

STANDARDS & ETHICS COMMITTEE

18 NOVEMBER, 2008

Present: Independent Members: Deidre Jones and Anne Morgan

County Councillors T Davies and Rowland-James

Community Councillor Hughes

Also: Gillian Lawson (Clerk) and Community Councillor Vernon Hanson (Lisvane Community Council); Alec Davies (Clerk) and Community Councillor Penri Williams (Pentyrch Community Council); Helena Fox (Clerk) and Community Councillor David Silver (Radyr Community Council); David Barnard (Clerk to St Fagans Community Council); and Community Councillor Mike Jones-Pritchard (Clerk to Tongwynlais Community Council)
(All of whom were in attendance for the item in minute S17 below)

Apologies: Akmal Hanuk and County Councillor Bowen and Maureen Hedley-Clarke

(In the absence of the Chairperson, Anne Morgan took the Chair)

S16 : MINUTES

The minutes of the meeting held on 23 September, 2008 were approved as a correct record and signed by the Chairperson.

S17 : COMMUNITY COUNCILS CHARTER

Jonathan Thomas, Principal Policy Officer, Cardiff County Council, gave a short presentation on proposals to establish a Charter setting out how the County Council and the Community Councils could work more closely together for the benefit of local communities, following a recent consultation exercise and the provision of a 'model' Charter document,

by the Welsh Assembly Government. He outlined what such a document would seek to achieve, what it could include, and the potential benefits. Members noted that this was only the starting point of the discussions and were asked for their initial opinions, and to consider how the proposals could be best taken forward. Members raised the following points:

- that there had, up to now, been no mechanism for formal communication between the County Council and the Community Councils, that this had been a source of ongoing frustration to Community Council Clerks and Members, and that this was mainly attributable to the lack of a single senior 'contact point' within the Council, and any proposal to establish a Charter should address the matter of a 'contact point';
- that a change of organisational culture was needed within the County Council, in order to make the Charter work and benefit local communities, but that Community Councils were willing to work in partnership with the County Council to both establish and implement the Charter;
- that, within the format of a single document, there needed to be recognition of the different Community Councils in Cardiff, and the differences in the character and culture of each of the local communities served by the Community Councils; and
- that it would be helpful for County Council Officers to research examples of good practice at other local authorities in England and Wales, who had undertaken similar exercises.

Mr Thomas was thanked for his presentation, and for his participation in the discussions, after which the Committee considered the way forward for taking forward the proposal to establish a Community Councils Charter and

RESOLVED – That

- (1) the 'model' Charter document, issued by the Welsh Assembly Government, be used as the starting point towards the drafting of a Community Councils Charter for Cardiff;
- (2) the Monitoring Officer be requested to research appropriate

examples of good practice in other local authorities in England and Wales;

- (3) the establishment of a Task & Finish Group comprising appropriate representatives of the County Council, the Community Councils, and other relevant organisations, such as One Voice Wales, be approved, in principle;
- (4) the Monitoring Officer arrange for presentations on the proposed Charter, the work of Cardiff County Council of most relevance to the Community Councils, and the work of the Community Councils themselves, to be made at the next scheduled joint meeting of the Community Councils in the New Year;
- (5) the Monitoring Officer be requested to inform relevant Ward Members about the proposals and arrange for their involvement at an appropriate juncture.

S18 : PLANNING COMMITTEE: CODE OF PRACTICE & REVIEW OF PROCEDURES

The Committee received a progress report on the development of a Code of Practice for, and a review of procedures of, the County Council's Planning Committee. The meeting was reminded that progress had been delayed pending publication of the revised Members' Code of Conduct, in order to ensure conformity with that document, but that now that that document had been issued, and Members of the County Council trained, it was now appropriate to progress the Planning Committee Code of Practice. The Constitution Committee, on 17 October, 2008, had received a report (copies of which were provided for this meeting) on a review of Planning Committee procedures, and had authorised the Monitoring Officer, in consultation with the Leader of the County Council and the Chairperson of the Planning Committee, to draft a questionnaire seeking the views of all County Council Members.

The meeting was informed that following a recent meeting between them, a questionnaire and issues paper will be drafted, and then circulated to all County Councillors and Members of this Committee, seeking responses and suggested improvements. It was anticipated that the outcome of that exercise will be reported to future meetings of this Committee, the Constitution Committee and the Planning Committee, with a view to reaching a decision at the full Council meeting scheduled for 23 April,

2009.

A Member commented on the lengthy duration of Planning Committee meetings, and the considerable lengths of time that County Councillors and members of the public often had to wait until the items of particular interest and concern to them were heard at such meetings, and requested that this issue be referred to in the questionnaire and issues paper.

RESOLVED – That

- (1) the proposed review of processes and procedures of the Planning Committee be noted;
- (2) the Monitoring Officer be requested to include Community Councils, and an appropriate selection of applicants, developers and other appropriate ‘stakeholders’, in the consultees on the questionnaire and issues paper, in order to obtain as wide a perspective as possible.

S19 : GOOD GOVERNANCE DIAGNOSTIC & ETHICAL STANDARDS AUDIT

On 23 September, 2008 (Minute no. S11), this Committee had invited comments which could be reflected in a proposed ‘repeat’ of the Ethical Standards Audit, which had been undertaken in 2006. The Monitoring Officer reported that, since that meeting, the County Council had been asked by the Wales Audit Office to pilot a “Good Governance Diagnostic”, which, if successful, could be applied throughout Wales. The pilot would examine understanding, culture, and behaviours in public bodies, and could be used in all such bodies, but be focused on the governance of individual organisations, and be based on the seven principles of good governance developed by the Welsh Assembly Government, namely:

- putting the citizen first;
- knowing who does what and why;
- engaging with others;
- living public service values;
- fostering innovative delivery;
- being a learning organisation; and
- achieving value for money.

The process would involve a survey of senior managers and staff, a detailed assessment of the County Council's governance arrangements via document reviews and staff interviews, and a series of staff workshops. It was anticipated that the process would help identify training needs to establish how widely the principles of good governance were being applied, and where arrangements and understanding needed to be developed, and also help the County Council comply with a requirement to publish an Annual Governance statement.

The Monitoring Officer suggested that, in the light of the pilot proposal, it might be prudent for this Committee to delay pursuing any Ethical Standards repeat audit, but to ask if any of its elements could be included in the development of the pilot proposal. In addition, the Monitoring Officer drew attention to a press release, from the Committee on Standards in Public Life, announcing that it will conduct an Inquiry entitled "*Local Leadership and Public Trust: Accountability and Transparency in London and Local Government*". The Clerk to that Committee had subsequently informed the Monitoring Officer that that Committee wished to visit Cardiff to learn about the County Council's experiences, and the Monitoring Officer suggested that representatives of that Committee be invited to attend the next meeting of this Committee to provide a briefing on the Inquiry's terms of reference.

RESOLVED – That the Monitoring Officer

- (1) inform the Wales Audit Office that it can proceed with its proposal for Cardiff County Council to pilot a 'Good Governance Diagnostic';
- (2) be requested to refer her report to this meeting to the Clerks of all the Community Councils in Cardiff, and seek their support for their involvement in the pilot referred to in resolution (1) above;
- (3) invite appropriate representatives of the Committee on Standards in Public Life to the meeting of this Committee on 27 January, 2009, in order for them to provide a briefing on its Inquiry entitled "*Local Leadership and Public Trust: Accountability and Transparency in London and Local Government*" and to the potential role of the County Council and this Committee during that Inquiry.

**S20 : REVISED CONTRACT AND FINANCIAL PROCEDURE
RULES OF CARDIFF COUNTY COUNCIL**

The Committee was informed that the Constitution Committee, on 17 October, 2008, had updated the County Council's Contract and Financial Procedure Rules. The Committee noted the updated rules, which were provided for Members' information.

S21 : MONITORING OFFICER'S VERBAL UPDATE

(i) Standard Committees Conference (Wales) 2009

The Monitoring Officer informed the meeting that the County Council had been invited to submit a formal offer to the Welsh Assembly Government to host the All Wales Standards Committees Conference in the Autumn of 2009. A decision is expected in the near future.

(ii) Independent Remuneration Panel for Wales: Initial Report

The Monitoring Officer informed the meeting that the Independent Remuneration Panel for Wales had recently published its initial report setting out its recommendations on Members' Allowances. It recommended levels for Members, which were higher than those currently paid to Members of Cardiff County Council.

The full County Council meeting, on 18 December, 2008, will consider the Panel's main findings and recommendations, and whether to bring its levels of allowances into line with those recommended by the Panel, or otherwise. The meeting will also be asked for decisions, arising from the Panel's findings and recommendations, on the allowances of the independent Members of both this Committee and the Children & Young People Scrutiny Committee; Carers' Allowances; and pensions.

In addition, separate issues had arisen as a result of an internal audit of Members' Allowances, and these will be discussed by the Party Whips prior to a separate report to be considered by a future full Council meeting.

(iii) Meetings with Party Whips

The Monitoring Officer reported that the Party Whips had indicated that the joint meetings with Members of this Committee had been successful, and should continue, but in “Forum” mode, and with a more specific list of agenda items. Some Members expressed concern that having such meetings on an informal basis might raise ethical issues. The Committee therefore asked that this item be included on the agenda of its next meeting, and that in the meantime, Members would be urged to think about this topic, so that there could be a constructive discussion at the next meeting.

S22 : WORK PROGRAMME & DATE OF NEXT MEETING

The Committee noted its Work Programme for 2008/9, and was invited to update it appropriately.

RESOLVED – That

- (1) the meeting of this Committee scheduled for Tuesday 16 December, 2008, be cancelled;
- (2) the following items be included on the agenda for the meeting of this Committee scheduled for Tuesday 27 January, 2009:
 - (a) Community Councils Charter: Update;
 - (b) Hospitality Register: Review;
 - (c) Standards Committees Conference (Wales) 2009;
 - (d) Committee on Standards in Public Life Inquiry: Local Leadership and Public Trust: Accountability and Transparency in London and Local Government;
 - (e) Relationship with the media and press; and
 - (f) Future Meetings with Party Whips.