

STANDARDS AND ETHICS COMMITTEE: 22 MARCH 2016

WALES AUDIT OFFICE CORPORATE ASSESSMENT FOLLOW ON REPORT

REPORT OF THE INTERIM MONITORING OFFICER

AGENDA ITEM: 4

Reason for this Report

1. To enable the Committee to receive the Wales Audit Office Corporate Assessment Follow On report of the City of Cardiff Council and to consider the proposals made within it.

Background

2. The Auditor General for Wales must report on an annual basis on how well Welsh local authorities are planning for improvement in delivering their services. In addition, the Auditor General must conduct a Corporate Assessment of every local authority in Wales once every four years. The Auditor General for Wales has powers to:
 - make proposals for improvement;
 - make formal recommendations for improvement;
 - conduct a special inspection and publish a report and make recommendations;
 - recommend to Ministers of the Welsh Government that they intervene in some way.
3. In March 2014 the Wales Audit Office undertook a Corporate Assessment of the Council which sought to assess if the Council was capable of delivering its priorities and improved outcomes for citizens. Its Corporate Assessment Report was published on 1 September 2014.
4. The Wales Audit Office undertook a follow-on visit in October 2015. It published its Corporate Assessment Follow On report on 26 February 2016. A copy of the report is attached as **Appendix A** to this Report. The WAO Report has been/will be considered by the Policy Review and Performance Scrutiny Committee on 8 March, Cabinet on 10 and 21 March 2016, and Audit Committee on 22 March 2016.

Issues

5. The Corporate Assessment Follow On report concludes that:

“The Council has put in place better arrangements to support improvement and to address longstanding issues, but is now at a critical point in embedding them if it is to achieve a step change in delivering improved outcomes.”
6. The Wales Audit Office reached this conclusion on the basis that:
 - *“overall, the Council has responded positively to the Corporate Assessment findings, and put better arrangements in place to support improvement and address longstanding issues; and*
 - *the Council is now at a critical point in ensuring that improved arrangements are embedded and implemented consistently and constructively across the organisation in order to achieve a step change in delivering improved outcomes.”*
7. The report identifies improved arrangements in financial planning, HR management, performance management, asset management, IT, and governance with the latter helping to promote a better culture of accountability and risk management.
8. Paragraphs 23, 49, and 50 of the report specifically refer to the work of the Standards and Ethics Committee. They read as follows:
 23. *The Council’s Standards and Ethics Committee has a clear remit to monitor the conduct of members. The Committee, in liaison with the Council’s Monitoring Officer, has also organised various training events for Members, including sessions on the appropriate use of Social Media and Data Protection. The Committee’s members have also started to attend various Council committee meetings to observe.*
 49. *The Council’s Standards and Ethics Committee is not sufficiently proactive in taking action relating to concerns we identified regarding the conduct of a small number of Members. The Council has in place the ‘Cardiff Undertaking’ for Members setting out expectations in relation to their conduct. The Standards Committee has also set out in its Annual Report the 10 general principles of public life and its commitment to play a positive and proactive role. However, the Committee could do more to visibly enforce the principles and the Cardiff Undertaking, as it appears that Member engagement is not consistently positive, professional and constructive. Some Members have openly disengaged in Council business and feel the need to engage with the media and social media to get their points across.*
 50. *The Standards and Ethics Committee, in liaison with the Monitoring Officer, organises various training for Members. However, it should give further consideration to how it can*

increase the number of members attending the training sessions, and what training should be considered essential for Members to discharge their role effectively, for example, the use of social media and data protection.

9. The Corporate Assessment Follow On report contains one statutory recommendation and 14 proposals for improvement. One of the proposals – Number P5 – specifically refers to the Standards and Ethics Committee. It reads as follows:

P5 Enhance member accountability by:

- (a) ensuring that the **Standards and Ethics** Committee plays a more proactive role in promoting and enforcing the Cardiff Undertaking for Councillors and supporting policies in relation to Member conduct and behaviour; and*
- (b) strengthening member development and learning programmes based on competency assessments to improve skills and understanding to enable them to undertake their roles more effectively; and*
- (c) determining what training should be considered essential for Members to discharge their role effectively*

10. The single statutory recommendation of the Wales Audit Office is that the Council must ensure that it addresses these proposals for improvement to deliver improved outcomes within the next 12 months.

11. In response to the formal recommendation of the Corporate Assessment Follow On report, the Council must prepare a statement of action and proposed timetable within 30 days of receipt of this report. Following consultation with the Chair of the Standards and Ethics Committee the following was put forward to Cabinet on 21 March 2016 in relation to Proposal P5:

P5: Proposal for Improvement

The Chair of Standards and Ethics Committee is committed to taking steps to raising proactively the profile of the Cardiff Undertaking for Councillors and to highlighting the importance of appropriate Member conduct and behaviour.

New Hearing Panel Rules will be adopted by the Standards & Ethics Committee for dealing with consideration of complaints made under the Council's Local Resolution Protocol. Training is in place for members of quasi-judicial Public Protection; Licensing and Planning Committees, which members must have attended before they can participate in these committees. Annual refresher training on the Code of Conduct and Information Governance has also been provided.

Democratic Services Officers will review Member training provision and agree a new programme to commence at the start of the new Council term

in May 2017 and will also work with the WLGA on the development of new member induction information and training for 2017/18.

Ref	Action	Timescale	Responsible Officer(s)
<i>P5a</i>	<i>Standards & Ethics Committee to publish biannual Member Briefings on the work of the committee, underlining the importance of the Cardiff Undertaking and member conduct and behaviour</i>	<i>August 2016</i>	<i>Monitoring Officer</i>
<i>P5b</i>	<i>Democratic Services Committee to review Member Development & Training and agree new approach and programme to commence in May 2017</i>	<i>December 2016</i>	<i>Monitoring Officer</i>
<i>P5c</i>	<i>Democratic Services Committee to agree essential training and frequency of training prior to start of new council term in May 2017.</i>	<i>December 2016</i>	<i>Monitoring Officer</i>

Financial Implications

There are no financial implications arising directly from this Report.

Legal Implications

Relevant legal implications, deriving from the Local Government (Wales) Measure 2009, are referred to in the text of this report.

RECOMMENDATIONS

The Committee is recommended to:

1. receive the Wales Audit Office Corporate Assessment Follow On report;
2. consider the content of the report and discuss ways in which the Wales Audit Office's proposal might be implemented; and
3. consider the draft Statement of Action put to Cabinet.

DAVID MARR

Interim Monitoring Officer
14 March 2016

The following appendix is attached:

Appendix A – Wales Audit Office Corporate Assessment Follow On Report