

STANDARDS & ETHICS COMMITTEE

20 MARCH 2007

Present: Independent Members: Akmal Hanuk (Chairperson),
Maureen Hedley-Clarke, Deirdre Jones, Anne Morgan and
Paul Stockton

Community Councillor David Suthers

County Councillor Griffiths

Apologies: Councillors James and Owens

S81 : MINUTES

- (1) The minutes of the meeting held on 10 January 2007 were approved as a correct record and signed by the Chairperson.
- (2) It was agreed that at future meetings of the Committee an update be given on the status of actions arising from the previous minutes.

S82 : APPOINTMENT OF VICE CHAIR

RESOLVED – That Anne Morgan be elected as Vice Chairperson of the Standards & Ethics Committee for the duration of her term of office.

S83 : WHISTLEBLOWING POLICY AND PROCEDURE – REVISED DRAFT

The terms of reference of the Standards & Ethics Committee include a responsibility to oversee and monitor the Council's Whistleblowing Policy. The Whistleblowing Policy states that the policy and its operation will be reviewed annually by the Standards & Ethics Committee.

At its meeting on 10 January 2007, the Committee considered the report of the Audit and Risk Manager which outlined the findings and recommendations of the Internal Audit Review. The Committee considered the recommendations, made a number of observations and requested that the policy be re-drafted to make the document shorter, clearer and more 'user friendly' and to address the recommendations of the review and the comments made by the Standards & Ethics Committee.

The Committee was invited to make comments on the re-drafted document prior to consultation with the Trade Union, following which, the documents would be submitted to the Executive Business Meeting in May 2007 for approval.

The Committee was advised that in accordance with the recommendation made at the previous meeting, a letter had been sent to the Schools Governing Body to request that schools be urged to adopt a Whistleblowing Policy as a matter of urgency. It was suggested that the Council's Whistleblowing Policy could be used as a good practice document for use in schools.

The Committee discussed the revised document and made the following observations:-

- The Committee were of the view that the re-drafted document was now user-friendly.
- Paragraph 1.1 of the Policy – the word "seriously" in the second line of the paragraph be replaced with the word "significantly" the sentence would then read "workers are often the first to realise that there may be something significantly wrong within the Council, and under the Employees' Code of Conduct are required to report such matters."
- Following discussion on the details contained in the Internal Contact List, it was the view that the contact details in respect of the Chair of the Standards & Ethics Committee should be revised as follows:-
 - (i) Standards Committee Chair should read "Standards & Ethics Committee Independent Chair";
 - (ii) C/o should be removed from the contact number for the Chair and replaced with the words "contact details of the Chairperson are available from Val Davies on 029 20872567".
- The question of anonymity and confidentiality was raised, it was explained that although this was the general rule in most, there may be occasions where this was not possible such as in cases where the disciplinary process was implemented, the person would need to be advised of the nature of the allegations. Also, depending on the seriousness of allegations especially in the case of vulnerable people or criminal activity, there may be a necessity for the policy to be involved.

- The Committee was advised that complaints by employees could be made using a number of options and that there was no hierarchy on the contact list; the matter should be raised internally first, the Whistleblowing Policy was in place to provide protection of the Whistleblower.

The Chairperson thanked the Officers for their hard work in re-drafting the Whistleblowing Policy and for the information provided to the Standards and Ethics Committee.

RESOLVED – That

- (1) the draft revised Policy be approved subject to the inclusion of the minor amendments listed above;
- (2) subject to the inclusion of the minor amendments the draft revised Policy be circulated to the Trade Unions and Staff for consultation;
- (3) following consultation with Trade Unions and Staff, the Monitoring Officer be requested to submit the draft revised Policy to the Executive for approval and adoption;
- (4) the Monitoring Officer be requested to report back to the Committee on progress in this matter on a six monthly basis;
- (5) further recommendations of the Internal Audit Review, such as appropriate measures to ensure dissemination and awareness of the policy be reviewed once the Policy is approved.

S84 : ANTI-FRAUD AND ANTI-CORRUPTION STRATEGY

The Committee received a report, which outlined the changes made to the Anti-Fraud and Anti-Corruption Strategy. The recently revised Whistleblowing Policy makes reference to the Strategy, it was therefore timely to review this related Strategy, which was last updated in June 2004.

The Committee noted the updated Strategy had been considered by the Council's Independent Audit Committee who had supported the document and that this would be reported to the Executive Business meeting in April 2007.

The main changes to the document were made to clarify the responsibility and proper proceedings to be followed when undertaking an investigation.

An outline was given of the purpose and scope of the Strategy in particular, details of the links to the processes behind each of the following headings were included in the Strategy for information:-

- Prevention;
- Detection;
- Reporting a Suspected Fraud or Financial Impropriety Through the Appropriate Channels.

The Committee was advised that the Strategy sets out a clear line for investigation, and that suspected fraud can be notified in a number of ways but in all cases it was important that staff and/or the public feel confident to report their concerns and are clear of the means by which they are able to do so. There was a consistent methodology for each investigation and it was important that the rules were outlined in the Policy.

Arising from discussions regarding statistical information available, it was confirmed that the Council keep a database of fraud statistics; the database is used for performance management purposes and reports are generated for submission to the National Audit Panel. It was confirmed that the information could also be provided to the Standards & Ethics Committee for information if required.

The Committee was advised that the systems and processes were in place to assist in the fight against fraud and corruption; it had been determined that these arrangements would keep pace with any future developments in both preventative and detection techniques regarding fraudulent or corrupt activity that may affect its operation or related responsibilities.

RESOLVED - That

- (1) the revised Anti-Fraud and Anti-Corruption Strategy be noted;
- (2) regular information reports be provided to the Standards & Ethics Committee for future reference and monitoring purposes.

S85 : MONITORING OFFICER'S VERBAL UPDATE

The Monitoring Officer updated the Committee on a number of points arising from previous meetings and discussions took place on the way forward as follows:-

- (i) proposed Planning Code of Good Practice – a copy of the Members' Planning Code of Good Practice was circulated to the Committee for discussion, particular emphasis was drawn to the sections 4, 5 and 6 of the document;
- (ii) Training – the Committee was asked to give further consideration to training for Members in light of the previous comments made that training on Planning matters should be made a requirement for all Members;
- (iii) Task & Finish Group for discussion of draft Action Plan and Planning Protocol – Deirdre Jones expressed an interest in joining the group as an independent member of the Standards & Ethics Committee;
- (iv) Accommodation for Planning Committee – the issue was ongoing, it was felt appropriate that a strong recommendation be made for the need for consistency for accommodation for the Planning Committee; it was requested that a report on the outcome be provided for information; it was also requested that a letter be sent to the Chief Executive requesting that action be taken to address the issue of accommodation for the Planning Committee and to report his response back to the Committee for information;
- (v) Press Release – it was agreed that the Whistleblowing Policy should be included in a press release in consultation with the Communications Section;
- (vi) Annual Report – it was agreed that a Task & Finish Group be set up in April 2007 comprising all Members of the Committee to discuss the format and content of the annual report which would be submitted to Council at its meeting in June.

The update was noted.

S86 : WORK PROGRAMME

A brief overview was given on the status of items on the Committee's Work Plan. The Committee discussed the items contained in the Work Programme and agreed the following:-

Whistleblowing Policy – the Committee considered the policy earlier in the meeting and agreed a number of minor amendments. It was further agreed that the Committee would receive a further update on the use of the policy in six months time.

Planning Code of Practice – the Committee received a copy of the draft Code of Practice. Deirdre Jones was nominated to join the group for joint discussions on developing the Code and Action Plan. The Committee noted this was an ongoing item and would be placed on the agenda of its meeting in May 2007.

Regular Meetings with Whips – the Committee noted that a letter had been sent to the Whips inviting them to attend the meeting of the Standards & Ethics Committee in May 2007. Following discussion it was agreed that the meeting with the Whips should be placed on the formal agenda of the Standards & Ethics Committee meeting in May 2007.

Member Development – the Committee was advised that Member Development was linked into the Governance Programme. It was agreed that the Governance Programme should remain as a regular item on the Committee's agenda.

Revised Code of Conduct – the Committee noted that the revised Code of Conduct would not be available until the Autumn 2007. It was agreed that the Monitoring Officer write to Community Councils to advise them of the information.

Developing Relationships and Understanding Work of Community Councils – the Committee agreed that the Community Clerks and the Chairs of the Community Councils be invited to attend the meeting of the Standards & Ethics Committee in July 2007.

Ethical Audit – the Committee noted that it had committed to undertaking a further review of the Ethical Audit. This was due to take place in September 2007.

Hospitality Register – the Committee noted that work on this was still not concluded and would be reported to the Committee in May 2007.

Relationship with Media – the Committee noted that the Corporate Governance Commission had highlighted the importance of the role of the media in supporting standards in public life. It was agreed that this item be placed on the agenda of the July meeting.

Governance Programme – the Committee agreed that this item should be placed on the agenda as a regular ongoing item.

Public Ombudsman for Wales – the Committee agreed that they wished to receive a presentation from the Ombudsman on their role and responsibilities. The Committee agreed that this should be placed on the agenda of its meeting in July 2007.

RESOLVED – That the update be noted and the items placed on the agenda of future meetings.

S87 : DATE OF NEXT MEETING

The date of the next meeting is scheduled for 22 May 2007. It was suggested that meetings for the following year be arranged at the Committee meeting in May to enable the dates to be included in the annual Calendar of Meetings for the Council, this would enable accommodation to be booked for meetings of the Standards and Ethics Committee for the whole of the year.