

STANDARDS & ETHICS COMMITTEE

4 SEPTEMBER 2017

Present: Independent Members: Richard Tebboth (Chair),
Hollie Edwards-Davies and Hugh Thomas
Councillors Cunah, Sandrey, Williams, Hollie Edwards-Davies
and Hugh Thomas

33 : APOLOGIES FOR ABSENCE

Apologies had been received from Dr James Downe and Lizz Rowe (Independent Members)

34 : MEMBERSHIP AND TERMS OF REFERENCE

The Membership and Terms of Reference as approved by Annual Council on 25 May 2017 and set out on the Agenda were noted

35 : WELCOME AND INTRODUCTIONS

The Chair of Standards & Ethics Committee welcomed the new Council Members to their first meeting of the Committee, and formal introductions were made.

The Chair expressed the Committee's best wishes to Hollie-Edwards Davies who would be leaving the Committee shortly as she was expecting a baby in the New Year. Hollie thanked the Chair and the Committee for their support during her time on the Committee and the positive impact the Committee had had. She hoped at some stage it may be possible for her to return as an Independent Member but felt that she could not fully commit to the Committee over the next 12 months.

36 : DECLARATIONS OF INTEREST

Councillor Joel Williams declared a Personal Interest in Item 7 – Committee Vacancies – as Community Councillor at the Old St Mellons Community Council. Councillor Williams remained at the meeting for this item (on the basis that his personal interest was not prejudicial).

37 : MINUTES

The minutes of the meeting 22 March 2017 were approved as a correct record and signed by the Chairperson.

Matters Arising

Local Resolution Protocol – the Director of Governance and Legal Services and Monitoring Officer provided an update on the recommended changes to the Local Resolution Protocol which had been subject to consultation with the Senior Management Team and would be submitted for approval by Full Council in November. The Director also advised on the information received from the Ombudsman about a new local resolution protocol which had been drafted in consultation with One Voice Wales, specifically for Community Councillors.

The Chair advised that an invitation had been issued to Community Councils to meet with himself and the Monitoring Officer to discuss matters of mutual interest. In addition, training for Community Councillors on Code of Conduct and Ethical Standards had been offered. A number of Community Council had already participated in the One Voice Wales training and it had been difficult to co-ordinate a suitable date for a meeting of the Clerks of Community Council and training of Community Councillors during August.

Member Exit Survey – the Committee discussed the recent media coverage of the Committee’s Draft Annual Report, which reported on the findings of the Member Exit Survey in relation to behaviour and alleged bullying. The Chair reinforced that the findings of this survey were based on data relating to the previous administration. He advised that a further Member Survey would be undertaken in late autumn to reflect on the Member Induction, learning opportunities, and follow up on questions asked as part of the Exit Survey. The Chair advised that following the results of the Exit Survey he had offered to meet with any individual Councillors who wished to discuss matters relating to the survey informally.

Independent Members expressed concern that the press coverage had not adequately explained the action taken by the Council to address the issue, and suggested that a statement to clarify that the survey related to the previous administration could have been made by the Council to fairly present the issue and avoid misunderstandings. The Monitoring Officer agreed to discuss this with the Council’s Head of Communications.

The Monitoring Officer advised that one of the main outcomes from the survey for Party Groups and individual Councillors was that Councillors felt that matters of alleged poor behaviour, alleged bullying and other issues raised are taken seriously.

The Committee noted that the Exit Survey March 2017 should not reflect on the new Council, which had a number of newly Elected Members and a new Leadership team.

38 : MEMBERS OF STANDARDS & ETHICS ROLE DESCRIPTION

The Committee was invited to consider the Welsh Local Government Association (WLGA) generic Role Description for a Member of the Standards and Ethics Committee. The Constitution Committee on 31 August 2017 had reviewed all the Member Role Descriptions approved by Council in December 2015 and considered whether these should be incorporated into the Constitution. The Constitution Committee had referred the role description and Member Champion role description back for further discussion, and suggested consideration should also be given to the establishment of Cross Party thematic Groups.

The Committee agreed the need for a consistent approach to the incorporation of Role Descriptions in the Constitution. The most important matter was that Elected Members in whatever role they have are aware of their role and responsibilities.

The new Members of the Committee were keen to clarify their roles as Members of this Committee and they supported the Monitoring Officer advice that they were Group Champions and should lead by example and report to their political groups and encourage appropriate behaviours and adherence to the Ethical Code and give advice on how to report breaches of the Code of Conduct.

RESOLVED: the Committee agreed the Role Description and had no issue with it being included in the Constitution provided all Role Descriptions were included.

39 : COMMITTEE VACANCIES - COMMUNITY COUNCIL MEMBER AND ONE INDEPENDENT MEMBER

(Councillor Joel Williams had declared a personal Interest in this item as a Community Councillor for old St Mellons. Councillor Williams remained in the meeting during consideration of this item)

The Committee was advised of proposed arrangements to fill two vacancies on the Committee.

The term of office of the Community Council representative, Councillor John Hughes expired in May 2017, and as Members had previously heard, Hollie Edwards-Davies had indicated her intention to resign due to personal commitments.

The Committee considered the regulations and the Council's Constitution in relation to these appointments and expressed the importance of obtaining diversity of Membership on this Committee.

It was suggested and agreed that the application documents for the Independent Member position should give more information about the time commitment involved and the usual day on which committee meetings are held.

RESOLVED – That

1. the proposed process to fill the vacancies was approved;
2. it was agreed that two Appointments Panels: (i) for the Community Council member; and (ii) for the Independent Member vacancy be established, with delegated authority to shortlist and interview candidates and make recommendations on appointments to full Council;
3. the size and composition of the Appointments Panels established under recommendation (2) as set out in the report were approved, and the Clerk to the Committee would seek nominations to each Panel;
4. the advertisement and person specification for the Independent Member vacancy, as set out in Appendices A and B was approved;
5. the Monitoring Officer, in consultation with the Chair, be authorised to make all necessary arrangements to fill both vacancies as set out in the report; and
6. it was noted that the recommendations of each of the Appointments Panels with regard to the appointments to fill the two vacancies are to be submitted to full Council for approval; and
7. Community Councillor John Hughes be thanked for his significant contribution to the work of the Committee over a number of years.

40 : MEMBERS' CODE OF CONDUCT COMPLAINTS QUARTER 4, 2016.17

The report provided the Committee with details of Complaints made during Quarter 4 2016/17 and an update was tabled on complaints made during Quarter 1 2017/18 against Members of the Council alleging breaches of the Code of Conduct. Details of the complaints and outcomes were set out in the report and supplementary note. In Quarter 4, five cases had been referred to the Ombudsman. Four of these cases had been closed following initial consideration and one had been referred to the Adjudication Panel. There were no issues arising from complaints received in Quarter 1.

In addition, the Ombudsman Annual Letter 2016/17 on complaints received and considered by his office had been received and circulated to the Committee under a separate cover. There had been a significant decline in the number of Complaints to the Ombudsman since 2015/16.

An Independent Member requested further information on the extent of the Ombudsman new powers in relation to Complaints.

RESOLVED – That

1. the Complaints report for Quarter 4 2016/17 and Quarter 1 2017/18 was noted; and
2. the contents of the Ombudsman Annual Letter was noted.

41 : COUNCILLOR INDUCTION - CODE OF CONDUCT ESSENTIAL TRAINING

The Committee received details of attendance by all Councillors at the Essential Code of Conduct Induction sessions. There remained five Members who had not completed this training and Party Whips had been advised and a session was to be arranged with these individuals. The opportunity for Members struggling to attend formal sessions was provided via the All Wales Academy E-Learning platform and some Members had completed this online training. The Monitoring Officer advised that workshop style sessions provided the opportunity for group discussion and learning from more experienced Members, and positive feedback had been received from some of the initial sessions.

RESOLVED – that the details of the completion of Essential Training on the Code of Conduct be noted and the Committee would continue to monitor on an annual basis.

42 : STANDARDS & ETHICS ANNUAL REPORT 2016/17

The Draft Standards & Ethics Committee Annual report had been circulated as part of the papers. The report and its contents was commended and thanks given to officials for pulling the data together.

A new Council Member sought clarification on the use of social media by Councillors, in particular on the distinction between the use of social media in their role as a Councillor and in their personal capacity. The Monitoring Officer was asked to provide examples of the pitfalls of social media for Councillors to avoid bringing the Council into disrepute. The Monitoring Officer confirmed that a Member Development session on this issue was scheduled for November. It was agreed that the Social Media Guidance should be

circulated to the Committee for members to consider whether they wished to formally review the Guidance again.

RESOLVED – That the Annual Report be approved for submission to Council subject to any minor amendments by the Chair of the Committee in consultation with the Monitoring Officer.

43 : WORK PLAN 2017-18

The draft Work Plan for the Committee was considered and discussed. Members were keen for the Member Survey to be completed in late autumn and for the findings to be reported to this Committee early in the New Year. It was agreed that the Leaders and Whips be invited to the meeting in the New Year that considers these findings.

The Chair also drew attention to the proposed business item on engagement with the Community Councils, to look at ways in which the Committee could improve awareness and understanding of its role.

It was agreed in response to a suggestion by an Independent Member to change the RAG rating to Priority – High; Medium; and Low, as more appropriate for the Committee.

RESOLVED – That subject to the changes outlined, the Work Plan for 2017/18 be agreed.

44 : MEMBER BRIEFING - SEPTEMBER 2017

The content of the next Member Briefing was considered and other than to amend the accuracy following changes made to the Work Plan, it was approved for circulation to all Members and Community Councils.

The Monitoring Officer advised that the format of future briefings was to be reviewed in line with the future branding for the Council.

RESOLVED – That the Member Briefing be approved.

45 : DATES OF NEXT MEETINGS

RESOLVED – That the future meeting dates be agreed as follows:

22 November 2017

28 March 2018

13 June 2018.

The meeting terminated at 18.45