

Governance Review: Member Engagement Sessions
Standards: Session 3
12 November 2020

Notes of Discussion

Present

Sheriff Christopher Hayward (in the Chair)	Deputy Catherine McGuinness
Randall Anderson	Barbara Newman
Deputy Michael Cassidy	William Pimlott
Marianne Fredericks	Mark Wheatley
Natasha Lloyd-Owen	

Introduction

Sheriff Hayward, in the Chair, thanked Members for joining this evening's session. He noted that the Governance Review would affect all aspects of the City Corporation's governance and all Members as a consequence; it was, therefore, imperative that any implementation reflected the view of the Court, and that all Members had the opportunity to feed in their views on particular elements. These informal engagement sessions were the first part of that process.

He emphasised that the purpose of today's session was not to make decisions and that there were no preconceptions heading into these sessions, which were all about listening and ensuring that the views of Members on particular issues were known before any formal stage of considerations.

To that end, a short factual summary paper had been circulated, together with the relevant extract of the Review itself, to try and help focus discussion.

Recommendations: Members' Comments and Observations

Members then proceeded to debate the various recommendations.

Paragraphs 416-437: Creation of an Independent Panel to consider Complaints and the Abolition of the Standards and Standards Appeals Committee

- Several Members spoke to commend the Lisvane recommendations, suggesting that Members should not spend significant time agonising over or debating the proposals and should simply seek to adopt and implement them as quickly as possible.
- A Member commented that residents would be pleased to note the pace and seriousness with which a new regime was being implemented and urged that this be taken forward as a matter of priority.
- The potential to move those matters outside of complaints which were currently within the Standards Committee's remit to other committees as an interim measure, alongside setting up an Independent Panel to hear

complaints, was posited. It was, therefore, unnecessary to delay the abolition of the Standards Committee until any new committee structure had been worked through.

- It was suggested that it would be helpful to ensure Members were fully informed as to the detail of the Localism Act, with a Member commenting that it was clear many people did not understand fully what the regulations said and the sanctions that could or could not be applied.
- In relation to an enhanced informal aspect of the complaint process, using the Chief Commoner, a Member noted that complainants were sometimes simply hoping for an apology and recognition of a transgression and, consequently, factoring a lower-level resolution process into the formal procedure could be beneficial.
- It was also commented that it would be important to not confuse the Chief Commoner's internal informal role for Members with the separate legally required Standards procedure (in which a new lighter-touch "informal resolution" tier could be incorporated).
- With reference to potentially conflicting concerns around Members not judging each other but also not entirely outsourcing the complaints process, a Member suggested that an Independent Panel could consider the substantive complaint but that the Appeals process be reserved for a panel of Members.
- With reference to the Panel's composition, a Member noted that there were two new and highly qualified independent Members who had not been involved in the historic issues around the Committee who it might be prudent to retain.
- It was clarified that these two independent Members had been appointed by a panel comprising Chair of Policy & Resources (or their representative), the Chair of the General Purposes Committee of Aldermen, and the Chief Commoner. Such a Panel could be used to recruit an additional cohort of independent Members for a new Panel.
- A Member stressed the importance of putting relevant documents, such as the Code of Conduct and Hearing Procedure, into a more user-friendly, plain-English format.

Paragraph 438: Register of Interests

- There was strong support for the recommendation to improve the format and visibility of Members' interests, with it emphasised that an approach of maximum transparency should be pursued and that making this item easily accessible was, therefore, of the utmost importance.

Paragraphs 440-442: Training

- A number of Members supported calls for training to be made mandatory, arguing that different methods (e.g. online or recorded sessions) could be utilised to make things to accommodate differing needs. However, there was

a range of views as to whether this should be across all areas or limited to service on specific bodies with quasi-judicial or similar functions.

- It was observed that training was often mandatory at local authorities, and that it was already mandatory to serve on licensing panels. The suggestion was made that it was in Members' own interests to ensure they were suitably trained and prepared for undertaking their responsibilities, as training offered protection in many circumstances.
- A Member expressed some reservations with regard to enforcement or sanction, noting that in the case of some ward committees in particular it might be difficult to identify candidates willing and able to serve and undertake training (where the ward had only a small number of Members). Other Members countered that this was a matter for the ward and that they might need to explore pairing arrangements in such a circumstance.
- The possibility of linking training or sanction to hospitality or the withholding of certain privileges for Members was also mooted.
- The point was also made that, should Members be remunerated in due course, it would be unsustainable to refuse mandatory training.
- One potential option, for those Members with significant experience on any existing committee, could be to allow them to complete a form expressing their confidence in their existing abilities and make a declaration that training is not required.

Members took the opportunity to raise a number of additional issues relating to the wider Lisvane Review, including the likelihood of various proposals being implemented without amendment, the timing of meetings, and the remuneration of Members. It was noted that these items would be considered at later stages in the process or, in the case of remuneration, through the forthcoming recommendations from the Members' Financial Assistance Working Party.

Close

Sheriff Hayward thanked Members for their participation in the evening's session and their various contributions.