

STANDARDS & ETHICS COMMITTEE

23 JULY 2014

Present: Independent Members: Paul Stockton (Chairperson)
Deirdre Jones, Richard Tebboth, James Downe

Councillors: Kate Lloyd, Georgina Phillips and Dianne Rees

Community Councillor John Hughes

Apologies: Maureen Hedley-Clarke was not present.

S1: ELECTION OF CHAIRPERSON

The Committee noted that this was the final meeting of the Chair, Paul Stockton, and that a new Chairperson would need to be elected at its next meeting.

S2: WELCOME TO NEW INDEPENDENT MEMBERS OF THE COMMITTEE

Members of the Committee welcomed the newly appointed Independent Members, Hollie Edwards-Davies, Hugh Thomas and Lizz Roe, who would take up office on 28th July 2014 and were in attendance as Observers at this meeting.

S3: 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.

S4: MINUTES

The minutes of the meeting of the Standards and Ethics Committee held on 20 May 2014 were approved as a correct record and signed by the Chair.

S5: REPORT ON HEARING PANEL DETERMINATION INTO MISUSE OF COUNCIL POSTAL RESOURCES.

The meeting went into closed session as Appendix A to this report was exempt from Publication as it contained Exempt Information of the description in paragraphs 12, 13, 14 & 18C of Part 4 to Schedule 12A of the Local Government Act 1972.

The report outlined the Hearing Panel's determination in respect of the Public Services Ombudsman's Investigation Report, which was considered at the last meeting of the Committee on the 20 May 2014.

The report also noted the statutory procedure following the Hearing Panel's determination for notification and publication of the outcome of the case, the key provisions of which were:

- i. Notice of the Hearing Panel's determination must be sent to the Ombudsman and to the Councillors concerned – Regulation 9 (3) (Notice has been duly given)
- ii. There was a right of appeal against the determination of the Committee, which must be exercised within 21 days after receiving Notification of the decision (the appeal period) – Regulation 10
- iii. Once the period for appeal had expired, or any appeal has been concluded, the Committee was required within 14 days to produce a report on the outcome of the investigation and to send a copy of that report to the Ombudsman, the Monitoring Officer and any Councillors/ other persons concerned – Regulation 13 (1)
- iv. Within 7 days after receiving the Committee's report (referred to Paragraph (iii) above), the Monitoring Officer was required to publish a newspaper advertisement giving public notice that copies of the report would be published on the Council's website and made available for public inspection for a period of 21 days – Regulation 13 (2)

RESOLVED – The Committee:

- i. Noted the determination of the Hearing Panel (Appendix A, Exempt Information); and
- ii. Authorised the Monitoring Officer, in consultation with the Chair of the Hearing Panel to prepare on behalf of the Committee a report on the outcome of the investigation, and to make all necessary arrangements in respect of notification and publication of that report in accordance with the requirements of the Regulations as set out in paragraph 8 of the report.

S6: STANDARD & ETHICS COMMITTEE – ANNUAL REPORT 2013 – 2014

The Committee welcomed its Annual Report and was pleased with its contents. Members of the Committee made reference to the detailed work carried out by the Sub-Group Meetings on the Whistleblowing Policy and Social Media Handbook.

The Committee were pleased that the Annual Report would be taken to Council for comment.

A typographical error was noted in relation to the complaint about misuse of postal resources, the estimated costs involved being £15 rather than £10 as stated.

Members of the Committee noted that the work on the Whistleblowing Policy had included specific attention to arrangements for reporting concerns about vulnerable adults.

RESOLVED – That the report be noted.

S7: SOCIAL MEDIA GUIDANCE FOR COUNCILLORS

The Chairperson outlined the process explaining to Members of the Committee that it was essential for this handbook to be signed off. The Handbook was intended to do the following:

- Introduce various forms of social media
- Set down rules governing the basic use of social media by councillors

- Highlight sections of the Members' Code of Conduct that related to the use of social media; and
- Provide guidance in relation to the use of social media by councillors and to highlight some of the pitfalls to be aware of.

The Monitoring Officer reminded the Committee that it was vital for Members to follow the Code of Conduct at all times. Members were being provided with Tablets and their usage fell under the acceptable use policy. The equipment could be used for social media purposes but each Councillor must abide by the Code of Conduct rules. This compliance agreement was built into the legal framework.

A Member of the Committee asked for further information on Councillors getting involved in issues not in their wards. It was essential that this be adopted into the Social Media Handbook as ward issues were being raised through this means of communication. It was common for Councillors to pick up information from social media sites and act on matters which were not in their ward.

In response the Monitoring Officer drew attention to the protocol being used to address Members' involvement in other wards which could possibly be amended to expressly refer to social media use. It was also suggested that the Social Media Guidance should cross-refer to the Members Involvement in Other Wards Protocol under the 'Further Reading' section at the end of the Guidance; and there should also be reference to Data Protection policies here.

The Democratic Services Committee was thanked for its assistance on this matter.

RESOLVED – That the Social Media Guidance be adopted, subject to the amendments discussed and review of the Guidance in 6 to 9 months time.

S8: REGISTRATION OF GIFTS AND HOSPITALITY

The Committee was provided with information on registrations of gifts and hospitality received by Members to enable the Committee to review the information; and to consider any comments or observations it considered appropriate.

23 JULY 2014

Members of the Committee were reminded that the Committee had received previous update reports from time to time containing information relating to the hospitality, gifts and other benefits received by Members, which had been registered in accordance with the Code of Conduct.

The Committee discussed in detail the gifts received by the Lord Mayor and Deputy Lord Mayor. It was recognised that some of these gifts were a token to the city as others were personal. Books had been received and donated to libraries, whilst most gifts had been passed back to the Mansion House for storage.

Members of the Committee explained that on receipt of a gift it was difficult to guess its value and more so embarrassing to ask its price. The majority of gifts received by the Lord Mayor were for the city but a decision had to be made on the personal gifts received, a handbag for example.

The Committee noted the comments received and one member suggested that the threshold could be reduced to zero so that everything should be declared.

RESOLVED – That the contents of the report be noted.

S9: MEMBER CODE OF CONDUCT COMPLAINTS

The Committee was provided with a report that gave a brief update on complaints made against Members alleging breaches of the Code of Conduct. In the period from 1 January 2014 to 6 March 2014, 16 complaints were made to the Monitoring Officer alleging breaches of the Members Code of Conduct.

The Monitoring Officer was keen to ensure that complaints referred to the Public Service Ombudsman were dealt with in a more timely manner. This was an issue that had concerned the Committee for some time and a meeting with the new Ombudsman, Nick Bennett, would be taking place in October 2014 to discuss this and the service standards that could be expected. In the meantime the Monitoring Officer would record the time being taken to deal with referrals.

The Committee noted that no complaints had been received from officers regarding members.

The Monitoring Officer advised that members of the public generally complain about similar issues. The complaints link on the Council's website needed updating and this would be included in the customer care arrangements in place.

RESOLVED: The Committee note the contents of the report.

S10: FORWARD PLAN 2014/15

The Committee considered its Forward Plan of matters for consideration by the Standards and Ethics Committee 2014/15.

The Committee commented on the following topics:

- Register of Officer Interests and Politically Restricted Posts – The Committee were of the view this should be prioritised as red.
- Planning processes and procedures (Members Planning Code of Good Practice) – Members of the Committee asked that this be prioritised as red.
- Charter between the Cardiff Council and the Community Council's

The Committee discussed the Charter between Cardiff Council and the Community Council's. It was suggested that the Planning Department rarely consulted on planning matters with the Community Councils and is therefore not abiding with the rules in the Charter.

The Committee had a detailed discussion about the procedures of the Planning Committee. Some of the comments drew attention to the perception the Planning Committee gave to members of the public. It was suggested that Planning Committee members needed further training in this field as new Councillors had little knowledge of how this committee operated.

The Chairperson thanked the Committee for their comments.

RESOLVED: The Committee agreed the draft Forward Plan 2014/15 as updated by the discussion on priorities noted above.

11: DATE OF NEXT MEETING

The next meeting of the Committee is to be held on 14 October 2014.

Standards & Ethics Committee
23 JULY 2014

The meeting closed at 5:40pm.

Signed _____
Chairperson

Date _____