

STANDARDS & ETHICS COMMITTEE
DRAFT MEMBER BRIEFING
Edition 3 September 2017

Welcome!

It was a pleasure to meet so many of you at the Member Induction Sessions in May, to introduce myself, as Chair of the Council's Standards and Ethics Committee. Now that you've all had the chance to settle into your new roles and are back from the summer recess, I'd like to welcome you to the third edition of the Standards and Ethics Committee's Member Briefing.

The aim of this Briefing is to update you on the work of our Committee and current relevant issues. Some of the information in this Briefing is aimed at newly elected Members, who may not be familiar with the ethical standards framework operated in Cardiff. Nevertheless, we hope it will be a useful reminder for our experienced Members too, and that there will be helpful information for all Members, to guide and support you to uphold the high standards of conduct and behaviour expected of you.

'The Cardiff Undertaking'

The [Cardiff Undertaking](#) sets out the standards of conduct and behaviour expected of all Cardiff Councillors. It reiterates the principles of public life, with reference to the statutory [Members' Code of Conduct](#), and is revised by the Council from time to time, to ensure it remains relevant and up to date. In March this year, the Cardiff Undertaking was amended to include a commitment for all Members to undertake the training identified as essential for them to properly discharge their roles.

A commitment to the Cardiff Undertaking is publicly re-affirmed by all Cardiff Members at the Annual meeting of Council every year, in recognition of the fundamental importance of Members' standards of conduct, as a foundation for good public service delivery.

Work of the Standards and Ethics Committee

Our Committee has a statutory role to promote and maintain high standards of conduct by County Council and Community Council Members in Cardiff. It is non-political and a majority of our members, including the Chair and Vice-Chair, are independent (appointed from outside of the Council). We welcome attendance by all Members at our Committee meetings, particularly from any groups not represented on the Committee.

We aim to fulfil our role in a positive and proactive way, working in partnership with Members and officers to promote high standards of conduct; and when complaints about Members' conduct are referred to us for determination, we endeavour to discharge our role fairly and scrupulously. We meet regularly with group leaders and whips to share views, and routinely attend Council and Committee meetings to observe standards of conduct and behaviour. The Committee is currently finalising its Annual Report 2016/17 outlining the work carried out over the last year and our future priorities, which will be presented to full Council in September 2017.

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Local Resolution Protocol

Cardiff has a [Local Resolution Protocol \[Link Required\]](#) to deal with relatively 'low-level' behavioural complaints made by Members about other Members alleging a breach of the Code of Conduct (typically including complaints about a failure to show respect and consideration for others). Local resolution aims to resolve matters at an early stage and avoid unnecessary escalation of a situation and damage to personal relationships within the Council and its reputation.

Under the Protocol, the Monitoring Officer first determines whether a complaint is suitable for local resolution, and if so, tries to informally resolve the problem, through discussion or correspondence. If informal resolution is not possible, the complaint is referred to a specially convened sub-committee of the Standards and Ethics Committee, 'a Hearings Panel', which holds a hearing to allow the Members concerned an opportunity to make representations and provide relevant evidence. The Panel follows an agreed procedure in each case; and has power to impose various sanctions, including a public warning or censure. More serious cases may be referred to the Ombudsman.

The Committee has recently reviewed the Protocol and found that the local resolution process is generally agreed to have been helpful in resolving Member disputes within the Council (further information on complaints is set out in the section below.) A few recommended changes to the Protocol are currently under consideration and are due to be reported to full Council in September.

Member Conduct Complaints

The Committee receives quarterly reports from the Monitoring Officer on complaints made against Members for alleged breaches of the Code of Conduct. Complaints may be dealt with under Cardiff's Local Resolution Protocol or referred to the Ombudsman. The Committee considers the number of complaints made and any themes or patterns emerging, but does not consider the specific details of each individual case, unless the complaint is formally referred to the Committee for a decision.

The total number of complaints received during 2016/17 was 18 in total. The Committee is pleased to note that this figure represents a significant decrease from the total for the previous year (2015/16, in which there were a total of 59 reported complaints). 14 cases were resolved informally; and no cases were referred to the Hearings Panel. 4 cases were referred to the Ombudsman, and in 3 of these the Ombudsman decided not to investigate as there was insufficient evidence of a breach of the Code of Conduct. 1 case is awaiting the decision of the Ombudsman. More information about Member conduct complaints is set out in the Committee's Annual Report 2016/17.

Members Exit Survey

In March 2017 the Committee considered the findings of the Member Exit Survey (carried out in February 2017) falling within the remit of the Committee. The Exit Survey had been open to all Members who held the Office of Councillor since May 2012. A total 46 responses were received by the closing date.

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The Committee had liaised with the Democratic Services Committee to include in the Survey several questions in relation to unacceptable and discriminatory behaviour, as these are the issues generally raised before the Standards and Ethics Committee; and was pleased to see there had been a good number of responses to those questions. However, the Committee was concerned to note that a third of respondents had witnessed some bullying behaviour. The Chair highlighted the Committee's concerns in a Member Briefing (edition number 2) issued in March 2017; and invited any Members who may have experienced such issues to speak with him personally. The Monitoring Officer has also taken up this issue with group leaders and whips, underlining the responsibilities of Members and groups in this regard. The Committee was pleased to note that the confidential counselling service available for employees has been extended to Elected Members, and referred to during the Member Induction Programme. *The Committee wishes to make clear that any complaints about bullying behaviour will be dealt with promptly, and appropriate sanctions imposed. It will review this issue when the Member Survey is repeated at the end of the year.*

Members' Training and Development

The Committee has statutory responsibility for advising the Council and training Members on Member conduct related matters. Training on the Member's Code of Conduct was identified as essential training for all Members and provided as part of the Member Induction Programme 2017 following the May elections. *[insert information about attendance / completion of this training]*. Refresher sessions will be offered in due course.

As a commitment to participating in all appropriate training is essential for Members to effectively and responsibly carry out their roles, and this is incorporated in the Cardiff Undertaking, the Committee strongly encourages all Members to attend all appropriate training. Members should note that attendance at relevant training is monitored.

Social Media Guidance for Councillors

The Committee has issued Social Media Guidance for Councillors, to:

- Introduce various forms of social media;
- Highlight sections of the Members' Code of Conduct that are particularly relevant for the use of social media; and
- Provide rules and guidance on the use of social media by councillors and highlight some of the pitfalls to be aware of.

All Members are encouraged to read the Social Media Guidance, [\[Link Required\]](#) whether you are habitual or occasional users of social media or otherwise, to familiarise yourself with both the opportunities and the pitfalls which are specifically relevant for elected Members.

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Meeting with Leaders and Whips

The Committee holds regular meetings with group leaders and whips to discuss conduct issues in the spirit of a positive and proactive partnership approach to promoting high standards of conduct. The next meeting with group leaders and whips is scheduled to take place on 22 November 2017. Please contact us or your leader or whip if there are any particular issues you wish to raise here.

Advice

If you need advice on any conduct issue, please contact the Monitoring Officer, Davina Fiore on x73860 or her Deputy, David Marr on x72497

Feedback or Further information

We would welcome your feedback. We want to know if:

- there is anything you think works well in promoting high standards of conduct
- you can suggest anything which could be improved
- you have any concerns or
- you would like more information about the Committee.

Please contact: Richard Tebboth (Standards and Ethics Committee Chair) or Dr James Downe (Standards and Ethics Committee Vice-Chair), c/o Committee Services on 02920 87 2427.