

STANDARDS & ETHICS COMMITTEE

23 MARCH 2010

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

County Councillor Bowen

Community Councillor John Hughes

S33 : MINUTES

The minutes of the meeting of the Standards & Ethics Committee held on 26 January 2010 were approved as a correct record and signed by the Chairperson.

S34 : DECLARATIONS OF INTEREST

The Chairperson reminded Members of their responsibilities under Part 3 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 personal or prejudicial interest. If the interest is prejudicial, Members would be asked to leave the meeting, and if the interest is personal, but not prejudicial, Members would be invited to stay, speak and vote.

S35 : APPOINTMENT OF INDEPENDENT MEMBERS

The Standards Committees (Wales) Regulations 2001 (as amended) provide that an Independent Member of a Standards Committee may be re-appointed by the Authority for one further consecutive term of up to four years.

The Terms of Office of Anne Morgan, Paul Stockton, Deirdre Jones and Maureen Hedley-Clarke are due to expire on 27 July 2010, all four Independent Members have indicated that they are willing to stand for re-appointment. In the interest of continuity of experience on the Committee, the Committee agreed to stagger the terms of office. In response to the suggestion that the term end date be discussed nearer the date the

Committee was advised that the report to Council in July on the re-appointment of the Independent Members must stipulate the name of each Independent Member and the duration of the appointment.

Following discussion, the Independent Members suggested that the duration of each term of office should be agreed at the next meeting of the Committee in consultation with the Chairperson and the Monitoring Officer prior to reporting to Council in July 2010.

RESOLVED – That the Council be recommended to re-appoint the following Independent Members with effect from 27 July 2010 for a term to be agreed at the next meeting of the Standards & Ethics Committee following which the matter would be reported to Council in July 2010:-
Anne Morgan, Paul Stockton, Deirdre Jones and Maureen Hedley-Clarke.

S36 : DRAFT CODE OF GUIDANCE – REPORT ON CONSULTATION PROCESS

The Committee at its meeting on 26 January 2010 received a report on the draft Guidance and resolved to send in a formal response to the consultation on behalf of the Standards & Ethics Committee.

As a direct result of the consultation process and the responses received from the wide variety of Standard & Ethics Committees across Wales together with other interested parties and Monitoring Officers, the Ombudsman has produced a fresh draft guidance.

The Committee noted that the Ombudsman had included a substantial number of the points raised in the consultation and that the new draft is now a more robust and useful document.

All Members had comprehensive training on the Code when elected, the Ombudsman has indicated that he expects all Members to take advantage of such training including refresher courses to ensure they are fully aware of the provisions of the Code and its interpretation. To this end it is intended to offer further training workshops to all Members on the Code of Conduct and the Guidance.

RESOLVED – That

(1) the improved draft Guidance from the Public Services Ombudsman for

Wales, be noted;

- (2) once the Guidance is issued in final form, further training workshops should be offered to all Members on the Code of Conduct and the Guidance and all Members be strongly recommended to attend the training workshops;
- (3) that the Chairperson of the Standards & Ethics Committee write to the Group Leaders on behalf of the Committee to endorse the recommendation.

S37 : STANDARDS CONFERENCE WALES 2010

Following the success of the Standards Conference Wales 2009 which took place in City Hall on 15 October 2009, the Council has once again volunteered to host this year's Conference which will be held at City Hall on 14 October 2010.

As part of the planning process for last year's event, the Committee set up a Task & Finish Group to discuss initial proposals as part of the planning process.

It was suggested that this year's Conference could take a practical approach and focus on the application of the Code using the new guidance.

The Committee agreed to set up a Task & Finish Group in which all Members of the Committee would be invited to participate, suggested areas for discussion included:-

- Translation facilities;
- Structure and content of workshops/speakers;
- Input of other Authorities;
- Budget; and
- Evening reception.

RESOLVED – That a Task & Finish Group comprising all available Members of the Committee be set up to consider the arrangements for the Standards Conference Wales 2010 and to report back to the next meeting of the Committee.

S38 : STANDARDS FOR ENGLAND

The Committee received a report which advised about recent publications issued by the Standards for England on (i) 'blogging' and (ii) the review of the Local Standards Framework in England which the Standards in England over sees.

(i) Guidance on Blogging

The Standards for England has recognised that blogging and social networking sites are effective methods for Councillors to interact with constituents and support local democracy by providing public access to local Councillors and politics. The Standards for England has produced a 'Blogging Quick Guide' on the ethical use of blogging and social networking and advice to raise awareness of Members' obligations under the Code of Conduct which might apply when using blogging or social networking sites.

The Committee noted that there are currently no guidelines from the Ombudsman for Wales on the use of blogging and social networking by Members.

(ii) Review of Local Standards Framework

The Committee was advised that the Standards for England had recently carried out a review of the Local Standards Framework in England; the findings of the review have now been published in a report entitled 'Local Standards 2.0 – The Proportionality Upgrade?' The Framework is attached to the report as Appendix B for the Committee's information.

The Committee noted that Standards Framework in England differs from that in Wales in that the majority of complaints in England are dealt with by standards committees and their Monitoring Officer whereas in Wales complaints are largely dealt with in the first instance by the Public Services Ombudsman for Wales.

RESOLVED – That

(1) the Blogging Quick Guide published by Standards for England

attached as Appendix A to the report be noted and the Monitoring Officer be requested to circulate a copy of the Guide to all Cardiff Councillors;

- (2) the Standards for England report 'Local Standards 2.0 – The Proportionality Upgrade?' attached at Appendix B to the report be noted for information purposes;
- (3) a presentation be given to the Committee at its next meeting on the issue of twittering and blogging.

S39 : COMPLAINT TO THE ADJUDICATION PANEL

The Committee received a report to notify them of a referral by the Public Services Ombudsman for Wales concerning the conduct of a Councillor in Cardiff.

It was noted that the Adjudication Panel had inserted certain information relating to the complaint onto their website. The Committee RESOLVED to note the report and await the outcome of the Adjudication Panel.

S40 : ANNUAL REPORT 2009/10

The Cardiff Council's Constitution requires that all Scrutiny Committees report annually to Council on their activities over the past year, the Standards & Ethics Committee in accordance with the recommendations of the Corporate Governance Commission made a decision to publish its own Annual Report in order to strengthen the role of the Committee and to work in partnership with Councillors and Community Councillors to uphold high standards of conduct.

In 2008/09, the Standards & Ethics Committee resolved to establish a Task & Finish Group to prepare its annual report for submission to Council.

RESOLVED – That a Task & Finish Group be established comprising all available Members of the Committee to prepare its 2009/10 annual report for submission to Council in July 2010.

S41 : PROGRAMME OF WORK

On 17 November 2009 the Committee met as a Forum to develop its Work

Programme for 2010/11.

The Committee set out its priorities within the terms of reference for the Committee to form a draft Work Programme.

The Committee discussed the draft Work Programme and suggested some amendments.

RESOLVED – That

- (1) the Work Programme be updated in accordance with the suggestions of the Committee and reported to the next meeting;
- (2) the current position of the Community Council Charter be followed up as a matter of urgency;
- (3) consideration of planning processes be prioritised and placed on the agenda for a future meeting.