions, and there should be a bigger comments area.
- Response headings should appear at the top of each page.
- the question relating to standards and ethics is lost in its current position and needs to be highlighted more and enhanced to widen the number of questions asked in order to gain feedback to the Committee;
- there should be a wider target audience for the questionnaire to Members and Officers, in particular it should not just relate to Senior Managers, but should also include circulation to those staff lower in the organisation.

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Following the discussion it was RESOLVED – That

- (1) the Monitoring Officer be requested to arrange for a desktop review to be conducted to:
  - (i) ascertain the relevant policies that are in place within the Council;
  - (ii) how the policies are communicated to Members, Officers,

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- members of the public and other interested parties;
- (iii) ascertain what processes are in place and applied to implement the policies.
- (2) that the Ethical Standards Questionnaires for Members and Officers (attached as Appendix A to the report) and for partners; the public; District Audit and others (attached as Appendix B to the report) be approved; and the Monitoring Officer be requested to make the necessary amendments to the questionnaires and to circulate to a cross-section of the target audience listed above;
- (3) that a report of the results of the Ethical Standards Audit (Desktop Review and Questionnaires) be submitted to a future meeting of the Committee.

#### S43 : CORPORATE GOVERNANCE – THE CHANGE PROGRAMME ACTION PLAN

At its meeting on 12 January 2006 the Committee requested an update on progress in developing and implementing the recommendations of the Corporate Governance Commission.

The Chair welcomed Martin Hamilton, Chief Scrutiny Change and Efficiency Officer to the meeting to update the Committee on the Change Programme Action.

The Committee was advised that within each project strand a number of individual milestones had been identified to enable progress to be tracked. In order to measure the extent of how the organisation has changed, a basket of measures had been identified.

The Plan also assumes that a risk management approach would be taken to monitoring progress and identifying priorities for further developments in the future.

The Committee was advised that it was important that the success of the Change Programme could be effectively monitored and evaluated, and the information should be made available to Members. A number of evaluative techniques had been identified including:-

- Employee Consultation Survey;

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- 360 Degree appraisal of all Corporate Directors and Chief Officers by April 2006;
- Member Survey;
- Customer Focus Survey;
- Omnibus Survey;
- Statement of Internal Control;
- Wales Audit Office Annual Management Letter and Audit Report on the Statutory Improvement Plan.

There had been a number of key achievements including progress on:-

- “Living the Values” exercise where each Service area evaluated how well it measured up against the Council's values and identified changes to working practices which actively support and promote the values.
- Scrutiny Development – in the form of an internal peer review of the operation of each of the Council’s five Scrutiny Committees.
- Access to Information – Training has been offered in respect of Freedom of Information and the right to information generally
- Knowledge Management – an Information Manager has been appointed with responsibility for leading the development of a strategic approach to managing the Council’s considerable information resources.
- Re-designing full Council meetings – following consultation, the Constitution Committee is working through a range of Officer proposals.
- Project Management – A Centre of Excellence has been established to promote effective project and programme management across the Council.
- Communication and Consultation – A consultation and Guidance document has been launched to ensure future consultation exercises are conducted to a high standard
- Personal Performance and Development – A pilot scheme was

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carried out with Senior Managers and will be extended to all staff from April 2006

- Performance Management –a new performance management approach has been adopted, which will see service area performance information publicly discussed on a routine basis.
- Customer Focus –a customer focus policy has been adopted, through which it will secure consistency in approach across the Council when dealing with customers.

In conclusion the Committee was advised that the document clearly sets out the status and progress of each strand of the Programme and sets timescales for each of the actions listed in the report.

Following the presentation the Committee made a number of observations and sought clarification on a number of the issues outlined:-

- Concern was expressed that the Project may develop in isolation and would not achieve its objectives.
- It was noted with pleasure, that progress was being made in respect of the Change Programme through the Constitution Committee and that this work was ongoing.
- In response to a request for the document to be simplified it was confirmed that the document in its current form was intended to be a management device, there was a risk that the more it was simplified it could lose the complexity of the issues to be addressed.
- It was noted that the changes in the document were mainly about process, cultural change was more difficult, the fundamental changes needed and the pace, speed and urgency for progressing the Project was not conducive to people's understanding of the changes, this requires consultation and consultation takes time.
- There needs to be greater engagement for the Standards & Ethics Committee.
- There was a lack of clarity over the procedures.

- Concern was expressed that the process may lose focus and become over-passionate about changes within and not changes to meet the needs of the customers – in response it was confirmed that the Council was working on a customer focus programme to meet the customers needs.

RESOLVED – That the report on the Change Programme Action Plan be noted and the Committee be updated on further progress in due course.

#### S44 : DRAFT ANNUAL REPORT

The Committee discussed the format for the draft Annual Report for 2005/06. The Committee was in favour of retaining the same format as last year's Annual Report.

RESOLVED – That

- (1) a Task & Finish Group be established to work on the content for the Annual Report 2005/06 and this will be brought back to the Committee in May 2006 for discussion;
- (2) membership of the Group to comprise Councillor Jim James; Elaine Moore; Akmal Hanuk and David Hughes and to be advised by the Monitoring Officer.

#### S45 : WHISTLEBLOWING POLICY AND PROCEDURE – REVIEW

At its meeting on 21 November 2005, the Committee received an overview of the Whistleblowing Policy following which, the Committee resolved to request Internal Audit to undertake a review of the implementation of the Policy and to report back its findings to this Committee in 2006.

At its meeting on the 12 January 2006, the Committee agreed to discuss the matter further and requested that an Information Report on the use of the Policy be provided to its March meeting, to be followed by a report from Internal Audit on its review and implementation of the Policy.

The Committee considered a report providing information on the use of the policy and procedure. It was noted that the Internal Audit Manager had suggested that the Committee might wish to review the Anti-Fraud

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and Anti-Corruption Strategy alongside the Whistleblowing Policy and Procedure as they were closely related. Following consideration of the report, the Committee made a number of observations:-

- It was acknowledged that the policies were in existence but it was noted that there was little evidence that the policies were being used. It was important not only to make the policies, but to ensure that the policies were made live and implemented.
- There appeared to be crossover in the terms of the policies available to people, in particular, the Whistleblowing, Disciplinary and Anti-Fraud and Anti-Corruption Policies, which resulted in a lack of clarity as to when use of the Whistleblowing Policy was appropriate.
- There appeared to be a considerable number of employees particularly at lower levels of the organisation, who had little or no knowledge of the procedures.
- It was suggested that the issues be highlighted in the Committee's Annual Report as part of the work undertaken by the Committee in 2005/06.

RESOLVED – That

- (1) the information contained in the report and appendices be noted;
- (2) the Internal Audit Manager be forwarded a copy of the report together with the observations of the Committee to form the basis for a review of the policies and procedures and to carry out an audit to ascertain the level of staff awareness and/or use of the policies and procedures, and to provide a report to the Committee on the outcome.

S46 : WELSH ASSEMBLY GOVERNMENT CONSULTATION  
THE STANDARDS COMMITTEES (WALES) (AMENDMENT)  
REGULATIONS 2006

At its meeting on 14 September 2005 the Committee considered the amendments proposed by the Welsh Assembly Government to the Standards Committees (Wales) Regulations 2001 and made a number of comments which were duly conveyed to the Welsh Assembly.

The Welsh Assembly had invited comments on its draft Amendment Regulations to be submitted by the 22 March 2006. The Committee acknowledged the document and were of the opinion that not all the points put forward had been addressed in the amended regulations. In particular it was suggested there should be a rolling programme for membership of the Committee. It was noted with regret that the amendments had not come soon enough to allow for the retention of the Committee's pioneer independent members to ensure continuity and retention of information gathered during their term of office.

RESOLVED – That the proposed amendments set out in the documentation attached as Appendix 8 of the Report be noted and the Monitoring Officer be requested to submit the comments outlined above in respect of Membership, to the Welsh Assembly Government on behalf of the Committee.

#### S47 : APPLICATIONS FOR DISPENSATION

The Committee had a statutory authority to grant dispensations to Members of a relevant Authority with a personal interest in a matter, allowing them to either speak and vote or to vote (depending on the nature of the interest).

The Monitoring Officer advised the Committee that she had received applications for dispensation from Councillors Christine Priday; Adrian Robson; Richard Jerrett and Jacqueline Parry in respect of their interests in matters relating to the new Glamorgan Records Office as representatives of the Council on the Glamorgan Archives Joint Committee (GAJC).

RESOLVED – That in accordance with Section 81(4) of the Local Government Act 2000 and Regulations 2(d) and (f) of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, Councillors Priday, Robson, Jerrett and Parry be granted dispensation to speak and vote at the Glamorgan Archives Joint Committee on matters relating to the new Glamorgan Records Office, provided that the dispensation shall not apply where the Councillor has an interest other than the one referred to in the report.

#### S48 : MONITORING OFFICER VERBAL UPDATE



### Appointment Process

The Monitoring Officer advised the Committee that advertisements for the remaining vacancy on the Standards and Ethics Committee had been placed in the Capital Times and the Echo and various Minority Ethnic press and the deadline for applications was the 18 April 2006.

It was suggested that the Media Team be contacted in respect of arranging a press release to draw attention to the work of the Standards & Ethics Committee.

A discussion took place in respect of the process for cancellation of a Council meeting and dissatisfaction was expressed in terms of the message sent out. The Chair advised that he would write a letter on behalf of the Committee to the Chief Executive advising of the Committee's dissatisfaction in respect of the matter, however the Chair stated it was his view that it was not appropriate to include this topic in the Annual Report.

RESOLVED – That

- (1) the update in respect of the appointments process be noted;
- (2) a letter be sent by the Chair on behalf of the Committee to the Chief Executive Officer to advise of the Committee's dissatisfaction with the process for the cancellation of the Council meeting.

S49 : WORK PROGRAMME

Following a suggestion from the Monitoring Officer the Committee resolved that an additional meeting be arranged to consider ongoing work before the end of the existing Committee's term of office in July 2006.

S50 : DATE OF NEXT MEETING – 2 May 2006

Date of additional further meeting to be agreed at the meeting on 2 May 2006.

The meeting closed at 6.40pm.