

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	STANDARDS COMMITTEE
Date:	9 MARCH 2016
Title of Report:	REPORT FROM STANDARDS CONFERENCE WALES 2015
Purpose of Report:	TO REPORT TO THE COMMITTEE ON THE CONFERENCE AND TO PROVIDE AN OPPORTUNITY FOR DISCUSSION
Report Author:	MIKE WILSON (CHAIR) AND ISLWYN JONES (VICE-CHAIR)
Action:	TO NOTE THE REPORT AND FOR DISCUSSION

1. Introduction

Cyngor Sir Ynys Môn / Isle of Anglesey County Council was represented by Mike Wilson and Islwyn Jones (Chair and Vice-Chair of Standards Committee) and Robyn Jones, Deputy Monitoring Officer.

The Conference was hosted by Cardiff City Council with over 150 delegates from all the 22 County Councils all with representatives from their Standards Committees and Legal Departments.

A reception on the evening before was hosted by the Lord Mayor of Cardiff at the Mansion House, and was an opportunity for delegates to get to know each other and for informal networking. We were able to have conversations with some of the key speakers and other delegates to the Conference.

2. The Conference

2.The Conference opened in plenary session with a welcome from Richard Tebboth – Independent Chair of the Cardiff Standards and Ethics Committee.

2.1 Welcome Address

The welcoming address was given by Paul Orders, Chief Executive of the City of Cardiff Council.

Amongst the points made by Mr Orders were the following:-

- The work of standards committees is more important in times of unprecedented changes;
- There are unprecedented pressures to make changes in delivering services;
- These pressures are on the budget but there are also social pressures. Cardiff is one of the fastest growing cities in the UK and has significant demographic changes to accommodate;
- The Council is required to make savings of 40% of its controllable budget over a 3 year period;
- The choices facing the Council are constrained by factors such as costs;
- The Council also has to contend with greater partnership working and challenges of alternative means of delivering services;
- All these changes are required to happen at speed and in a matter of months rather than over a period of one or two years;
- Cardiff Council is a vocal champion of the highest ethical standards and the Conference is hosted to celebrate this fact.

2.2 Keynote Speech

There then followed the Keynote Speech from Nick Bennett, the Public Service Ombudsman for Wales (PSOW).

The theme for the Keynote Speech was “Are the Nolan principles fit for purpose in the current climate and for the next 20 years?” Please see the attached slides for the presentation.

Amongst the points made by Mr Bennett were:-

- Wales faces significant changes in demography and an ageing population;
- Public spending at the rate of that in 2011 is not likely to return until 2025;
- There are big issues around the integration of health care and social services;
- There is local government reform and reorganisation;
- There remain constitutional issues to be addressed with, for example, the draft Wales Bill being published that day;

- Questions remain around the size of the state and the provision of public services;
- There are issues which relate to immigration;
- There are issues which relate to innovation;
- Mr Bennett would answer 'yes' to the question whether the Nolan principles were still fit for purpose. In 2014/15 the PSOW received 231 complaints: 35% were related to leadership and behaviour and 22% related to a failure to declare interests;
- Only 17 of the complaints (less than 8%) were identified as being breaches of the Code;
- There were still issues of vexatiousness in the number and types of complaints being made – one complaint alleged that a Councillor was clicking his ballpoint pen on and off in an aggressive manner;
- Mr Bennett mentioned the possibility of a new bill for the PSOW and he was asking for new powers relating to: the ability to investigate matters on the PSOW's initiative, the right to accept oral complaints, the right to accept complaints in respect of certain private service providers and a greater role for the PSOW in complaints standards.

2.3 Plenary Session

The Conference moved on to a Panel Session chaired by Richard Tebboth.

The first speaker was Lyn Cadwallader the Chief Executive of One voice Wales.

Amongst the points made by Mr Cadwallader were the following:-

- Town and community councils faced budget pressures and a requirement for increased transparency from all electors. This leads to the need for greater robustness in the actions of town and community councils;
- Town and community councils need to develop new ways of working to take into account requirements under the Social Services and Wellbeing Act and, for example, website requirements now made of town and community councils;
- Town and community councils required a new mandate in order to be able to work in the new culture;
- The profile of town and community councils was low amongst the electorate but there had been changes for the better – there were fewer complaints and it appeared

that the public could be persuaded to support the roles of their town and community councils;

- The Williams Commission had set out the need for clearer lines of responsibility for town and community councils and this would be of help to members of the public. It should be clearly established who was responsible for what;
- Town and community councils were now asked to do more and they would need to train and educate the public and their members for this new role. These training courses would need to be established, expanded and rolled out to all members of town and community councils.

The next speaker was Peter Davies the outgoing President of the Adjudication Panel for Wales (APW).

Amongst the points made by Mr Davies were the following:-

- There had been only 2 referrals by PSOW to the APW in the last 2 years;
- Over the 13 years of his Presidency there were only on average 5 referrals every year;
- There was a need for member training and education for all members but (perhaps especially) for those longstanding members;
- By reference to a particular case (which is documented in the public forum), he raised the issue of independence and whether members of councils and of standards committees might be too close to the issues and the people on which they were required to adjudicate? Might their objectivity be clouded by local issues?

Plenary session was next addressed by Jan Williams the Independent Police Complaints Commissioner for Wales.

Amongst the points made by Miss Williams were the following:-

- There had been established a code of ethics for the police together with a college of policing;
- There was now no longer a need for policies and procedures but an emphasis on culture and leadership;
- She believed that the “fish rots from the head” and the setting of ethical behaviour comes from the top of the organisation and from its leadership.

The Conference was then given over to questions from the floor. The predominant theme of the questions appeared to be a concern with the judgment in the Calver case and the concern of a number of delegates that the decision gave a “green light” to all sorts of bad behaviour and that there was little that could be done in order to try and rein in such behaviour.

Comments from the rostrum suggested that delegates should go back and read the Calver Judgment carefully and it would be seen that it did not allow a “free for all” but did impose a threshold as to what would be acceptable behaviour by politicians. Peter Davies suggested that the judgment required close reading and that it did not allow for a “free for all”. The door was not closed to anyone to take the matter back to the courts at a future date.

2.4 Workshops

The Conference then broke up into workshop sessions of which there were 5. These were:-

- Social Media – Staying out of Trouble;
- Whistleblowing;
- Community Councils – governance and standards;
- Local Complaints Resolution – practicalities;
- Are the Nolan Principles fit for purpose in the current climate and for the next 20 years?

2.4.1 Workshop Session – Social Media – Staying out of Trouble

See the attached presentation slides.

This was a presentation jointly by Daniel Hurford of the WLGA and Patrick Arran Head of Legal, Democratic Services and Procurement at Swansea Council.

The first half of the session involved an introduction and overview by Daniel Hurford to social media and the different types of social media available – facebook, twitter, instagram etc.

The second half of the session involved a presentation by Patrick Arran as to the possible dangers and difficulties arising from the inappropriate use of social media for the making of comment or criticism and the fact that these could be actionable in law if

they were found to be defamatory. The advice was: never put on social media something you would not wish to see printed on the front page of the local newspaper.

After lunch the workshops were run again with an opportunity for delegates to attend a different workshop.

2.4.2 Workshop Session – Whistleblowing

See the attached presentation slides.

This session was hosted by Sioned Wyn Davies, Legal Services Manager and Deputy Monitoring Officer at Wrexham Council together with Kumi Ariyadasa, Solicitor at Cardiff Council.

Amongst the points made in their presentations were the following:-

- Whistleblowing was about workers reporting wrong doing where that would be in the public interest to do so.
- Each Authority should have a procedure in place for the internal reporting and the regime also allows reporting to a regulator or, in certain cases, to the press. However the intention of the internal process is to avoid the need for anyone to go to the press.
- Public Interest Disclosure Act 1998 (PIDA):
 - o Provides statutory protection to workers for disclosing malpractice and where it is in the public interest to make such disclosure;
 - o There are certain categories which amount to protected disclosure. For example reporting of a crime or an incident contrary to health and safety legislation or causing damage to the environment;
 - o A protected disclosure is, basically, disclosure to the employer;
 - o There is a list of regulators to which a protected disclosure may also be made and provided the matter referred to is within their terms of reference;
 - o Wider disclosure to the press requires meeting further conditions;
 - o An employee is guaranteed protection in respect of a protected disclosure if, for example, an employer seeks to dismiss or discipline them following the making of a protected disclosure.
- The principles of the PIDA seek to promote the Nolan Principles;

- The ethos behind the Act is to ensure that inappropriate behaviour is challenged in all the public sector;
- Each Authority needs arrangements in place to facilitate whistleblowing;
- Each Authority will have a policy which should detail requirements, protection, procedures, what will happen on a protected disclosure and what sort of feedback a disclosing employee should receive;
- The procedure should initially allow reporting to a line manager and provide for an alternative route of reporting where this is inappropriate;
- All staff should be made aware of the policy and also of the expectations together with being given reassurance, that the organisation records the disclosure and that there is adequate monitoring and oversight by one person who is in overall control of the policy at the authority;
- An authority should also make arrangements for whistleblowing for other situations such as the engagement of agency workers, contractors, partners and others. An authority should seek to check what practices and processes these other parties have in place for whistleblowing;
- Reference was made to the PCAW Code of Practice for 2013 and also a BIS Report and Guidance document from 2015. The latter document includes a guide for what a code of practice should contain;
- In both Cardiff and Wrexham the Standards Committees oversee and monitor the whistleblowing policy;
- There is a communication plan for bringing the policy to the attention of all staff and the monitoring officer reports on the policy regularly. All schools also have their own policy based upon a standard template;
- Dealing with whistleblowing matters is sometimes an issue which is led on by the HR Department of an organisation but can also be within the oversight of the Monitoring Officer with general reporting to either Scrutiny Committee or to the Standards Committee;
- A whistleblowing would be a matter generally expected to be dealt with as part of the staff induction process for new starters.

2.4.3 Workshop Session - Community Councils – Governance and Standards

See the attached presentation slides.

Led by Lyn Cadwallader, CEO One Voice Wales and Iwan Evans, Monitoring Officer Gwynedd. This session looked at the proposed new WG tests of competency, democracy, capacity and governance. The White Paper published by WG was about improving and developing town and community councils throughout Wales.

White Paper: Power to Local People, to enable Local Authorities to work with local council sector, and to provide communities with more confidence in their town and community councils.

The workshop highlighted the need and how “competency” would develop and be monitored by the relevant Local Authority, the funding for this was not explained.

Competent councils would become “accredited”. Local Authorities would be required to nominate a committee for monitoring and with ability to revoke its competency. This may be an opportunity for development of Standards Committees but would increase the work/time basis.

The test would include:

A Democracy Test: 66% of the councillors to be elected either at an ordinary election or a by-election.

Suitably qualified clerk: e.g. Cert of Higher Education in Local council administration.

Governance Test: sound financial management and publication of agenda, minutes, and contactable by e-mail.

With competency comes privileges not subject to section 137 limits of the Local Government Act 1972, they will be deemed community bodies with rights and entitlements, such as capping of the precept. Non competent councils would be subject to a cap at the same % increase as the principal local authority council tax in the same year.

Expectations to see more extensive delegation from Principal Local Authorities to Competent Councils

Town and community councils that can demonstrate they meet the needs to be competent need to pass a resolution and notify the nominated local authority committee in their area.

The workshop identified workload imbalance: i.e. Anglesey 40 town and community councils, Gwynedd 66, Swansea 7. Generally, rural areas have a greater number and less well financed local authorities.

The workshop highlighted the need for training/education of town and community councillors in standards and ethics with 106 complaints to Ombudsman and only 3 with action.

Calver Judgement having an impact.

This session was very informative and development could be started on Anglesey in preparation for the effect both on training and competency.

2.4.4 Workshop Session - Local Complaints Resolution – practicalities

See the attached presentation slides

2.4.5 Workshop session - Are the Nolan Principles fit for purpose in the current climate and for the next 20 years?

See the attached presentation slides from the Keynote speech of Nick Bennett.

3. Closing Session

The Conference concluded with a final short plenary session chaired by Jan Williams. The session comprised of comments by Dr James Downe, the Vice-Chair of Cardiff Standards and Ethics Committee. He stated that he and the Chair of the Cardiff Committee would draft a note to circulate to all delegates of what they thought were the key points and good practice arising from the various discussions had at the Conference. He would hope that the note would be available for circulation soon. The note will emphasise what was thought to be innovative and useful practices and procedures which various delegates had highlighted during the course of the Conference.

The North Wales Standards Forum was mentioned in particular as being evidence of innovative, good practice.

On final comments from Richard Tebboth and Jan Williams the conference concluded at 3.40pm.

4. Issues for Discussion:

- Local dispute resolution process as adopted by Rhondda Cynnon Taf – please see attached presentation slides;

- Issues around the Calver judgment and the apparent misapprehension caused by it;
- The proposals for the future of town and community councils – please see presentation slides attached.



WLGA • CLILC

SOCIAL MEDIA

Staying out of trouble (Part 1)

Daniel Hurford
Welsh Local Government Association



WLGA • CLILC

SOCIAL MEDIA

Staying...in touch

Overview

Part 1: Staying in touch

- What is Social Media?
- Why should you use it?
- What types of Social Media are out there?
- How to use it?

Part 2: Staying out of trouble

- Legal Issues
- Code of Conduct
- Reputation

What is social media?

- Social media broadly means online multimedia/apps which allow you to create and publish content and engage in two-way communication.
- Social media can be accessed via apps on your smartphone, computer, tablet, smart TV or smart watch.
- Social media accounts tend to be free can be set up quickly and easily

What is social media?

- It's just a new(ish) form of communication
- Humans have communicated and shared information through graphic, oral or written media for millennia...
- ...why should we be afraid of or dismissive of this relatively new media?
- It's free, available and open to all – information and mass-communication from the palm of your hand!

It's popular!

Facebook:

- Around 30 million users in UK.
- Facebook is the default social networking site for 96% of UK adults who are online (Ofcom)

Twitter:

- Twitter says 15m UK users (end of 2013)
- ONS suggests around 9.5m

Stats from <http://www.rosemcgrory.co.uk/>

Newspapers:

- 8m national newspaper circulation

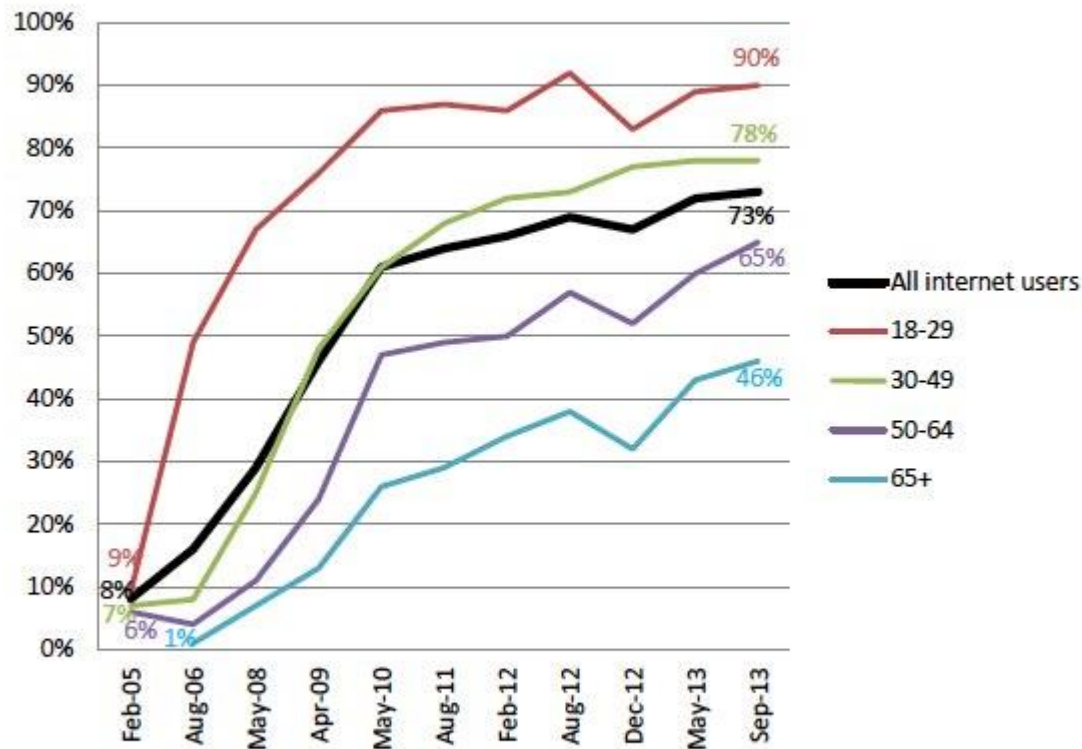


WLGA • CLILC

It's growing!

Social networking site use by age group, 2005-2013

% of internet users in each age group who use social networking sites, over time



Source: Latest data from Pew Research Center's Internet Project Library Survey, July 18 – September 30, 2013. N=5,112 internet users ages 18+. Interviews were conducted in English and Spanish and on landline and cell phones. The margin of error for results based on internet users is +/- 1.6 percentage points.



It's here to stay...or is it?

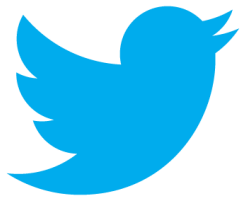
- **Who still paints caves?**
- **Who still relies on town criers for the latest gossip from Albert Square?**
- **Who still sends a postcard wishing your Great Aunt Mable was with you clubbing in Ayia Napa?**
- **Who still buys a daily newspaper?**
- **Who remembers 'Friends Reunited'?**



WLGA • CLILC

What is Social Media?

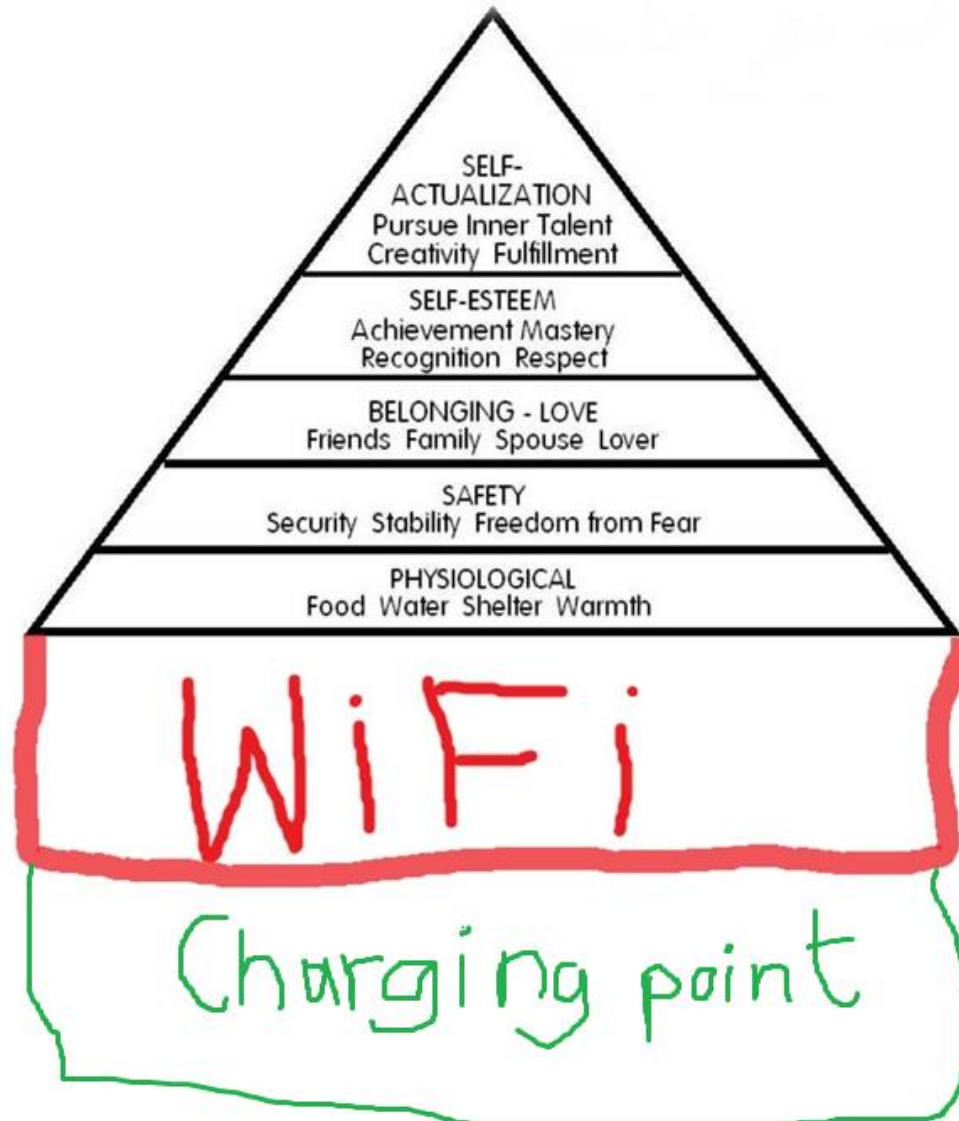
...online multimedia/apps allowing you to create and publish content and engage in two-way communication.



Increasingly part of everyday life



Increasingly part of everyday life





What is Social Media?

“LinkedIn is for the people you know.
Facebook is for the people you used to
know. Twitter is for people you want to
know” Unknown

Blogging



- Arguably, where social media started.
- Basically, a personal website which is easy to update and might typically include:
 - Diary or journal
 - Occasional Thoughts
 - Articles or thinkpieces – often to prompt debate and exchange of views.
 - Photos or media.



Some live examples



<https://cardiffleadersblog.wordpress.com/>



Kelda, Cathays Cemetery and the success of the ball in the wall

Posted on **October 13, 2015** by [cllrbale](#)

Kelda Ground Breaking

Earlier this year, the City of Cardiff and the Vale of Glamorgan signed a 15-year £13.4m joint organic waste deal with Kelda Organic Energy Limited to build a new facility to convert food waste into a soil fertiliser and use the gases produced to generate renewable energy.

This agreement reinforces the Council's commitment to meet the statutory Welsh Government targets around recycling as we work towards their 'Zero Waste' goal for 2050. The new plant will use the latest technology that will not only treat and recycle the organic waste but will also produce sustainable sources of energy and fertiliser for farming.



RECENT POSTS

- [Kelda, Cathays Cemetery and the success of the ball in the wall](#)
- [Foster for Cardiff and the Cardiff Half](#)
- [City Leaders and the Rugby World Cup visit Cardiff](#)
- [Top Marks for Cardiff Schools!](#)
- [Revamped Central Library and all change at Central Square](#)

RECENT COMMENTS

ARCHIVES

- [October 2015](#)
- [September 2015](#)

<https://pgriffithsblog.wordpress.com/>



HOME

ABOUT ME

CONTACT ME

Why have Councillors?

Welsh Government is planning to complete a 40 year programme of reducing the number of councillors by 90%. Does it matter?

As in many walks of life, the less obvious a councillor the more effective she or he is likely to be. I have worked with councillors for many decades. I disagree with many. I like most. I respect almost all.

Let me share some experiences of the past week. I met two councillors who have been leading the governing body of brand new school. They were clearly the bridge between the community and local authority as the school was designed and built. They played their part in creating and supporting the professional leadership of a school which is now achieving well beyond expectations.

I listened to another councillor who shared the experience of working to untie the knots of Welsh Government's disjointed application of three competing anti-poverty programmes to one small community. He could have walked away; he was in no way a responsible player, indeed he was often made unwelcome, but instead he was committed to the hard graft of making the unworkable work better.

For myself, I spent a productive day talking to parents, transport managers and bus companies to ensure that a school bus could be re-routed to avoid a new construction site. Within 24 hours we turned a hostile stand-off into a new route to school.



OCTOBER 12, 2015

PGRIFFITHSBLOG

UNCATEGORIZED

PAUL GRIFFITHS

The
little
casino
Company

RECENT BLOG POSTS

October 2015

September 2015

June 2015

February 2015

January 2015

November 2014

October 2014

September 2014

June 2014



Facebook



- Most popular social media platform in the world.
- 1 billion users worldwide and around 30 million users in UK
- Public or Private forum to:
 - Blog
 - Post messages to friends and family
 - Share photos
 - Share things of interest, concern or humour
- Your contacts or “friends” can comment on your posts, share them with their “friends” or “like/dislike” things.

Some live examples



 Plaid Cymru 



Plaid Cymru 
Political Party



Timeline

About

Take Part / Cymryd Rhan

Events

More ▾





ABOUT





 144  10

 Post

Write something...





Plaid Cymru
28 mins · 

"Never again should Welsh land, Welsh culture, or Welsh communities be allowed to be so drastically undervalued."

"The Secretary of State has a chance to make his mark on Welsh history - the Wales Bill is an opportunity to put this right. I urge him to take it."

[Liz Saville Roberts AS/MP](#) marks 50 years since the drowning of Capel Celyn to supply the city of Liverpool with water.



Some live examples



 The Labour Party 

 Daniel Home 20+   1



The Labour Party 
Political Party

Timeline

About

Videos

Photos

More ▾

 399,360 people like this


 Invite friends to like this Page

ABOUT



 **The Labour Party** 15 hrs · 

READ: Why now is exactly the wrong time for a multi-billion pound cut to working people's tax credits:
<http://www.mirror.co.uk/.../six-million-workers-below-living-...>





Some live examples



Conservatives

Daniel Home 20+








Conservatives 
Political Party

[Sign Up](#) [Like](#) [Share](#) 


[Timeline](#) [About](#) [Photos](#) [Likes](#) [Videos](#)

537,575 people like this

 [Invite friends to like this Page](#)

ABOUT

 Strong leadership. A clear economic plan. A brighter, more secure future.

**Conservatives** shared David Cameron's post. 1 hr · 

**David Cameron** 1 hr · 

Today's employment rate is the highest since records began. Our long term plan is delivering security and opportunity for working people.

[Like](#) [Comment](#) [Share](#)



WLGA • CLILC

Some live examples





Liberal Democrats



 Daniel Home 20+  





Liberal Democrats 
Political Party

Timeline

About

Likes

Photos

Videos

 127,018 people like this

 Invite friends to like this Page

ABOUT

 The Liberal Democrats are a political party working to build a stronger economy in a fairer society, creating opportunity for everyone.

 <http://www.libdems.org.uk/>

 Impressum 



 **Liberal Democrats**
22 hrs · 


Welcome to the first "Tim Talks" edition, Tim Farron's take on the news.




Some live examples



Daniel Hurford

Daniel Home 20+



Daniel Hurford

[Update Info](#) [View Activity Log](#) [...](#)


[Timeline](#) [About](#) [Friends 217](#) [Photos](#) [More](#)

[+ Add a short bio](#)


[+ Add info about you](#)

[+ Add featured photos](#)


FRIENDS · 217




Nerys Hurford




David Cumberbatch




Rhian Clarke






John-Paul Davies



Jacqui Phillips-Jones




Rhian Edwards




[Status](#) [Photo/Video](#) [Life Event](#)

What's on your mind?

 **Nerys Hurford** shared Liz Laine's photo.
6 October at 09:58 · [...](#)

We need this message shared in our street Daniel Hurford Libby Cronin!





Why use Facebook?



- Very easy to set up
- You can have public or private groups (or pages)
– you can act as an administrator or editor, so you can approve who joins your group and can remove inappropriate postings (if necessary)
- Can be used as a community mini-website

Why use Facebook?



- Useful for seeking views, engaging with people and promoting events etc.
- Easy to promote and share and get more 'friends', exposure and engagement

Watch-out for:

- Hearing things that may be challenging – it's all about engagement afterall. These 'negative' comments will be seen by all.
- Inappropriate comments and postings
- It taking over your life!!!



Twitter



- Lot of users – between 9.5m and 15m in UK
- Each post is called a tweet
- Brevity is key - maximum of 140 characters per tweet (including all spaces, letters and numbers)
- You can add pictures and videos or links to websites etc.
- You can 'favourite' a tweet or 'retweet' a tweet



Twitter



- You can ‘DM’ (Direct Message) someone – i.e. a private message like a text or email
- You can ‘follow’ and have ‘followers’

“On Twitter we get excited if someone follows us. In real life we get really scared and run away.” Unknown via @mozusa



Some Live Examples



Search Twitter

Daniel Hurford
@drhhurf

TWEETS 82 FOLLOWING 1,393 FOLLOWERS 203

Trends · [Change](#)

Lamar Odom
Former NBA star Odom found unconscious at Nevada brothel
318K Tweets about this trend

#PMQs
Just started trending

Stephen Fry
Stephen Fry has quit as the host of QI - and will be replaced by...
Just started trending

Sanjiv Bhatt
Sacked IPS Sanjiv Bhatt didn't come with 'clean hands', tried to...
18.7K Tweets about this trend

#BAKvENC

What's happening?

[View 15 new Tweets](#)

Fraser Nelson @FraserNelson · now
So are we arming the Syrian People's Front, or the People's Front of Syria? ...
Bradley on the never-ending madness: blogs.new.spectator.co.uk/2015/10/is-the...

PoliticsHome @politicshome · now
Karl McCartney opens with a puff Q about job stats - takes a dig at Corbyn ca...
him 'honorable' with no 'right': polho.me/1jyvACS

Faisal Islam @faisalislam · now
PMQs up now live on [#skynews](#) followed by panel of [@ayeshahazarika](#)
[@JuliaHB1](#) and [@jennirsl](#)

Ben Glaze @benglaze · now
LONG TERM ECONOMIC PLAN KLAXON [#PMQs](#)

Alex Wickham Retweeted

Some Live Examples





Some Live Examples



Search Twitter

TWEETS
3,641

FOLLOWING
1,143

FOLLOWERS
5,521

FAVORITES
141

LISTS
5

Follow

WLGA

@WelshLGA

FOLLOWS YOU

The Welsh Local Government Association. Representing local government, and promoting local democracy in Wales. Tweets by @stu_hodges

Cardiff

wlga.gov.uk

Joined April 2011

Tweets

Tweets & replies

Photos & videos

WLGA @WelshLGA · 22h

The 16 Oct deadline to submit evidence commission on **#localgov** finance in **#Wales** is looming. Instructions here: ow.ly/TkFJW

4

WLGA Retweeted

ICLGF_Wales @ICLGF_Wales · Oct 9

First three responses to the Written Call for Evidence up on the

Some Live Examples





Peter Fox
@PeterFox61 · FOLLOWS YOU

Leader of Monmouthshire County Council, Councillor for Portskewett, White Ribbon Ambassador, livestock Farmer and an advocate of the Cardiff Capital Region

Portskewett, Monmouthshire
peterfox61blog.wordpress.com
Joined April 2010

113 Followers you know



Peter Fox Retweeted

Monmouthshire SpLD @MonSpLD · 18h
Wonderful Mon school staff determined to be dyslexia aware. Jane and Debbie with their certificates [@thedellschool](#)





Some Live Examples



Ellen ap Gwynn

@EllenapGwynn FOLLOWS YOU

Arweinydd/Leader Cyngor Sir Ceredigion
County Council, Cyng/Cllr Ward
Ceulanamaesmawr. Ganed yn
Albanes /Scots born, magwyd yng
Nghymru/ Welsh bred.

📍 Tal-y-bont, Ceredigion, Wales

🕒 Joined April 2011



👤 93 Followers you know



TWEETS
11.9K

FOLLOWING
1,102

FOLLOWERS
1,550

FAVORITES
6,043



Following

Tweets

Tweets & replies

Photos & videos



Ellen ap Gwynn Retweeted



Gruffudd Pritchard @gruffsion · 13h

Gobeithio bydd defnydd amlwg a balch [@FAWales](#) o'r gymraeg yn
ysbrydoli [@WelshRugbyUnion](#)





Some Live Examples



TWEETS
2,355

FOLLOWING
763

FOLLOWERS
1,253

FAVORITES
480



Following

Aaron Shotton

@AaronShotton FOLLOWS YOU

Leader of Flintshire County Council /
Deputy Leader Welsh Local Government
Association / Connah's Quay Central
Ward / Labour Party / Evertonian.

📍 Connah's Quay

🕒 Joined July 2011



👤 104 Followers you know



Tweets

Tweets & replies

Photos & videos



Aaron Shotton Retweeted



Daily Post Wales @dailypostwales · 16h

North Wales Refugee and Homeless Aid Centre 'inundated' with
6,000kg of donations bit.ly/1LM6EEL



11



8



Some Live Examples





TWEETS

15.6K

FOLLOWING

5,096

FOLLOWERS

11.8K

FAVORITES

2,296

LISTS

1



Following

Leighton Andrews

@LeightonAndrews

Assembly Member for the Rhondda.
Minister for Public Services in Wales,
where Labour is still in government.
Sunny disposition. Personal Twitter.

 Rhondda, Wales
 leightonandrews.wales
 Joined April 2008

 Tweet to Leighton Andrews





Tweets

Tweets & replies

Photos & videos



Leighton Andrews

@LeightonAndrews · 4h

Party on [#TogetherStronger](#)



0:20






★ 1



 Leighton Andrews Retweeted



Keith Edwards

@KeithEdwards121 · 5h

X party Senedd support for new models of public services

[@LeightonAndrews](#)
[@SimonThomasAC](#)
[@peterblackwales](#)





Why use Twitter?



- Probably the easiest and most accessible social media to use
- Instantaneously communicate with your followers, and potentially within seconds millions of others!
- Share news stories or events from others
- Find out what other people are saying (maybe about you or things you care about – sophisticated searches and alerts)

Why use Twitter?



- Find out about intelligence or breaking news as it happens (careful here though...). Then share it and pass it on.
- Can be very, very funny!
- Can help make you appear human and normal!

Why use Twitter?



What to watch out for:

- 'Trolls' and abuse
- Getting drawn into protracted public arguments
- Tweeting when a text might be better
- Tweeting when you're 'tired and emotional'

Why use Twitter?



What to watch out for:

- Don't believe everything you read on twitter...
 - Some of it is gossip and rumour
 - Some of it is deliberately untrue
 - There are some spoof accounts – people are not always who they purport to be
- 'Clickbait'

Why use Twitter?



What to watch out for:

- Retweeting some things... 'retweets do not necessarily mean endorsements' doesn't stand up in court
- The 'twitterati bubble' – twitter users are not necessarily a representative sample of society
- A tweet is permanent, even if you think you've deleted it...so think before you tweet something contentious



So, to recap:

1. Social media is simple and free to use
2. Mass and quick communication
3. To make the most of it, don't just tell people what you're doing, listen to feedback too
4. People can find out about the real you
5. It can be fun!
6. It's all going on already – you might be missing out



Tweet within twenty seconds...

- Go to twitter.com
- Sign-up (for free, no strings attached).
- Choose your twitter username (@somebody) and a password.
- Create your 'profile', with as much or as little detail as you'd like and maybe a picture or two.
- Tweet and retweet
- And remember to follow too, that's how you find out what people are doing or saying and how you get followers back...



WLGA • CLILC

Any Questions?

STANDARDS CONFERENCE WALES 2015

WHISTLEBLOWING WORKSHOP

**Sioned Wyn Davies, Deputy Monitoring Officer,
Wrexham County Borough Council**

Kumi Ariyadasa, Solicitor, City of Cardiff Council

What is “Whistleblowing”?

- When a worker reports suspected wrongdoing at work
- In the public interest
- May report the wrongdoing internally or externally
- Good governance requires effective internal whistleblowing arrangements

Legal framework

- Public Interest Disclosure Act 1998 ('PIDA')
- Legal protection for workers disclosing malpractice in the public interest
- Protection for disclosures of: A criminal offence / breach of legal obligation / miscarriage of justice / danger to health or safety / damage to the environment
- External disclosures only protected if justified
- Unlawful for an employer to dismiss or victimise a whistleblower under PIDA

How is it relevant?

- Exposing misconduct, corruption or illegal behaviour
- Supports Nolan principles – Openness, Honesty, Integrity
- “A key component in any strategy to challenge inappropriate behaviour at all levels of an organisation” (10th Report of the Committee on Standards in Public Life)

Effective Whistleblowing Arrangements (1)

- Clear policy to reiterate commitment to principles and effective implementation of PIDA
- Clear procedure for addressing concerns and providing feedback
- Offering an alternative to line management, both inside and outside the organisation

Effective Whistleblowing Arrangements (2)

- Communication – so that all staff are aware of whistleblowing avenues
- Training for managers on dealing appropriately with whistleblowing reports
- Monitoring and review – to consider how procedures are working, identify trends, possible system failures and issues arising

Other Council Service Providers

- Contractors & New service delivery models
- Risk that workers are not aware of their rights or how to report concerns
- NAO recommendations:
 - * Share own policies and procedures with delivery partners
 - * Review delivery partners' arrangements
 - * Seek information from delivery partners to oversee issues and risks

Best Practice Guidance

Public Concern at Work ('PCAW')

- Recommended Code of Practice (2013)
http://www.pcaw.org.uk/files/PCaW_COP_FINAL.pdf
- First 100 Campaign

Department for Business Innovation & Skills

- Guidance for Employers and Code of Practice (March 2015)
<https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>

Cardiff's approach

- Standards & Ethics Committee has responsibility:
“To oversee and monitor the Council’s whistleblowing procedures and to consider ethical issues arising”
- Revised Policy and Procedure approved by Cabinet in October 2014
- Communications plan – posters in all Council buildings and leaflets for all staff and managers
- Monitoring Officer records cases and reports regularly to Standards & Ethics Committee

Wrexham's approach

- Standards Committee has responsibility for: “Overseeing the Council's Whistleblowing regime”
- Revised Policy and Procedure approved by Council in February 2015
- Communications plan – published on Council's intranet SAM, Friday Bulletin, management briefings
- Monitoring Officer records cases and reports annually to Standards Committee

Discussion

- What does your authority do?
- How is it being communicated?
- Who is responsible for monitoring?
- How many whistleblowing reports were made this year?
- Role of your Standards Committee?

STANDARDS CONFERENCE WALES 2015

Workshop Community and Town Councils – Governance and Standards



Un Llais Cymru



One Voice Wales

www.onevoicewales.org.uk



Un Llais Cymru



One Voice Wales

Vision:

“Working with local councils in Wales to shape the places communities want to live in”

Mission Statement:

To represent the interests of community and town councils; raise awareness and understanding of this first tier of government; and work collaboratively with our partners to ensure the sector contributes fully to the goal of developing dynamic and sustainable communities in Wales.



Theme for Today

In this workshop I would like to explore with you the issues of governance and standards in community and town councils, proposed changes facing the sector and ways in which councillors can work more effectively, and efficiently, together



Community Council Governance and Standards

White paper: Power to local people...strong case for bringing more consistency to the sector:

1. Higher standards of governance and financial management
2. Increased professional capacity and capability
3. And, greater democratic accountability



Community Council Governance and Standards

White paper: Power to local people...

Aims:

1. Enable Local Authorities to work with local council sector
2. Provide communities with more confidence in their community and town councils



Competent Community Councils

Competency tests:

A democracy test: at least two-thirds of the Councillors on a Community Council have been declared elected at either an ordinary election or a by-election



Competent Community Councils

Competency tests:

A capability test: the Community Council must employ a clerk with relevant professional qualifications. Relevant qualifications might include Certificate in Local Council Administration; Certificate of Higher Education in Local Policy; Certificate of Higher Education in Local Council Administration; the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire; or qualifying professional status such as a lawyer or accountant;



Competent Community Councils

Competency tests:

A **capacity test**: the Council has a minimum annual budget of £200,000 (since abandoned); and



Competent Community Councils

Competency tests:

A governance test: the Council has implemented a sound system of financial management and internal control in line with statutory requirements, and meets certain other criteria such as having a website on which it publishes agendas, minutes and accounts and being contactable by email.



Competent Community Councils

Privileges:

1. Extend the general power of competence to competent Community Councils, while prescribing that Community Council funding can not be used for political purposes. A competent Community Council would not be subject to the section 137 limits of the Local Government Act 1972;
2. They will be deemed to be community bodies, with certain rights or entitlements; and
3. they will not necessarily be subject to capping of the precept. Proposed other Community Councils should be subject to a cap on the annual increase in the precept which could be the same as the percentage increase in the Principal Local Authority's Council Tax in the same financial year.

Competent Community Councils

Expectations:

1. To see more extensive delegation of functions from Principal Local Authorities to competent Community Councils;
2. Community Councils which can demonstrate they meet these competency tests will need to pass a resolution to that effect and notify a committee of the Local Authority in their area.



Competent Community Councils

Potential implications for Principal Authorities:

1. The Local Authority would be required to nominate one of its committees for this purpose.;
2. The committee nominated by the Local Authority should have powers to require a Community Council at any time to demonstrate its continuing competence and if it is not satisfied, revoke the Community Council's competency qualification.



Competent Community Councils

Other potential implications for Community Councils - other governance and transparency arrangements:

1. A requirement on the Chair of the Community Council to publish an annual report;
2. To set objectives for, or otherwise manage the performance of, the clerk to the Community Council.
3. For the public to have a right to attend, speak at and record meetings of their Community Council, including film and video recording.



Members of Community and Town Councillors

The GUIDING PRINCIPLE

Councillors are there to serve
their communities



CODE OF CONDUCT

**Applies to members of
Community and Town
Councillors**

**Reinforces the Guiding Principle
of “service before self”**



Ethics

- Act openly and honourably in public
- Never secure personal advantage or avoid disadvantage, for you, friends, family or associates
- Not disadvantage others
- Never bring you or the council into disrepute



What Councillors must do

- Promote equality
- Treat others with respect
- Provide access to information
- Make decisions on the merits of a case and with regard to the advice of officers
- Abide by rules on expenses
- Report any breaches of the code or criminal behaviour by another member



What Councillors must not do

- Accept unofficial gifts
- Disclose information given in confidence
- Use Council resources improperly
- Make vexatious or malicious complaints



Personal Interests

- A professional or personal interest outside your role may conflict with your duty as a councillor to serve the community
- You must declare a personal interest as soon as you are aware that you (or people close to you) may benefit more than other people in the community from the outcome of a matter under discussion.



What the Code protects...

- Your electors
- Your council
- And YOU

SELFLESSNESS

STEWARDSHIP

LEADERSHIP

**EQUALITY AND
RESPECT**

OBJECTIVITY



HONESTY

OPENESS

**INTEGRITY &
PROPRIETY**

ACCOUNTABILITY

A DUTY TO UPHOLD THE LAW



SELFLESSNESS

STEWARDSHIP

LEADERSHIP

EQUALITY

OBJECTIVITY

RESPECT

ACCOUNTABILITY

HONESTY

OPENESS

INTEGRITY & PROPRIETY

A DUTY TO UPHOLD THE LAW

Decorative wavy lines in blue and green at the bottom of the slide.

Managing Behaviour through Good Governance

What's the problem?

Bullying *“may be characterised as a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse of this use of power or authority which tends to undermine an individual or a group of individuals, gradually eroding their confidence and capability, which may cause them to suffer stress.”*

Harassment is *“unwanted conduct that violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.”* This usually covers, but is not limited to, harassment on the grounds of sex, marital status, sexual orientation, race, colour, nationality, ethnic origin, religion, belief, disability or age.



Managing Behaviour through Good Governance

Who bullies who?

- Councillors vs Councillors
- Councillors vs Officers
- Officers vs Councillors
- Members of the Public?



Managing Behaviour through Good Governance

What isn't bullying?

- Performance Management
- Robust Management
- Differences of Opinion
- Complaints about the Council

Independent Scrutiny

Organisation's regulating the local council sector:

1. Wales Audit Office
2. Public Services Ombudsman
3. Independent Remuneration Panel



WAO Financial Management and Governance in Community and Town Councils 2013-14

Findings:

1. Although timeliness of accounts across the sector continues to improve, there remains a small core of councils which fail to provide complete and accurate accounts and other information for audit on a timely basis
2. The number of qualified audit opinions continues to decrease but too many councils have received qualified audit opinions for two or more of the last three years
3. Councils are making progress addressing the issues raised in previous reports but there is evidence of continuing failure to comply with statutory requirements
4. Local councils can learn lessons from the appointed auditor's report in the public interest



Public Services Ombudsman Annual Report 2014/15

Code of Conduct Complaints:

231 complaints received – a 1% increase on 2013/14

125 County Councillor complaints – a 13% increase

106 Community Council complaints – an 8% decrease

- 2 reported to Standards Committee
- 1 taken to Adjudication Panel

Case study Llansannan Community Council – Welsh Language / translation provision



One Voice Wales support

Training:

22 training courses including , for example (see handout for full list):

1. The Council
2. The Councillor
3. Local Government Finance
4. Code of Conduct
5. Devolution of Services

Consultancy:

Bespoke services tailored to individual councils needs including:

1. Accountancy support
2. Health and Safety
3. Human Resources

**Thank you –
any questions**

**Please help yourself to
the handouts**



Un Llais Cymru



One Voice Wales

Lyn Cadwallader
Chief Executive, One Voice Wales

lyn.cadwallader@onevoicewales.org.uk

01269 595400

www.onevoicewales.org.uk

WORKSHOP GROUPS

What are the main barriers to meeting the Competent Councils requirements?

How can we over come these problems ?





STRONG HERITAGE | STRONG FUTURE
RHONDDA CYNON TAF
TREFTADAETH GADARN | DYFODOL SICR

LOCAL RESOLUTION PROCESS – PRACTICALITIES AND THE RCT EXPERIENCE – FUTURE ROLE?

Paul Lucas
Monitoring Officer

Rhondda Cynon Taf County Borough Council

BACKGROUND -

Nature of Code of Conduct Complaints / Ombudsman's Position

- Majority of complaints received during 2014/15 related to matters of 'equality and respect'.
- In 2014/15 this accounted for 35% of the code of conduct complaints received compared with 36% in 2013/14.
- Arrangements are proving to be effective at resolving many of these kinds of complaints.
- Councillors expected to make their complaints about other Councillors within their authority to their monitoring officer.

- Ombudsman continues to receive 'low level' complaints of this type. Generally involve allegations of failures to show respect and consideration of others under paragraph 4(b) and 6(1)(d) of the code.
- Ombudsman reviewed his practice in dealing with the complaints of this type - will be taking a firmer position in the future - referring these 'low level' complaints back to monitoring officers to be dealt with locally.
- Such complaints more appropriately resolved informally and locally in order to speed up the complaints process and ensure that his resources are devoted to the investigation of serious complaints.
- Where a member has reported a fellow member to their MO under the local resolution process - no need to report the matter to the Ombudsman as well.

REMINDER – Why have a Local Resolution Process?

- Speed up resolution / Resolve matters at an early stage.
- Encourage mediation and reconciliation - avoid the unnecessary escalation of the situation.
- Encourage collective responsibility.
- Reduce 'politically motivated' and vexatious complaints.

RCT Local Resolution Protocol and Procedures

- Adopted Gwynedd protocol model – 2011.
- Striking the balance between the formal and informal – intended to reduce time/administrative burden but requirement for set of procedures to be adopted to support protocol.
- Protocol and procedures amended as lessons were learnt from dealing with cases as they arose - e.g. using social media responsibly.
- Make up of panel dealing with complaints – In RCT - Standards Committee Members.
- Amended Member/Officer protocol to give access to local resolution process.

HEARING DATE	COMPLAINT	BREACH YES/NO	SANCTION
JULY 2011	At a full Council meeting Cllr X said to Cllr Y “ Councillor, give your a**e a chance” – Cllr Y complained	Yes	Cllr X was reprimanded
DECEMBER 2011	At a Development Control meeting Cllr X described the conditions of an application site “as bad as a gypsy site” –Cllr Y complained	No Cllr X accepted he made the remark and apologised immediately after	N/A

HEARING DATE	COMPLAINT	BREACH YES/NO	SANCTION
DECEMBER 2011	At a Development Control meeting Cllr X was alleged to have made abusive remarks to Cllr Y and asked him 'to come outside and sort this' which Cllr Y took as a threat – Cllr Y complained	No Based on evidence no decision could be made on the context of the use of the words 'come outside and sort this' as the wording could be open to wider interpretation	N/A
DECEMBER 2011	At a meeting of full Council Cllr X made inappropriate comments by stating the word 'corrupt' in a venomous manner and which was directed at a particular political groups' Members – Cllr Y complained	No Concluded word corrupt was used but because of differing opinions Committee could not come to an agreement on the context in which the word 'corrupt was used – he could have used the word corrupt to mean 'blatantly wrong' and not to connote any dishonesty on behalf of any Member.	N/A

HEARING DATE	COMPLAINT	BREACH YES/NO	SANCTION
JANUARY 2012	At a full Council meeting Cllr X during a debate referred to Members of a particular political group as 'hypocritical parasites' in a very threatening manner. Cllr Y complained. Cllr Y felt statement went beyond normal cut and thrust of political debate.	Yes Cllr X did not deny using term and evidence he continued to use it on Twitter.	Cllr X was reprimanded
MARCH 2013	At a full Council meeting Cllr X referred to Cllr Y as a 'bigot' during debate in response to a statement made by Cllr Y. Cllr Y complained and Cllr X put in a counter-complaint about the statement made by Cllr Y who referred to polish people as 'poles'	No Conflicting evidence presented to Committee as to the use of the word 'bigot' or 'bigotry' and the context in which the words were used No breach found and Committee Members noted the need for Members to appreciate the cut and thrust of political debate.	N/A

FINDINGS

- Members must take responsibility for the complaint – pursuing it and responding promptly to requests for information.
- Motives – spike in complaints before an election.
- Importance of a strong panel/committee membership hearing and dealing with complaints.
- Has led to improvement in behaviour – No new cases since April 2013 - Led to a better understanding of what would be considered a legitimate complaint – boundaries of cut & thrust of political debate.

FUTURE

- Increase in cases being dealt with under local resolution process.
- Community councils - member/officer protocols, roll out of the local resolution process? & sanctions.

DISCUSSION AND QUESTIONS FROM THE FLOOR

Are the Nolan Principles fit for purpose now & in 20 years?

NICK BENNETT

**Public Services Ombudsman
for Wales**

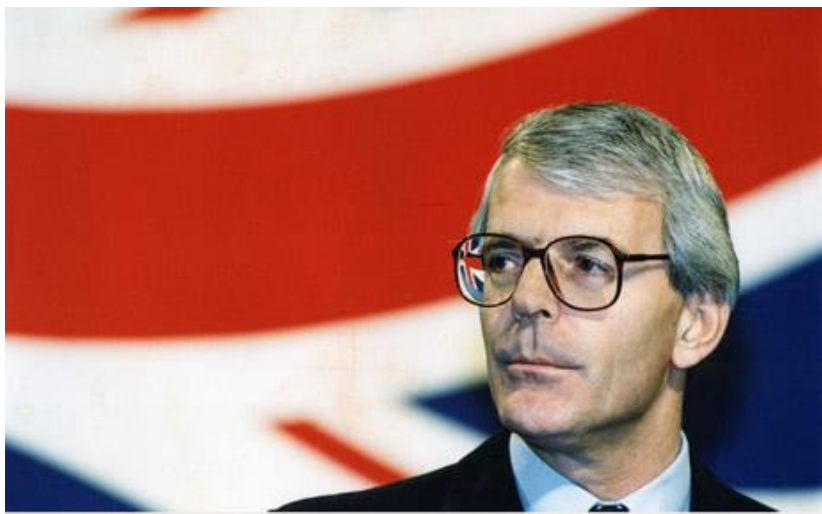
Context

- Ageing Population
- Public spending unlikely to return to 2011 levels until 2025?
- NHS/Social Services Integration
- Green Paper 'Our Health: Our Health Service'
- Local Government Reform?

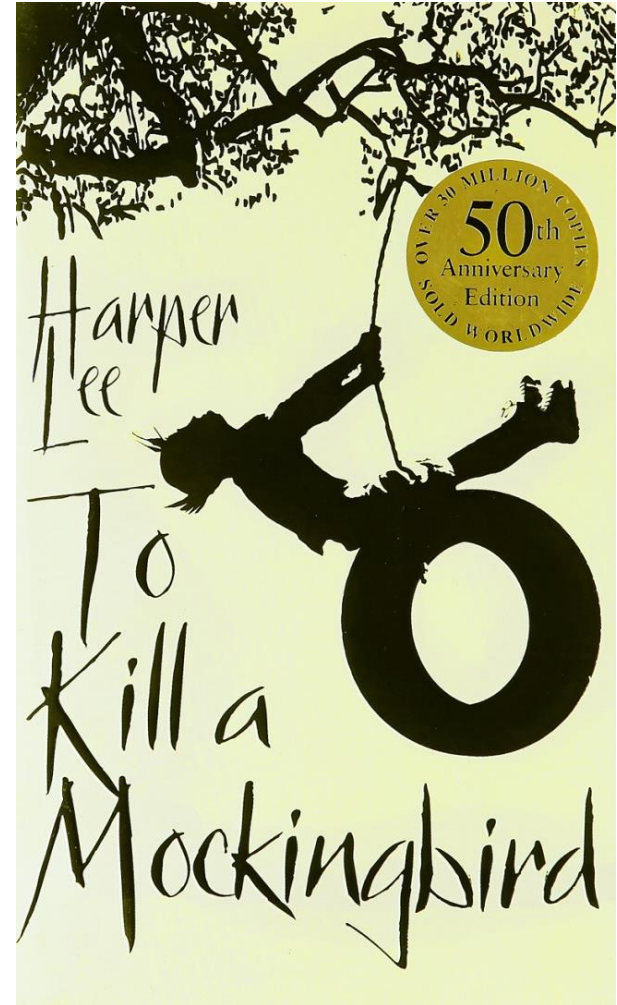
The Future

- Constitutional issues
- Size of the state and level of state provision of public services
- Immigration
- Innovation?

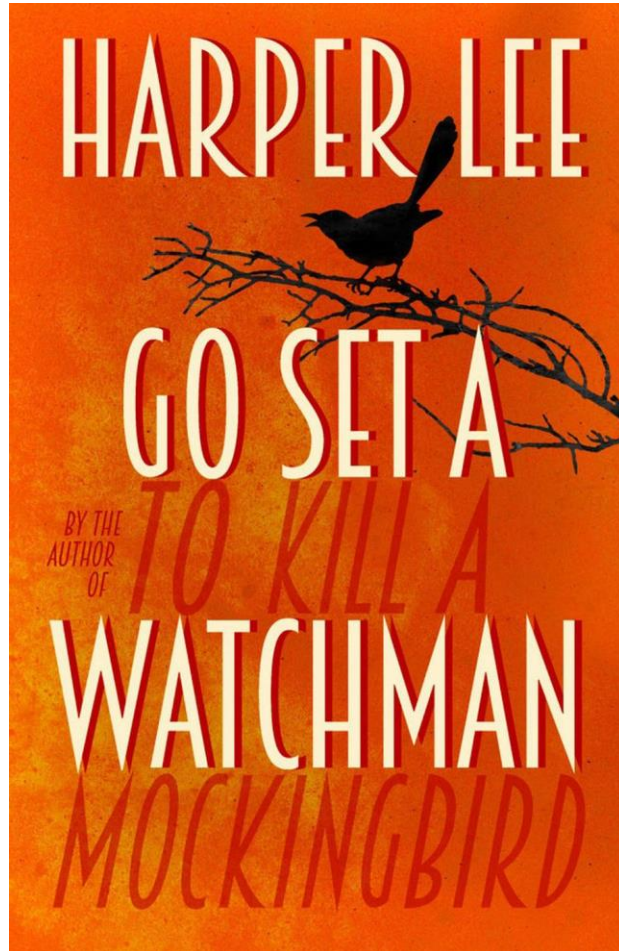
Looking back 20 years ...



Back to School ... 1985 ...



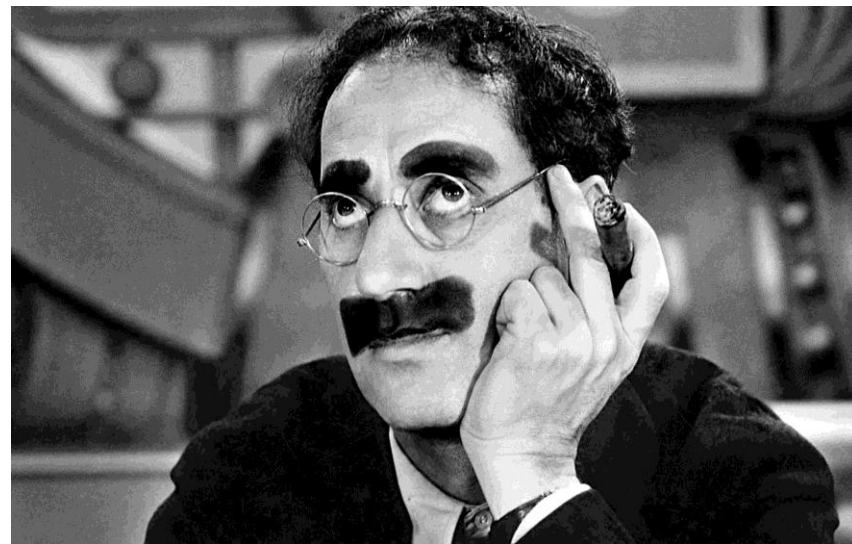
... 2015



“Every man’s island...every man’s watchman, is his conscience. There is no such thing as a collective conscious.”

Groucho Marx said ...

“Those are my principles and if you don't like them ... well, I have some more.”



Dwight D Eisenhower said ...



“A people that values its
privileges above its
principles, soon loses
both.”

The Nolan Principles



1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness
6. Honesty
7. Leadership

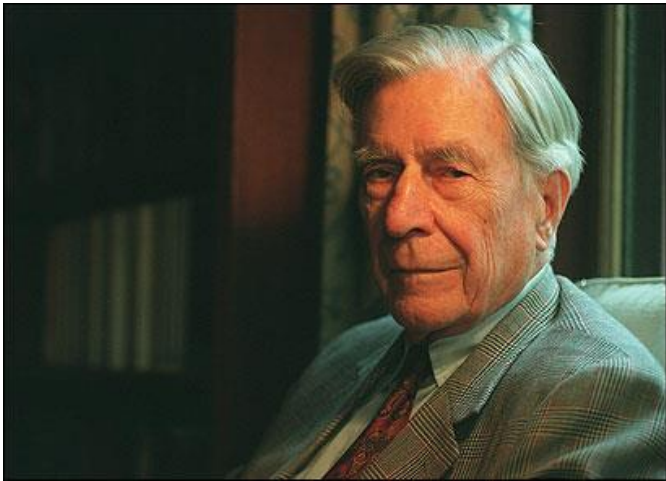
2014/15 – Code of Conduct Statistics

- **231** Code complaints received
 - **35%** - promotion of equality & respect
 - **22%** - disclosure & registration of interests
 - **16%** - integrity
 - **10%** - accountability & openness

2014/15 – Code of Conduct Statistics

- Of the **231** Code complaints received
 - **17** - identified a breach
 - **8** - no action necessary
 - **8** - referred to Standards Committees
 - **1** - referred to Adjudication Panel for Wales

Leadership



Investigating Complaints
Ymchwilio Cwynion

Improving Services
Gwellhau Gwasanaethau

Examples of vexatious Code complaints received by my office

- “Cllr X refused to shake my hand!”
- “Cllr Y cracked a bad joke in poor taste!”
- “Cllr P tutted and huffed whilst shaking his head!”
- “Cllr M referred to the public gathered in the street as a mob”
- “Cllr S was clicking his pen on and off in an aggressive manner!”

Management Guru, Peter Drucker said ...

“Culture eats strategy
for breakfast.”



A new PSOW Act to provide the Ombudsman with:

- Own initiative investigation powers
- The ability to accept complaints orally, or other communication methods, as well as in writing
- The ability to consider complaints about private hospitals in certain circumstances
- A complaints standards role

And Finally ...

Go set a watchman for Wales!

Diolch yn fawr!

Standards Conference Wales 2015 – Standards and Ethics in a Changing World

The theme for this year's conference was "Standards and Ethics in a Changing World" to reflect the challenges being faced by the Welsh local government sector. The conference aimed at reinforcing the importance of promoting and maintaining high standards and conduct and the connection between good conduct, good governance and excellent service delivery. The conference also provided an excellent opportunity to share ideas, best practice and learning.

There were a total of 117 attendees at the conference from 27 organisations from across the Welsh public sector, including representatives from every principal council in Wales, many community councils, the national parks authorities and fire and rescue services.

The slides from the conference are available here:

<https://www.cardiff.gov.uk/ENG/Visiting/SCW2015/Presentations/Pages/default.aspx>

Summary of the conference presentations

The opening session started with a keynote speech from **Nick Bennett**, the Public Service Ombudsman for Wales who reflected on whether the Nolan Principles are fit for purpose in the current climate and for the next 20 years. Key points from this presentation are summarised below:

- In the current context of an ageing population, cuts in public spending, NHS/Social Services integration, potential local government reorganisation and the likely move towards further reductions in the size and level of state provision - the Nolan principles are still fit for purpose but possibly no longer sufficient.
- There needs to be leadership - effective and distributed – in addition to the principles and formal complaints machinery. Many complaints to the Public Service Ombudsman are vexatious (such as councillors 'tutting and huffing'), due to a lack of leadership.
- There is a need to "set a watchman" first before coming to the Ombudsman as their resources are limited. Everyone from frontline staff to those responsible for governance should be the watchmen.
- Nick welcomed the new Public Service Ombudsman (Wales) Bill because it allows the Ombudsman to move from being reactive to working on their own initiative. The Bill (if and when enacted) will enable them to consider

complaints about private hospitals (if services are commissioned by private citizens) and to receive complaints made orally.

Three further speakers also shared their thoughts on the Nolan Principles and their current utility.

Lyn Cadwallader - Chief Executive, One Voice Wales

- Lyn also outlined the importance of effective leadership at all levels of government.
- He welcomed the requirements of the Well-being and Future Generations Act to produce annual reports and a performance management approach for Community and Town Councils (C&TCs).
- The Welsh Government needs to define the purpose of C&TCs so that they can move forward more confidently. It is clear that C&TCs need a cultural shift including new capacities and skills so that they are able to become delivery bodies. C&TCs also need to have a clear electoral mandate and manage effective consultation as public perception of their work is low.
- While the number of complaints emanating from C&TCs has gone down in recent years, more councils need to take up training on ethics and standards.

Peter Davies, President of the Adjudication Panel Wales

- Equality and respect remain the most significant issues for standards and ethics. This means that there is a continual need for training for councillors and refresher courses.
- Internal systems need be supported by external monitoring, but are members of standards committees too close to be objective and independent?

Jan Williams, Independent Police Complaints Commissioner for Wales

- Jan also emphasised the importance of leadership. It's all about setting appropriate standards, culture, and doing the right thing every day which requires ethical behaviour. You don't simply need policies, procedures or codes but training is vital and avoiding tribalism when things go wrong.

Workshops

Five workshops were run on two occasions in the conference.

1. Social Media – Staying out of Trouble - Patrick Arran, Head of Legal, Democratic Services & Procurement, City and County of Swansea Council and Daniel Hurford, WLGA.

This workshop was structured into two parts. The first focused upon how different types of social media (e.g. Facebook, Twitter and blogging) can be used to stay in touch with the public and strategies for using it effectively. The second part concentrated on how to stay out of trouble by providing information on legal issues, and recent case law as the law of defamation can apply to social media issues.

Email and social media have been seen to change councillors' behaviour and has resulted in them posting items on social media that they would not usually have said and putting things in email that they would not have put in a 'formal' communication such as a letter.

Social media has the potential to have a significant positive effect on councillors and council life but care needs to be taken due to immediacy (once you have posted something, you can't withdraw it), issues of tone/voice, and the fluid boundaries between a person's role as a councillor and their private life.

Social media provides a two-way opportunity for the council and councillors to gain information and intelligence about the people they serve as well as putting information out there, but it must be used responsibly and the risks must be managed.

2. Whistleblowing - Sioned Wyn Davies, Legal Services Manager & Deputy Monitoring Officer, Wrexham County Borough Council with Kumi Ariyadasa, Solicitor at City of Cardiff Council.

This workshop reviewed best practice and guidance, the role of standards and ethics committees in reviewing cases, and communication approaches. It considered the role of the committee in meeting its statutory requirements and its wider role/interest in ethics and the culture of the organisation to promote standards.

There was much discussion in the workshop about the role and remit of standards and ethics committees, and whether those that were named 'standards committees' had a more restricted remit than those whose role explicitly includes ethics as well; and to what extent committees should be proactive rather than simply reactive. It was noted that some councils have added matters such as oversight of whistleblowing arrangements to the statutory functions of their standards committees, as permitted by law. The rationale for this approach being that whistleblowing is a report made in the public interest, which may raise ethical issues

and impact on public perception. Other councils have adopted different arrangements, regarding whistleblowing as purely an employment matter, and others report to Scrutiny or Audit Committees.

It was acknowledged that effective whistleblowing arrangements provide protection for Council workers as well as for the organisation. However, some organisations may be struggling with getting to grips with their whistleblowing procedures; and the culture and attitudes within those organisations need to be brought into line with the Nolan principles.

The importance of leadership, culture, and staff ownership, as well as clear procedures and training were emphasised and it was generally agreed that an alternative to line management both inside and outside the organisation should be available. Some participants suggested that whistleblowing should be handled outside of local authorities to promote objectivity, and that this should be pursued nationally, involving the Public Service Ombudsman.

3. Community Councils – Governance and Standards - Iwan Evans, Monitoring Officer, Gwynedd Council and Lyn Cadwallader, Chief Executive, One Voice Wales.

This workshop looked at the proposed new Welsh Government tests of competency; democracy, capability, capacity and governance. The practical implications of those tests were considered. This reflected on the significant variation in terms of population and resource and staff capacity which existed across the sector in Wales. There was a perception that the achievement of these thresholds would present different challenges to different authorities.

Developing from that discussion the role of partnerships and joint working as a vehicle for developing capacity was discussed and the discussion highlighted examples of joint arrangements which were already effective or being developed. The discussion also reflected the fact that where joint arrangements were being developed issues of governance and accountability were being encountered and responses and solutions being found.

The discussions also drew us to the current financial challenges and the role Community Councils might have in participating or providing services in lieu of or with the County Councils. There were concerns about the speed of the changes taking place and the ability of Community Councils to respond particularly if this involved changes to the precept. There was a clear feeling that dialogue was needed around expectations and capacity.

The groups also considered issues around governance and the Code of Conduct. A discussion theme which came out was around the experience of some Councils around difficult members and the impact they could have on the transaction of

business. Local resolution processes at a Community Council level could be considered but there needed to be an acknowledgment that they were mostly small organisations trying to deal with these issues.

4. Local Complaints Resolution – Practicalities - Mel Jehu MBE, Chair of Rhondda Cynon Taf County Borough Council Standards and Ethics Committee and Paul Lucas, Director of Legal and Democratic Services, Rhondda Cynon Taf County Borough Council.

The workshop reviewed the experience of RCT Standards Committee in implementing a Local Resolution Procedure for low level Member on Member complaints.

It was noted that the introduction of the Protocol had led to an improvement in Member's behaviour: No new cases had been received since April 2013. The importance of firm action from Standards Committee Members in dealing with hearings and complaints under the Local Protocol was stressed. A key outcome was a better understanding of what could be considered a legitimate complaint and where to draw the threshold level of the cut and thrust of political debate.

There was much discussion in the workshop about the possible extension of a local resolution procedure to town and community councils.

A key issue was the lack of sanction (other than censure) to deal with persistent low level behaviour from Members who refused to engage with the local resolution process. The inherent powers of a Council to regulate behaviour as set out in the 2001 case of *R v Broadland District Council ex parte. Lansley* was also discussed in this context.

Finally, it was noted that the Local Government (Wales) Bill was likely to expand the role of Standards Committees to regulate the performance of Members i.e. attendance at meetings and training.

5. Are the Nolan Principles fit for purpose in the current climate and for the next 20 years? - Nick Bennett , Public Services Ombudsman and Delyth Jones, Monitoring Officer, Conwy County Borough Council.

This workshop continued the discussion from the morning session.

Common themes at the conference

There are multiple leaders who act on ethics in an organisation. These include the Leader of the council and other party group leaders, party whips, the chief executive, monitoring officer and the standards committee. They *all* have a role to play in trying to improve the ethical culture of councils. The Code of Conduct is an important backstop, but it is important for the leaders to work informally by setting an example for others to follow and working closely with individuals (in party groups especially).

When unethical behaviour does occur, conference attendees raised concerns about the type of sanctions available (their severity), how these were applied and the 'power' of censure as a sanction. Linked to this point, councils were keen to hear the different ways in which councils have successfully dealt with 'rogue' individuals.

There was also discussion on the role of Standard and Ethics Committees after the Calver judgement which has raised the threshold of what is regarded as being unethical conduct of councillors. A number of questions were posed:

- Should committees be more assertive in drawing their own line of what is not acceptable behaviour?
- Should committees be more proactive in 'looking for work' in trying to improve the ethical culture of organisations?
- At what point do Standards and Ethics Committees risk losing our independence?

Ultimately, prevention is better than cure and training is therefore crucial in disseminating the various messages of ethical behaviour. There was discussion on whether training could be made available in different formats to suit the learning styles of councillors and whether training could be made mandatory. What other methods, beyond training, are available to promote good conduct between councillors?

The conference featured interesting debates on Community and Town Councils. Given the possibility that C&TCs will be given more responsibilities, there was a concern that the support they receive on ethical issues varies across principal councils. More thought needs to be given to ensuring that C&TCs are kept fully in the loop and properly supported. The conference heard that clerks seemed to have little recourse when treated inappropriately by members, especially since the Calver case which suggested that politicians are entitled to be robust in a political context.

Three-quarters of complaints to the Public Service Ombudsman are closed after initial consideration. It is important, therefore, that councillors understand this and that the exercise of examining complaints locally and by the Ombudsman is costly and using scarce resources.

The behaviour of the large majority of councillors is high and instances of corruption in Welsh local government are rare. More should be done to share this fact proactively, although there are concerns that the media may not be interested in a 'good news' story such as this.

Good practice examples

It is important to have regular events, such as this conference, to share 'good practice' between local councils. Examples included:

- Cardiff Council requires all councillors to annually sign the 'Cardiff Undertaking' which reinforces the Members' Code of Conduct and forms part of the ethical code binding upon all Cardiff County Councillors.
- Chairs of Standards and Ethics Committees in North Wales meet on a regular basis to share knowledge, but this doesn't happen in South Wales.
- Members of Ceredigion's Standards Committee have visited all Community Councils in their area.
- Councils have different ways of conducting local resolutions. In RCT, the whole council is involved rather than just three Independent members in Cardiff. Which process is working better and why?
- There is variety in the extent of training conducted for members of Committees. RCT use structured role-play in their training of members and this has received positive feedback.
- There is a wide variety in the number of complaints resolved locally across Wales. There have been no cases in RCT since March 2013.

December 2015

