

STANDARDS & ETHICS COMMITTEE

9 DECEMBER 2020

Present: Independent Members: James Downe (Chairperson)
Jason Bartlett, Chrissie Nicholls and Arthur Hallett

Councillors Cunnah, Sandrey and Williams

Community Councillor: Stuart Thomas

74 : APOLOGIES FOR ABSENCE

Apologies had been received from Hollie Edwards-Davies.

Councillor Joel Williams advised that he would be late joining the meeting.

75 : DECLARATIONS OF INTEREST

None received.

76 : MINUTES

The minutes of the meeting held on 30 September 2020 were agreed as a correct record.

77 : MEMBERS' GIFTS AND HOSPITALITY REGISTER

Members were provided with an overview of the report. This was a regular report to Committee that detailed any hospitality claims over £25 that had been recorded. This report was different in that, as requested previously by Committee, the Civic hospitality had been separated out.

It was considered by Committee Members that the splitting out of Civic Hospitality was useful and they thanked Officers for this change.

Members discussed the £25 threshold and whether this had been reviewed in line with inflation. Officers explained it was a National limit, however Cardiff Council could change this if they wished to; the threshold has not changed in recent years as it had been considered a fair amount.

RESOLVED: to note the information supplied at **Appendix A** and **Appendix B** to the report, on the registration of hospitality, gifts and other benefits received by Members during the period from 1st November 2019 to 31st October 2020.

78 : OFFICERS' GIFTS AND HOSPITALITY GUIDANCE

Committee Members were advised that this Guidance had been revised following an Internal Audit Review, to include gifts and hospitality offered by Officers as well as received. Officers advised that this does not happen often, threshold would be £25 per person or £500 per event. It was noted that the Director or Assistant Director

would have the authority to sign these off. The Director may also give general authority to specific Officers for £750 per event, with a limit of £1500 per quarter. All receipts would be kept for audit and registers would be published and available for public inspection. It had also been suggested to include where Officers refuse gifts and hospitality over £25.

Committee Members discussed the requirement for Officers to register offers of gifts and hospitality and the refusal of gifts and hospitality and considered that this would be a higher level of standard than MP's and AM's have. Officers explained that the current code of conduct at Cardiff Council also has higher standards than MP's/AM's. Officer also noted that it doesn't happen very often, occasionally care workers may be left bequests in wills etc. it was just suggested to protect Officers and enable the Council to identify any possible patterns. A Committee Member considered it was an unwieldy process for something that happens so infrequently. Officers accepted that view and explained that if Committee decided to agree the guidance then officers would take that decision to Audit, although Audit were keen for the process to be in place.

Members noted that Senior Officers potentially have access to more gift and hospitality than Members so the policy should at least be the same as members. Members added that during Covid lots of decisions were taken by Officers; they welcomed the scrutiny and noted that other Local Authorities had this process in place.

It was generally considered that the added transparency and integrity would show people that decisions are made in the right way.

RESOLVED To:

1. Consider and approve the revised draft Officers' Guidance on Hospitality, Gifts and Other Benefits attached as **Appendix A**, and the accompanying registration forms, **Appendices B and C**,
2. Authorise the Monitoring Officer, in consultation with the Chair, to finalise and issue the revised Guidance and registration forms (**Appendices A, B and C**).

79 : ANNUAL REPORT 2019/20

Officers advised Committee Members that this was a short report with Topic Headings that would be covered in the Annual Report. The report would be agreed with the Chair and reported to Council where all Members would have an opportunity to ask questions.

It was considered important to include thanks to Richard Tebboth and Hugh Thomas as outgoing Committee Chair and Member.

Members asked why the report was being produced so late after the end of the financial year and Officers advised that it was usually produced earlier, but had been delayed due to the pandemic and Committee had not met for a while with their meetings being rescheduled. Another reason was time at Council meetings as Annual reports generally take quite a bit of time at the Council meeting. Officers also

noted there had been a delay producing last year's report but this was due to vacancies on the Committee.

Members asked what time period the report covered and officers advised that it was usually April – March but occasionally refers to the Municipal Year.

RESOLVED To:

- 1) Provide comments on the contents of the Committee's Annual Report 2019/20;
- 2) Delegate authority to the Monitoring Officer, in consultation with the Chair, to draft and finalise the Annual Report, having regard to comments provided by Members of the Committee; and
- 3) Ask the Chair to present the Annual Report to full Council in January 2021.

80 : MEMBER BRIEFING

Officers advised Committee Members that this briefing was a less formal, less detailed version of the Annual Report, which goes to all Members. The recommended headlines were outline to Committee Members and they were asked for any comments, changes or additions, before the report is finalised with the Chair and sent to all Members and Community Councils.

Members considered that females Members experiencing inappropriate behaviour should form part of the Conduct Complaints. The Chair agreed and said this should be put in the Newsletter, emphasising it is not acceptable.

Members referred to the Cardiff Undertaking and wondered whether this could be included in the briefing for Members who hadn't signed it. Officers advised that in practice all Members do sign it, the Director of Governance and Legal Services ensures this is done and attends the Code of Conduct training and follows up.

Members discussed the timing of the briefing/newsletter being sent at the same time as the Annual Report. It was agreed that it was ok for this year but that it should be phased going forward.

The Chair wanted to include a reminder that if Members put in a complaint they must be prepared to attend a hearing.

RESOLVED To:

- 1) Provide comments on the contents of the Member Briefing, as set out in the report;
- 2) Delegate authority to the Monitoring Officer, in consultation with the Chair, to finalise the Briefing, having regard to comments provided by Members of the Committee; and
- 3) Instruct the Monitoring Officer to issue the finalised Member Briefing to all Members of Cardiff Council and Cardiff's six Community Councils.

81 : CODE OF CONDUCT COMPLAINTS UPDATE - QUARTER 2 OF 2020/21

Committee Members were advised that there had been no complaints during quarter 2, which was during the pandemic. Comments had also been received around better behaviour at remote meetings.

Members considered this was good news but it was important not to be complacent; Full Council in October 2020 had been fractious and it can sometimes be difficult to have heated debates and then turn off the laptop and no opportunity to discuss with colleagues as would happen at face to face meetings. Members also considered that things may be happening but are not being reported.

Officers stressed that the importance of reporting and that it doesn't have to have happen immediately after the event.

RESOLVED: to note the contents of the report.

82 : FORWARD WORK PLAN 2020/21

The Forward Work Plan 2020/21 was outline by Officers, noting the local elections and that work had already started on new Member Induction by Democratic Services.

RESOLVED: To agree the work programme.

83 : OBSERVATIONS OF MEETINGS

The Chair thanked Arthur Hallett for attending and observing two meetings. Officers stressed it was helpful to have observations and comments from Independent Members, such as comments on Full Council and feedback with regards to IT and publication of agenda and minutes at Radyr and Morganstown Community Council, which had been shared with the Clerk. Both meetings had been well behaved meetings with no issues for Standards and Ethics Committee.

It was noted that for Community Councils, Agendas and minutes must be published. It was agreed that, as a matter of best practice, draft minutes should be published as soon as possible after the meeting and set to approved when approved at the following meeting. Also, that any reports relating to business items to be discussed at the meeting should be published, in the interests of transparency and public engagement.

The Committee agreed to make these recommendations to the Community Council for its consideration. It was also agreed that the Monitoring Officer would be asked to raise the general issue of publishing meeting documents with Clerks at the next quarterly meeting to make the same recommendation to other Community Councils.

Committee Members discussed the fact that attendance and observations at meeting were currently ad hoc as all was going well; any issues that Officers were made aware of they would inform Committee Members. Officers asked Committee Members if they would prefer a more structured approach and this was welcomed in the form of a Rota or Table to share out between them. It was considered that Community Councils, Full Council, Cabinet and Planning would be useful meetings to observe.

RESOLVED To:

- (1) Note the meeting observation feedback received, as set out in **Appendix A** to the report;
- (2) Recommend that Community Councils should consider publishing draft minutes and reports relating to business items on their website, if possible, as a matter of good practice, to facilitate transparency and public engagement; and
- (3) Continue to observe appropriate meetings of the Council, Committees and Community Councils and provide feedback to the Committee; with a schedule of meetings to be drawn up and circulated to Committee Members.

84 : URGENT ITEMS (IF ANY)

None received.

85 : DATE OF NEXT MEETING.

3 March 2021.

The meeting terminated at 6.00 pm