
**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

CARDIFF UNDERTAKING

Reason for this Report

1. To enable Members to consider recommended amendments to the Cardiff Undertaking; and to invite Members to publicly affirm their commitment to the updated Cardiff Undertaking.

Background

2. The Council's ethical code is comprised of the Members Code of Conduct and the Cardiff Undertaking, both of which are incorporated within the Council's Constitution (Part 5).
3. The statutory framework for the conduct of Members is set under Part 3 of the Local Government Act 2000. Under powers granted in the Act, the National Assembly for Wales has made an order specifying principles governing the conduct of Members ('the Principles of Conduct' SI 2001/2276); and issued a model code regarding the conduct expected of Members, reflecting the Principles of Conduct. The model statutory code has been adopted by Cardiff Council, without variation, and is enshrined, as the Members' Code of Conduct, within the Council's Constitution. Members must comply with the duties set out in the Members' Code of Conduct. Sanctions may be imposed on any Member found to be in breach of the Code.
4. The Cardiff Undertaking was adopted by the Council in 2004, on the recommendations of a Corporate Governance Commission. It provides an opportunity for Members to publicly commit to using their term of office to work for the Council, the City and its citizens, and to commit to the standards of conduct expected by the Council, and has been amended from time to time.
5. In accordance with the recommendations of the Standards and Ethics Committee, Elected Members have been asked, since 2008, to reaffirm their commitment to the Cardiff Undertaking at each Annual Council meeting.

6. The Standards and Ethics Committee received a report on the Cardiff Undertaking at its meeting on 30th September 2020 and recommended a number of amendments for the approval of Council.

Issues

7. The Standards and Ethics Committee has recommended a number of amendments to the Cardiff Undertaking, including:
 - (i) Incorporating a commitment to complying with the Council's approved Protocol on the Role of Members in Safeguarding Vulnerable Children and Adults, in order to reinforce its importance and effectiveness.
 - (ii) Adding commitments in respect of stewardship of Council resources and leadership, in accordance with recommendations made by the Council's Internal Audit team following its review of Codes of Conduct (July 2020);
 - (iii) Strengthening the commitments in respect of treating all people equally and with respect; and
 - (iv) A number of other minor drafting improvements.
8. A marked up copy of the Cardiff Undertaking is attached as **Appendix A**, showing the recommended amendments.
9. Under the Council Meeting Procedure Rules, Rule 2(b)(vi), all Members are asked to publicly affirm their commitment to the Cardiff Undertaking at Annual Council each year.

Legal Implications

10. Relevant legal implications are set out in the body of the report.

Financial Implications

11. There are no direct financial implications arising from this report. Some associated cost with the provision of Member Development activities may be incurred to support the Cardiff Undertaking which will be met from the existing Member Development budget.

Recommendations

Council is recommended to:

1. Approve the revised Cardiff Undertaking set out in **Appendix A**; and
2. Invite all Members to publicly affirm their commitment to complying with the revised Cardiff Undertaking.

