

STANDARDS & ETHICS COMMITTEE

18 SEPTEMBER 2007

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

County Councillors James and Griffiths

Apologies: Community Councillor David Suthers and County  
Councillor Owens

S103 : MINUTES

The Minutes of the meeting of the Standards and Ethics Committee held on 17 July 2007 were approved as a correct record and signed by the Chairperson.

S104 : MONITORING OFFICER'S VERBAL UPDATE

The Monitoring Officer updated the Committee on a number of points arising from previous meetings and discussions took place as part of the update.

- (i) Member Development – The Committee was advised that Member Development was linked into the Programme of Governance which the Committee had agreed to place on its Agenda as a regular update.

The proposed report on the Regulations and the Change Programme was due to be submitted to the Executive Business Meeting for observations and would include important recommendations on the provision of Member Development, particularly during and post County Council elections in 2008. It was intended to report fully the to meeting of the Committee in November 2007.

- (ii) Whistleblowing – The Policy has been approved and implemented in the Council. The Trade Unions have been advised and it is intended to circulate the information in staff payslips, by placing posters around County Hall and inclusion in the Core Brief. The Committee noted the Monitoring Officer had now been made the responsible Officer for

Whistleblowing.

- (iii) Community Councils – The Standards and Ethics Committee when setting its Work Programme for 2007/08 identified as a high priority, the need to develop closer working relationships with Community Councils, and to promote and maintain the high standards of conduct by Councillors and Community Councillors. The Committee agreed that a letter should be sent by the Chairperson inviting the Community Councils to attend the November meeting of the Committee to give them an opportunity to meet the Committee and to participate in discussion on the new Code of Conduct.

It was suggested that the Committee meet informally at 3.00 pm prior to the formal meeting and to extend the invitation to Clerks, Chairs, Vice-Chairs of the Community Councils together with any other Members that may wish to attend.

RESOLVED – That

- (1) the Monitoring Officer's verbal update be noted; and
- (2) a letter be sent by the Chairperson of the Standards and Ethics Committee inviting the Clerks, Chairs and Vice-Chairs of Community Councils to attend an informal Forum at 3.00 pm on 27 November 2007 prior to the formal meeting of the Standards and Ethics Committee

S : 105 REGISTRATION OF GIFTS AND HOSPITALITY

The Committee at its meeting on 5 June 2007 considered a report on the registration of gifts and hospitality. At that meeting the Committee deferred its decision to receive further information on the issue and to receive representation from the Leader of the Council.

The matter was further considered on 17 July 2007, having considered the additional information and representations made at the meeting, the Committee resolved to further discuss and to review the relevant registration forms and make a decision on this matter at its meeting in September 2007 which would be recommended to Council. The Committee made a number of observations:-

- The Committee emphasised its view that the value of visits by

Members to appropriate functions was not in dispute and should be encouraged as it raises the profile of the Council within the community.

- It was acknowledged that transparency is of paramount importance when registering receipt of gifts and hospitality and that the information relating to Cardiff Councillors was available on the website and in the public registers for inspection.
- The Committee were of the view that the threshold in Cardiff was too high and should be reduced to £25 in line with other major cities in England including Greater London. The rate of £25 would make it easier for Councillors to determine whether or not they needed to make a declaration.

RESOLVED – That

- (1) Council be recommended to reduce the threshold value for registration of gifts and hospitality to £25 in line with other major cities in England.
- (2) The form for registration of gifts and hospitality should include reference to the fact that anything under £25 should not be declared.
- (3) A six monthly report summarising the details and values of gifts and hospitality received by Members be reported to the Standards and Ethics Committee for information.

S : 106 MEDIA PROTOCOLS OPERATING WITHIN THE COUNCIL

The Chairperson welcomed Kathryn Richards, Head of Function, Communications and Anna Meredith, Operational Manager, Media who had been invited to the meeting to provide the Committee with further information on the Council's Media Protocol and the Code of Conduct that exists for the media.

The following information was provided for consideration by the Committee:-

- Cardiff Media Protocol
- Press Complaints Commission – Code of Conduct Guidelines
- Code of Recommended Practice on Local Authority Publicity in Wales

- The Ofcom Broadcasting Code

The Committee was advised that there are guidelines in place for Staff in respect of involvement with the Media but there were no specific guidelines in place for Members.

The Committee noted that although there was no specific media protocol for Members, they were governed by the Members' Code of Conduct and also signed up to the Cardiff Undertaking. It was emphasised that at all times Members should take into consideration the best interest of the Council.

The Chairperson thanked the Officers for providing further information on the media protocol within the Council and for their responses to Members' questions.

RESOLVED – That the information received in respect of the media protocol be noted; the Committee were of the view that it was not necessary to put in place a specific media protocol for Members as all Members of the Council had signed up to the Cardiff Undertaking and were also governed by the Members' Code of Conduct.

#### S107 : SCHOOL SUB-COMMITTEE BREACH OF CONFIDENTIALITY

At its meeting on 17 July 2007 the Monitoring Officer as part of her verbal update, advised the Committee of an issue that had arisen regarding a breach of confidential information following a Schools Sub-Committee that had met on a confidential basis on 2 July 2007. The Schools Sub-Committee had agreed that it would be beneficial to meet on a confidential basis to allow the Committee to receive briefings of a confidential nature from Officers.

Following the verbal update on 17 July 2007, the Standards and Ethics Committee resolved to receive further information regarding the incident.

The Monitoring Officer advised the Committee that preliminary investigations had been made which had proved to be unsuccessful in identifying the source of the disclosures.

The Committee when discussing the issue were concerned to hear that the premature release of information had caused unnecessary worry and distress

and were of the view that the importance of trust during open and honest discussions must be emphasised as the improper disclosure in confidential information could cause unnecessary damage to the Council. The Committee asked that it be noted that they strongly disapprove of the breach of confidential information.

The Committee acknowledged that the meeting was attended by observers and representatives from trade unions that were not governed by the Code of Conduct, however all those attending the meeting had given undertaking not to disclose any confidential information.

RESOLVED – That

- (1) The information reported to the Committee on the breach of confidential information relating to the Schools Sub-Committee be noted;
- (2) That a letter be sent by the Chairperson on behalf of the Standards and Ethics Committee reminding elected Members and Staff of their respective obligations under the statutory Codes of Conduct concerning the disclosure of confidential information and of the Committee's disapproval of the breach of confidential information.

#### S108 : COUNCIL ORGANISATIONAL ARRANGEMENTS

In February 2007, as part of the budgetary process, the Council established A Fundamental Operational Review and also delegated the Chief Executive, in consultation with the Executive, the authority to establish new Senior management arrangements for the Council.

Following extensive consultation the Chief Executive established new Senior Management arrangements which were implemented with effect from 9 July 2007.

Service areas are now structured around the following three main areas to deal with issues/projects in accordance with corporate plans.:-

- Social
- Economic
- Environment

RESOLVED – That the Council's new Senior Management structure which

was implemented on 7 July 2007, be noted.

#### S108 : CODE OF CONDUCT – DRAFT PROPOSALS FROM WAG

Following the introduction of the new ethical framework, the Welsh Assembly Government gave a commitment to review the Model Code of Conduct in the light and experience of its operation by Local Government. A multi-agency working group chaired by the Welsh Assembly Government undertook the review and made 26 recommendations for simplifying and clarifying the code, including a fundamental change in the approach to the disclosure and registration of interests.

The Monitoring Officer advised the Committee that the proposed new Code of Conduct had not yet been formally issued as a Statutory Instrument in the Welsh Assembly Government and there was still no timetable as to when the Code would be formally implemented, however it was not expected that this would be before the Council elections in May 2008.

RESOLVED – That the proposed new Code of Conduct be noted and a further report be received in due course.

#### S109 : WORK PROGRAMME 2007/08

The Committee discussed the items on the Work Programme for 2007/08 and updated the content and timescales.

RESOLVED – That the Work Programme for 2007/08 be updated as agreed by the Committee at the meeting.