

STANDARDS & ETHICS COMMITTEE

17 NOVEMBER 2009

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

County Councillors Bowen and Wakefield

Community Councillor John Hughes

Apologies: Akmal Hanuk (Chairperson) and County Councillor Tim Davies

Anne Morgan (Vice-Chairperson), took the Chair in the absence of Akmal Hanuk (Chairperson).

S17 : MINUTES

The minutes of the meeting of the Standards and Ethics Committee held on 29 September were approved as a correct record and signed by the Chairperson.

S18 : DECLARATIONS OF INTEREST

The Chairperson reminded Members of their responsibility under Article 16 of the Members' Code of Conduct to declare any interests in general terms and complete personal interest forms at the start of the meeting and then, prior to the commencement of the discussion of the item in question, specify whether it is a personal or prejudicial interest. If the interest is prejudicial, Members would be asked to leave the meeting, and if the interest is personal, Members would be invited to stay, speak and vote.

S19 : STANDARDS CONFERENCE WALES - FEEDBACK

The Monitoring Officer advised the Committee that it had been proposed that Cardiff again hosts the Standards Conference Wales in 2010, and invited comments from the Committee.

With reference to the feedback forms, the Committee was advised that the comments had been generally positive and were attached to the report in graphical format for information. It was noted that the general feedback had a high satisfaction rate of 90%, some concerns had been expressed in respect of the provision of Welsh translation, the Committee was advised that all speakers had been given the opportunity to present through the medium of Welsh and a simultaneous Welsh translation facility was available at the Conference this had not been fully utilised.

The Monitoring Officer advised that she had received a series of e-mails and the Chairperson had also received letters congratulating Cardiff on the success of the conference which had been very stimulating and well organised.

With reference to the tour of the Castle and the reception at the Mansion House, this had been well received by all that attended.

Following the update, the Committee made the following observations:-

- It was noted that standing for lunch had proved to be a problem and seating should be provided at next year's conference;
- It was noted that simultaneous Welsh translation had been offered but had not been taken up.
- In view of the negative comments relating to the provision of Welsh translation it was suggested that delegates be asked if they require full bi-lingual facilities at registration and to ascertain the expectation the delegates had of the speakers;

RESOLVED that

1. The update be noted and comments for improvement be taken on board when planning the conference in 2010.
2. A letter of appreciation be sent to the Lord Mayor thanking him for his hospitality.

S20 : LOCAL AUTHORITIES (CASE AND INTERIM CASE TRIBUNALS AND STANDARDS COMMITTEES) (AMENDMENT) (WALES) REGULATIONS 2009

The Monitoring Officer provided the Committee with information on the Local Authorities (Case and Interim Case Tribunals and Standards Committees) (Amendment) (Wales) Regulations 2009 which came into force on 19 October 2009. The amended regulations provide that:-

- the Public Services Ombudsman for Wales (“the Ombudsman”) is entitled to attend, or a tribunal or standards committee (as the case may be) may request the Ombudsman to attend a hearing for the purposes of:
 - presenting the Ombudsman’s report and/or explaining any of the matters in it; and
 - otherwise playing such part or assisting the tribunal or standards committee at the hearing as it considers appropriate;
- a request for the Ombudsman to attend must not be unreasonably refused and, if such request is refused, the Ombudsman must give reasons in writing;
- the Ombudsman may be represented at a hearing by counsel or a solicitor.

The Monitoring Officer outlined the background and the process for complaints and advised that the more serious complaints are dealt with by the Adjudication Panel for Wales. Previously the Ombudsman had no rights to representation in the Adjudication Panel. The revised regulations provide to the Ombudsman the right to attend hearings and speak and also provide Standards and Ethics Committees the right to request the Ombudsman to attend hearings that come to Committee.

RESOLVED – That the update be noted.

S21 : MONITORING OFFICER’S VERBAL UPDATE

(a) New Planning Guidance

The Committee was advised that following consultation in Council, the Planning Committee procedure rules and updated Planning Code of Good

Practice had been approved at Council. The Monitoring Officer advised that Members had received informal training and had carried out additional training on appraisals and the Code, further training will be given in February 2010. At the moment compulsory training only applies to Members that sit on the Planning Committee. There was a proposal that there should be compulsory training for all Members, the Monitoring Officer advised that compulsory training for Members outside the Planning Committee was not planned at the current time.

(b) Strategic Technology Partner

The Committee was given a briefing on the Strategic Technology Partnership which would build upon and improve the Council's existing technology base and assist in the change Council's change programme and improving the customer service.

The Committee was advised that the Council are working to co-ordinate a strategy and to use technology to give more information to people to empower them, and to provide a service to the harder to reach groups including people who do not have the benefit of using technology.

The Council has signed a 15 year contract with Tata Consultancy Services to work alongside the Council, it was noted that Tata's involvement would be on a business case basis. The Council is not committed to use Tata. It was confirmed that Tata will work alongside in-house staff, there will be a transfer of knowledge which will be of benefit to the Council.

(c) Retirement of Chief Executive

The Monitoring Officer formally advised the Committee of the resignation of Byron Davies and the proposed appointment of Tom Morgan to acting Chief Executive. Tom Morgan will remain in post until a new Chief Executive had been appointed. It was noted that the appointment of Tom Morgan was subject to Council approval.

RESOLVED –That the Monitoring Officer's update be noted.

S22 : TERM OF OFFICE OF INDEPENDENT MEMBERS

The Monitoring Officer reported that the term of office of Akmal Hanuk had expired on 1 November 2009. The Regulations provide that a second term

of office is now permitted for Independent Members up to a maximum of a further consecutive four year term. Following discussion, Akmal Hanuk had indicated that subject to the endorsement of the Committee he wished to stand for a second term.

It was noted that the term of office for the remaining Independent Members of the Committee expires on 27 July 2010.

RESOLVED – That the appointment of Akmal Hanuk to the Standards and Ethics Committee for one further four year term be endorsed and the matter be reported to Council for approval of the appointment.

S23 : DATE OF NEXT MEETING – 26 January 2010