

**CITY AND COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**

STANDARDS AND ETHICS COMMITTEE: 23 NOVEMBER 2010

REPORT OF THE MONITORING OFFICER AGENDA ITEM: 5

**PROPOSED FUTURE MEETING WITH POLITICAL GROUP
LEADERS AND WHIPS**

Reason for this Report

1. To consider inviting Political Group Leaders and Whips to a future meeting of the Standards and Ethics Committee as a follow up to meeting that was held on 29 September 2009.

Background

2. On 29 September 2009, the Committee met with Political Group Leaders and Whips to discuss matters relating to the conduct of Members at meetings of Full Council. A copy of the minutes of that meeting is attached as **Appendix A** to this report.
3. The Committee resolved on 29 September 2009 that the Group Leaders be requested to:
 - (a) *establish an informal group of appropriate representatives of all the Political Groups to discuss matters of general behaviour at full Council meetings and specific incidents, where necessary, and make arrangements for it to meet before the next meeting of this Committee;*
 - (b) *investigate how the role and responsibilities of the Council's Business Committee can be expanded, in order to provide greater help and assistance to the Lord Mayor to help him chair future full Council meetings in a more effective manner; and*
 - (c) *Meet again with the Committee in 6 months time.*

4. The Committee's current Work Programme for 2010/11 includes a commitment to meet with Whips and Leaders in order to support an objective that aims 'to develop trust and engage with all Members'.

Issues

5. In line with the Committee's Work Programme for 2010/11, the Committee may wish to consider extending a formal invitation to Political Group Leaders and Whips to attend the next meeting of the Committee on 1

February 2011 in order for the Committee to receive an update on progress in implementing the agreed actions from the previous meeting on 29 September 2009.

6. A future meeting with Political Group Leaders and Whips would also provide an opportunity for the Committee to raise any other matters that it may consider to be appropriate.

ADVICE

This report has been prepared by the Monitoring Officer and City and County Solicitor. It contains all the information necessary to allow Members to arrive at a reasonable view, taking into account the advice contained in this section.

Legal Implications

There are no direct legal implications arising from this report.

Financial Implications

There are no direct financial implications arising from this report.

RECOMMENDATIONS

The Committee is requested to:

1. note the agreed outcomes of the previous meeting between the Committee and Political Group Leaders and Whips on 29 September 2009; and,
2. agree to extend a formal invitation to Political Group Leaders and Whips to attend the next meeting of the Committee on 1 February 2011 and request them to provide the Committee with an update on progress in implementing on the agreed actions from the previous meeting on 29 September 2009.

KATE BERRY
Monitoring Officer and City and County Solicitor
17 November 2010

Appendix A: Standards and Ethics Committee Minutes, 29 September 2009

STANDARDS & ETHICS COMMITTEE**29 SEPTEMBER, 2009**

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

 County Councillors Bowen and Wakefield

 Community Councillor John Hughes

Also: County Councillors Dianne Rees, Robson, Berman,
 McEvoy, Goodway, Ralph Cook and Cowan

Apologies: County Councillor T Davies and Deirdre Jones

S10 : MINUTES

The minutes of the meeting of this Committee held on 23 June, 2009 were approved as a correct record and signed by the Chairperson.

S11 : DECLARATIONS OF INTEREST

The Chairperson reminded Members of their responsibilities, under Part III 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 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 but not prejudicial, Members would be invited to stay, speak and vote.

S12 : STANDARDS CONFERENCE: VERBAL UPDATE

Ceri Gauci, Communications Officer, Cardiff County Council, gave a short update on progress with the organisation of the Standards Conference Wales event to be held on 15 October, 2009, in Cardiff. She informed the meeting that about 150 delegates were expected to attend and outlined the arrangements for the reception on the night before the Conference, and for the plenary and workshop sessions at the Conference itself. She also referred to current publicity efforts and informed the meeting that a DVD

will be made available for purchase after the event. The Chairperson encouraged everybody present to make every effort possible to attend.

In response to a question, Officers indicated that delegates were not required to register in advance of the day for any particular Workshop, but can register on the day on a ‘first come first served’ basis, but emphasised that all five Workshops were being provided in response to expected demand and that anybody who was unable to attend their Workshop of first preference in the morning would have an opportunity to attend a ‘repeat’ in the afternoon. Officers also indicated, in response to questions, that car parking in the City Hall forecourt was unlikely to be available on the day of the Conference, because of work being undertaken by the contractors erecting the Winter Wonderland set, so delegates will be provided with comprehensive details, in their Conference papers, of the nearest car parks. Ms Gauci was thanked for her update and for her organisation of the Conference.

S13 : MEETING WITH GROUP LEADERS TO DISCUSS CONDUCT AT FULL COUNTY COUNCIL MEETINGS

The Chairperson welcomed the Leaders of each of the Political Groups of the County Council and invited them to make short statements in relation to conduct at full Council meetings.

County Councillor Berman indicated that the overriding issue was what was appropriate, and not appropriate, to say at such meetings. He referred to an occasion where an accusation of ‘political voting’ at Planning Committee meetings had been made, and he considered that this was not appropriate in a ‘public arena’. He considered that this, and other accusations which are made without foundation, should, in future, not be raised in a public forum. County Councillor Dianne Rees considered that there was a need for robust debate, but in a more courteous manner and using more appropriate language, and that there was a need to train Lord Mayors on how to chair the meetings. County Councillor McEvoy considered that all Members should be treated with respect, but acknowledged that meetings can get quite ‘personalised’ at times and was often about political ‘point scoring’ rather than the topics under debate. County Councillor Cowan referred to the matter raised by Councillor Berman, and stressed that, to the best of her knowledge, no ‘whipping’ of political groups takes place prior to Planning Committee meetings. She considered that some comments at a recent full Council meeting amounted to ‘bullying’ and expressed concern about the

tone of an e-mail message that she had received from an Officer. She urged that all Members should think and reflect, before making comments at full Council meetings. County Councillor Ralph Cook indicated that, in the interests of democracy, there should be a diverse cross section of communities and that robust debate was important. He outlined matters that he will raise with the Monitoring Officer in relation to the conduct of the Planning Committee. He stressed that he felt entitled to represent his residents' views but that there must be 'give and take' at all times, and concluded that, since the beginning of the current Administration, the atmosphere at Council meetings had deteriorated, and had now become extremely 'adversarial'.

At this juncture, the Chairperson invited questions and a general discussion of the matters raised by the Political Group Leaders, during which the following points were made:

- (a) that there was a need for the Political Groups to get together and find solutions to these issues;
- (b) that this Committee did not want to act as a police body but rather to help the Political Groups solve the problems themselves;
- (c) acknowledgement that different people had different standards of behaviour that they regarded as acceptable;
- (d) that there remained a perception of 'bullying', within the County Council;
- (e) that Opposition Members felt intimidated and that the Lord Mayor needed to adopt more of a proactive role for the Council, to facilitate debate and room for ideas, and to give Members opportunities to voice their opinions on behalf of their communities;
- (f) that there was a need for some informal protocol between the Political Groups to deal with occurrences where Members had upset each other and to take forward the matter of general behaviour at future Council meetings;
- (g) that the set up of the City Hall Council Chamber encouraged an adversarial atmosphere and is not conducive to mutual working and respect;

- (h) that disagreement between Members was ‘part of the system’ and that if one tries to ‘sanitise’ debate, this would be detrimental to the democratic process;
- (i) that politics was not a ‘static entity’ and that the balance of power often changes between and within the Political Groups and that, because much decision making is delegated to Executive Members and Officers, the Council meeting provided the only opportunity for all the other Members to get involved in healthy debate, and that changes to the structure of Council meetings had had the effect of sidelining ‘backbench’ Members;
- (j) that it was important for Council meetings to continue to be available through web-casting and enable Members to then know how they are perceived by the public; and
- (k) that at one Council meeting, one of the Independent Members of this Committee had, upon arrival, been refused entry to the refreshment room by a Member, and then observed examples of verbal abuse from other Members to each other at the meeting, and that this gave a very poor ‘first impression’ of the County Council.

The Monitoring Officer reminded those present that all Members of this Committee are Members of the County Council and are therefore entitled to attend Council meetings as and when they wish, and suggested that, in relation to the points about chairing and running Council meetings, the role of the Business Committee could be positively expanded, in order to provide greater assistance to the Lord Mayor in this respect. The Chairperson then thanked the Political Group Leaders for attending this meeting and sharing their views.

RESOLVED – That the Group Leaders be requested to

- (a) establish an informal group of appropriate representatives of all the Political Groups to discuss matters of general behaviour at full Council meetings and specific incidents, where necessary, and make arrangements for it to meet before the next meeting of this Committee;
- (b) investigate how the role and responsibilities of the Council’s Business Committee can be expanded, in order to provide greater help and assistance to the Lord Mayor to help him chair future full Council

- meetings in a more effective manner; and
- (c) Meet again with the Committee in 6 months time.

S14 : REGISTRATION OF GIFTS AND HOSPITALITY: UPDATE

The Committee noted a report which provided information on gifts and hospitality which had been registered by Council Members under the requirements of the Members' Code of Conduct, during the period 19 October, 2008 to 17 April, 2009. Attention was drawn to concern raised by a Member on press coverage of this matter. County Councillor Dianne Rees expressed concern about the tone of an article in the South Wales Echo of 2 September, 2009 and considered that it did not provide a positive perception of the work of County Councillors, and that she had now decided to exercise her right to decline future invitations to charitable and other events.

Members of the Committee expressed the view that no Members should be embarrassed about attending such events and the Chairperson concluded the discussion by acknowledging the right of individual Members to determine whether they wished to attend such events, but encouraging them to attend where they considered that there was value to the County Council, and to Cardiff, in attending.

RESOLVED – That the report be noted.

S15 : MONITORING OFFICERS VERBAL UPDATE

Work programme arrangements

The Monitoring Officer noted that work on the Employee/Member protocol, and review of the Employee Code of Conduct was in abeyance during the Standards Conference planning, and would be progressed after the Conference. It was also probable that the Standards Conference Wales will generate further items for future consideration, but in the meantime Members of this Committee were asked to think about any topics that they may want included in the next draft Work Programme.

The Monitoring Officer noted that the Independent Committee members are now midway through their terms of office and suggested that the Committee may wish to consider Member development appraisals and succession planning.

S16 : DATE OF NEXT MEETING

Standards & Ethics Committee

29 September 2009

6

The next meeting of this Committee was confirmed for Tuesday, 17 November, 2009, starting at 4.30pm.