

STANDARDS & ETHICS COMMITTEE

31 JANUARY 2012

Present: Independent Members: Akmal Hanuk (Chairperson),
Richard Tebboth.

Community Councillor John Hughes

County Councillor Simon Wakefield

Apologies: Maureen Hedley-Clarke, Deirdre Jones, Paul
Stockton, County Councillor Mohammed-Sarul Islam

S24 : 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 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, but not prejudicial, Members would be invited to stay, speak and vote.

S25 : MINUTES

Subject to the words 'in principle' being added to the end of Resolution 1 on page 4 the Minutes of the meeting of the Standards and Ethics Committee held on 22 November 2011 were approved as a correct record and signed by the Chairperson.

S26 : COMMUNITY COUNCIL CHARTER

At its meeting on 8 December 2011 the Council's Executive considered a report on the draft Charter and agreed that consultation on the draft Charter should be undertaken between December 2011 and early February 2012, with any comments to be received by Friday 3 February 2012. A copy of the draft Charter had been forwarded to Members of the Standards and Ethics Committee on 22 December 2011 as part of the consultation

(i) Member Development and Induction 2012/13

The Chairperson advised that Committee has maintained a keen interest in the provision of Member development and training opportunities to Members, in particular, specific training on the Members' Code of Conduct and recognise the importance of providing relevant learning and development opportunities for Members so that they can gain a better understanding of their role as a Councillor and perform their duties in the most effective way.

The Council's Member Induction programme following the local elections in May 2012 is expected to provide newly elected and returning Members with an introduction to how the Council works; an understanding of the Council's vision and values, and information on what support services are available to Members. There is a mandatory requirement for attendance at some training sessions including Member's Code of Conduct, Planning, Licensing/Public Protection and Childrens Services.

The Chairperson invited the Leaders and Whips to outline their views on what should be included as part of the Member Induction and Member Development Programmes in 2012/13.

The Chairperson asked about the arrangements made by Groups with regard to training and development and invited Members' views on the input of the Committee in maintaining standards, particularly in light of the forthcoming local elections.

Councillor Berman (Leader) advised that the Council undertake a considerable amount of work through the Member Development Group which includes representatives from all Parties. Councillor Berman advised that he had not received any negative feedback with regard to training and was not aware of any issues.

In response to a query Councillor Berman advised that in the run up to the elections, Groups would be concentrating on campaigning as they always had done and there were no issues with regard to that. A programme of training and development would be put in place for all Members both newly elected and returning elected Members post elections.

Councillor McKerlich advised that unlike the other Leaders and Whips present he had been a newly elected Member at the last elections and

Definition of when a Councillor is or is not acting in their capacity as Councillor was discussed, it was suggested that there needs to be a definition and Guidance for Members and further consideration of this issue was required.

(ii) Informal Local Resolution of Complaints (Local Protocol)

Community Councillor John Hughes outlined the background to recent discussion on the introduction of a local protocol for managing 'low level' Member on Member complaints. This matter had been considered by the Committee on 22 November 2011 when Committee had received a report on informal Local Resolution and included examples of informal protocols that had been introduced in other local Authorities. This issue was also raised as a question at Council on 22 September 2011.

The Committee had resolved to support in principle the taking forward of a local protocol for determination of Member on Member complaints. The Committee also agreed to ask the Monitoring Officer to put forward the Committee's representations to the WLGA-led working group which is leading on the development of any all-Wales scheme and to report back to a future meeting together with timescales and to feed into the ACSeS Wales branch quarterly meetings.

Members were advised that around a third of complaints referred to the Ombudsman are as a result of Member on Member complaints and many relate to low-level, behavioural issues, typically during the 'cut and thrust' of Council debates, most of which investigated would not result in sanction.

Many of these complaints could have been more appropriately resolved informally and locally and this would have speeded up the 'complaints' process and avoided unnecessary escalation of the situations which might have impacted on personal relationships and caused wider damage to corporate governance or reputation.

Committee sought the views of Leaders and Whips on what they felt the key features of any process for the local resolution of such complaints and the implications for Cardiff.

Councillor Berman (Leader) advised that if there was a suitable model that could be adopted for a local determinant it would make the process much quicker, particularly where complaints might be frivolous or unlikely to

The Chairperson thanked the Leaders and Whips for their attendance and their input into the topics discussed and welcomed their views.

S28 : FORWARD PLAN 2011/12

The Committee discussed the items included on the Forward Plan and were updated on the current status regarding the items scheduled for 20 March 2012.

Members noted the large volume of items scheduled for March 2012 which would be the Committee's last meeting until after the May 2012 elections and agreed that Officers should prioritise the items to be included on the Agenda.

RESOLVED – That having regard to the discussion at the meeting, Officers be requested to prioritise items for reporting to the next meeting on 20 March 2012 and to update the Forward Plan 2011/12 accordingly.

S29 : DATE OF NEXT MEETING –20 March 2012



Vice-Chair .

20/3/12 .