

STANDARDS & ETHICS COMMITTEE

7 JULY 2021

Present: Independent Members: James Downe (Chair)
Jason Bartlett, Hollie Edwards-Daviaes, Arthur Hallett and
Chrissie Nicholls

Councillors Cunnah, Sandrey and Williams

Community Councillor Stuart Thomas

96 : APOLOGIES FOR ABSENCE

No apologies for absence were received. Councillor Williams indicated that he would be late attending.

97 : DECLARATIONS OF INTEREST

Davina Fiore, Director of Governance and Legal Services declared a prejudicial interest in respect of item 7.

98 : COMMITTEE MEMBERSHIP & TERMS OF REFERENCE

The Committee noted that Council, at its Annual Meeting on 27 May 2021, re-appointed Councillors Cunnah, Sandrey and Williams to the Committee and agreed the Terms of Reference.

99 : MINUTES

The Committee approved as a correct record the minutes of the meeting on 3 March 2021.

100 : SOCIAL MEDIA CODES

The Committee were provided with a report and information to enable consideration to be given to developing a social media code of principles for Members; and a code of practice on social media use for groups and organisations which work with the Council, in accordance with the Motion carried at the Council meeting in March 2021, and in light of more recent concerns raised as a result of comments and allegations made about members of the Planning Committee.

Members discussed a number of topics:

- whether Councillors should be advised not to 'like' social media posts without having first read them noting that there had been examples in the past of inappropriate material being 'liked';
- the importance of consulting with external partners in the social media field, such as Glitch, who could provide additional guidance and advice;
- actions and decisions made by individual Councillors in their capacity as Cabinet Members ought to be open to criticism. Members were advised that the latest

version of the report distinguished between personal criticism of individuals and criticism of their policy decisions and actions.

- concerns around the use of anonymous social media accounts; Councillors, in the code would be advised not to use such accounts; ;
- whether there was a need for the Social Media Code to be embedded within the Code of Conduct, although it was noted that if Councillors did not treat others with respect, and this would apply to comments made on Social Media, there would potentially be a breach of the Code of Conduct. However, it was not possible to make the principles of the Social Media Code legally enforceable in relation to outside parties. It is hoped that outside parties, for example Cardiff Civic Society would be prepared to sign up to the Code, although there would be difficulties in enforcement at that point; and
- the limited extent to which the issues affect Community Councillors. Should that change, it may be that Community Councillors would want to sign up to it.

RESOLVED:

- to note that draft Social Media Codes would be brought back to a future meeting of the Committee.

101 : MEMBERS CODE OF CONDUCT COMPLAINTS (Q4 2020-21 & Q1 2021-22)

The Committee received an update on complaints made during Quarter 4 of 2020-21 and Quarter 1 of 2021-22 against Members of Cardiff Council or any of Cardiff's Community Councils, alleging a breach of the Members' Code of Conduct.

Members were advised that several complaints related to specific issues in relation to Planning Committee, and that the Ombudsman had decided not to investigate in most cases.

Members noted that one complaint had been referred to the Hearings Panel and that the pre-hearing processes were underway.

RESOLVED:

- to note the content of the report.

102 : SENIOR OFFICERS PERSONAL INTERESTS DECLARATIONS

The Director of Governance and Legal Services reaffirmed her interest in this item and left the meeting during discussion of this item.

The Committee received a report reviewing the personal interests declarations made by Senior Officers of the Council.

Members were advised that Senior Officers Business Interests have been published since 2019.

RESOLVED:

- the public be excluded from the meeting during the discussion of information contained in Appendix B of the report as it contained exempt information of the description contained in paragraph 12, part 4 of Schedule 12 A, Local Government Act 1972.
- to note the information provided in respect of senior officers personal interests declarations

103 : OBSERVATION OF MEETINGS

Community Councillor Stuart Thomas declared a personal interest, on the basis that he is a Community Councillor who sits on the Pentrych Community Council.

The Committee considered a report on feedback provided following the observation of meetings (a community council meeting and a planning committee meeting).

Members discussed an observation in relation to the failure to follow procedures by one Community Council in relation to the publication of agenda's and minutes. Members were advised that further discussions would be held with the relevant Council's clerk.

Members noted that since the introduction of the Local Government and Elections (Wales) Act 2021 – from 1 April Community Councils are obliged, within 7 days of the meeting, to publish the names of the members who attended the meeting; any apologies for absence; any declarations of interest; any decisions taken; and the outcome of any votes.

RESOLVED:

- to note the meeting observation feedback received and continue to observe appropriate meetings of the Council, Committees and Community Councils.

104 : FORWARD WORK PLAN

The Committee received the Work Programme for 2021-22 and were invited to make comments and suggestions on the Programme.

The Committee noted:

- the induction training in the leadup to the Local Elections being considered by the Democratic Services Committee and the need for Code of Conduct training to be compulsory;
- the legislation bringing in the new duty in relation to Group Leaders having to promote high standards of conduct amongst members of their own groups. The Committee considered that training should be extended to Deputy Group Leaders and Whips; and
- the Social Media Codes Report would be available by the next meeting

RESOLVED:

- to note and agree the Work Programme

105 : URGENT ITEMS (IF ANY)

No urgent items were tabled.

106 : DATE OF NEXT MEETING.

The date of the next meeting is to be confirmed.

The meeting terminated at 6.09 pm