

Public Document Pack



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Dylan Williams
Prif Weithredwr– Chief Executive
CYNGOR SIR YNYS MÔN
ISLE OF ANGLESEY COUNTY COUNCIL
Swyddfeydd y Cyngor - Council Offices
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| RHYBUDD O GYFARFOD | | NOTICE OF MEETING | |
| PWYLLGOR SAFONAU | | STANDARDS COMMITTEE | |
| DYDD MAWRTH, 28 MEHEFIN 2022 am 2.00 o'r gloch | | TUESDAY, 28 JUNE 2022 at 2.00 pm | |
| CYFARFOD RHITHWIR WEDI'I FFRYDIO'N FYW | | VIRTUAL LIVE STREAMED MEETING | |
| Swyddog Pwyllgor | Mrs Shirley Cooke 01248 752514 | Committee Officer | |

Aelodau Annibynnol / Independent Members

Dr Thomas Rhys Davies (Is-Gadeirydd/Vice-Chair)
Mrs Celyn Menai Edwards
Mr John Robert Jones (Cadeirydd/Chair)
Mrs Gill Murgatroyd
Mrs Sharon Warnes

Yn cynrychioli'r Cyngor Sir / Representing the County Council

Y Cynghorydd/Councillor Trefor Lloyd Hughes, MBE
Y Cynghorydd/Councillor Dafydd Rhys Thomas

Yn cynrychioli'r Cyngorau Tref/Cymuned / Representing the Town/Community Councils

Sedd wag/vacant seat x 2

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A G E N D A

1 DECLARATION OF INTEREST

To receive any declaration of interest from a Member or Officer regarding any item of business.

2 MINUTES OF MEETING (Pages 1 - 6)

To confirm the draft minutes of the previous meeting of the Standards Committee held on 15 December 2021.

3 MEMBER DEVELOPMENT AND TRAINING (Pages 7 - 18)

A report by the Human Resources Training Manager on Member development and training.

4 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES (Pages 19 - 24)

A report by the Director of Function (Council Business)/Monitoring Officer in relation to (a) County Councillors, and (b) Town/Community Councillors for Quarter 3 and 4 of 2021/22.

5 ADJUDICATION PANEL FOR WALES DECISIONS (Pages 25 - 48)

A report by the Director of Function (Council Business)/Monitoring Officer on the APW's decisions since the last Standards Committee on 15 December 2021.

6 ANNUAL REPORT OF THE STANDARDS COMMITTEE (Pages 49 - 76)

A report by the Director of Function (Council Business)/Monitoring Officer.

7 STANDARDS COMMITTEE WORK PROGRAMME (Pages 77 - 80)

To consider the Standards Committee's Work Programme for 2022/23.

STANDARDS COMMITTEE

Minutes of the meeting held on 15 December 2021

PRESENT: Independent Members

Mr John R Jones (Chair)
Dr Thomas Rhys Davies (Vice-Chair)
Mrs Celyn Menai Edwards
Mrs Gill Murgatroyd
Mrs Sharon Warnes

Representing the County Council

Councillor J Arwel Roberts

Representing Town and Community Councils

Councillor Iorwerth Roberts
Councillor Keith Roberts

IN ATTENDANCE: Interim Director of Function (Council Business)/Monitoring Officer
Legal Services Manager and Deputy Monitoring Officer
Committee Officer (SC)

APOLOGIES: Councillor Dafydd Rhys Thomas

1. DECLARATION OF INTEREST

Mrs Celyn Edwards declared a personal interest in Item 5, section 2.3 of the agenda, due to her close association with Members of the County Council and staff in her work.

2. MINUTES OF THE MEETING

The draft minutes of the Standards Committee held on 16 June 2021 were confirmed as correct, subject to the following-

Matters arising from the minutes of 16 June 2021

- It was brought to the Committee's attention that an up to date action log has not been included in today's agenda papers, as had been previously agreed.

RESOLVED that the Legal Services Manager/Deputy Monitoring Officer notes the request in relation to future meetings.

- Item 4 - With reference to Members' Annual Reports, it was confirmed that no changes have been made to the Code of Conduct to permit the Standards Committee to request that Members' Annual Reports become statutory.
- Item 6 - It was noted that the Ombudsman is considering intervention by the Chair and Monitoring Officer to be sufficient to resolve disagreements, and not pursue matters further. The Chair reported that the Standards Committee will have an opportunity to discuss this issue further when considering Mr Richard Penn's report and the outcome of the Welsh Government review. It was noted that intervention would be undertaken before local resolution, to mitigate any issues before they escalate into complaints.
- Item 9 - It was noted that the Chair and the Standards Committee will meet informally to review the Committee's draft Annual Report in future, before it is finalised and presented to the County Council in due course.

Matters arising from the Minutes of the Dispensation Panel held on 12 November 2021

A question was raised as to whether any dispensation had been actioned to date. The Legal Services Manager and Deputy Monitoring Officer confirmed that in the Executive meeting on 13 December 2021, some Members of the Executive declared an interest, and stated that they had been granted a dispensation to discuss an item on the agenda.

RESOLVED:-

- **To note the dispensation granted, and the grounds and circumstances in which it was granted.**
- **That the draft minutes of the Dispensation Panel held on 12 November 2021 were ratified as correct by members of the Panel only (John R Jones, Rhys Davies and Gill Murgatroyd).**

3. MEMBER DEVELOPMENT AND TRAINING

No report was submitted.

The Legal Services Manager and Deputy Monitoring Officer reported that Group Leaders will not be considering further non-mandatory training until the end of the current term of this Council. It was noted that resources are now being channeled towards preparing a comprehensive training programme for the new Council, following the elections in May 2022. A proposal was put forward for topics recommended previously by this Committee to be included in the training programme.

RESOLVED that the Legal Services Manager and Deputy Monitoring Officer forwards the Committee's proposal to the HR Development Team for inclusion in the next Member Development and Training Programme.

Action: None

4. MEMBERS' ANNUAL REPORTS

Submitted - a report by the Head of Democratic Services on Members' Annual Reports for the period 2020/21.

The County Council has a duty to ensure that arrangements are in place for Members to publish annual reports online.

It was highlighted that although it is not mandatory for Members to present annual reports on their activities, Group Leaders encourage Members to undertake the work.

It was noted that 14 Members have presented reports for the period 2020/21, which will be published on the Council website by the end of March 2022.

RESOLVED to note the report.

Action: None

5. CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES

Submitted - a report by the Director of Function (Council Business)/Monitoring Officer in the form of a quarterly update on complaints received by the Ombudsman in relation to (a) County Councillors, and (b) Town and Community Councils.

It was highlighted that only one complaint was made against a County Councillor, the remainder of the complaints made were against Town and Community Councillors.

Concerns were expressed regarding para 3.1 of the report, requesting that the Standards Committee identifies trends arising. The Standards Committee considered that due to anonymity within the report, it would not be possible to identify any trends or corrective actions at present. The Committee felt that they will need to examine additional information regarding the nature of the complaints before they can respond.

The Chair proposed that the Standards Committee meet informally in the New Year to look at the anonymised complaints in more detail, and establish whether any trends can be identified. It was suggested that the Committee also looks at previous cases, to ascertain the reasons why the Ombudsman considers cases to be worthy of investigation.

The Legal Services Manager and Deputy Monitoring Officer responded that no significant trends were identified in this report that would be a cause for concern, and stated that he would be happy to provide the information requested.

RESOLVED:-

- That the Standards Committee notes the contents of Enclosures 1-4 in the report.
- That the Interim Director of Function (Council Business)/Monitoring Officer distributes Enclosures 1-4 to the Town and Community Councils, elected Members and co-opted Members of the Council in the Newsletters.
- That an informal meeting of the Standards Committee be convened in the New Year to discuss trends arising from the report, and previous minutes of the Standards Committee.

Action: See Resolution above

6. ADJUDICATION PANEL FOR WALES DECISIONS

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer comprising a summary of the decisions published by the Adjudication Panel for Wales (APW)'s since the Standards Committee's last meeting on 16 June 2021.

The Interim Director of Function (Council Business)/Monitoring Officer referred to the learning points from the first tribunal case, and stated that it is the statutory duty of the Monitoring Officer to ensure that interests are recorded correctly, and not the Standards Committee, as noted in the report.

The Legal Services Manager and Deputy Monitoring Officer referred to the learning points in the second tribunal case. He highlighted the difference between bullying and harassment, and stated that to harass somebody, you need a series of events, whereas one incidence could be sufficient for bullying. It was noted that the Ombudsman's guidance notes this difference clearly.

The Legal Services Manager and Deputy Monitoring Officer reported that usually in a harassment case, you would expect the complainant to suffer the incident as it happens. He stated that in this case, the complainant was only made aware that the Councillor had followed a course of conduct and made a complaint against her on behalf of a third party three weeks later. It was noted that you can harass someone ex post facto.

RESOLVED to note the content of the case summaries.

Action: None

7. DISPENSATION(S)

The minutes of the Dispensation Panel were discussed and accepted in Item 2 on this agenda.

Action: None

8. RESPONSES FROM THE TOWN AND COMMUNITY COUNCILS REGARDING THE STANDARDS COMMITTEE'S NEWSLETTER

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer on the above.

On 21 July 2021, the Standards Committee requested that Clerks to all Town and Community Councils respond to the Standards Committee's report, and forward a copy of each agenda/minutes to this Committee confirming they have discussed the Newsletter in their meetings. The Legal Service Manager and Deputy Monitoring Officer reported that only 5 of the 40 Town and Community Councils had responded to the request.

Discussion focused on whether the Standards Committee should take any further action in relation to the Town and Community Councils who had not responded.

It was agreed that the five members of the Standards Committee who previously undertook reviews with the Clerks of the Town and Community Councils, contact the Clerks of those Councils to hold an informal discussion as to how the Standards Committee could support and share good practice with the Town and Community Councils and enhance their relationship in the future.

RESOLVED to:-

- **Note the information presented in the Town and Community Council responses in Enclosure 2, and**
- **That the five Members of the Standards Committee who carried out reviews previously, contact the 5 Town and Community Councils for an informal discussion to ascertain how this Committee can assist the Town and Community Councils in future.**

Action: See Resolution above

9. S62-63 OF THE LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021

Submitted – a report by the Director of Function (Council Business)/Monitoring Officer on changes to the statutory Ethical Framework, introduced by Part 4 of the Local Government and Elections (Wales) Act 2021.

The Legal Services Manager and Deputy Monitoring Officer gave an update on forthcoming changes in relation to S62-63 of the Act. Group Leaders will be responsible for promoting and maintaining high standards of conduct by members of their groups from May 2022, which will be overseen by the Standards Committee

It was noted that local authorities are awaiting Welsh Government Guidance to be implemented gradually from May 2022 into 2023. The Standards Committee's Terms of Reference will need to be reviewed as a result of the changes.

RESOLVED that the Standards Committee reviews its Terms of Reference and monitoring framework to strengthen the new duty on Group Leaders, following the publication of the Welsh Government Guidance.

Action: See Resolution above

10. ETHICAL STANDARDS FRAMEWORK

Submitted – an update report by the Director of Function (Council Business)/ Monitoring Officer on the review of the Ethical Standards Framework. The Framework was established to promote high standards of ethical conduct by Members when carrying out Council business.

The Legal Services Manager and Deputy Monitoring Office reported that the Standards Committee has considered the Welsh Government's recommendations in para 6 of the report, and sent a formal response to Mr Richard Penn, outlining the Standards Committee's comments in relation to the consultation.

Concerns were expressed regarding the proposed greater use of Local Resolution. The Standards Committee felt that should they be given additional powers to resolve local issues, then the Committee will need more resources to deal with the increased workload. It was noted that increased pressure would be placed on the Clerks of Town and Community Councils, Monitoring Officers and staff.

It was suggested that the Standards Committee pre-empt the impact of the changes on Town and Community Councils by maintaining regular contact with the Clerks from the start, by providing regular updates by way of the Newsletter.

RESOLVED to note the report, in the expectation of being consulted on any proposed changes to the Ethical Standards Framework, as and when these are received from Welsh Government, and the expectation that they shall be in place and operational by 5 May 2022.

Action: None

The meeting concluded at 3.15 pm

**MR JOHN R JONES
CHAIR**

| ISLE OF ANGLESEY COUNTY COUNCIL | |
|--|--|
| MEETING: | STANDARDS COMMITTEE |
| DATE: | 28th JUNE 2022 |
| TITLE OF REPORT : | MEMBER DEVELOPMENT |
| REPORT BY : | HUMAN RESOURCES TRAINING MANAGER |
| CONTACT OFFICER : | MIRIAM WILLIAMS (extension 2512) |
| PURPOSE OF REPORT : | TO PROVIDE AN OVERVIEW OF THE INDUCTION PROGRAMME FOR ELECTED MEMBERS FOLLOWING THE MAY 2022 ELECTION |

1. BACKGROUND

The purpose of this report is to provide the Standards Committee with an overview of the Induction programme offered to Elected Members following the local elections that took place in May 2022.

An Induction Curriculum Framework for Candidates and New Members in Wales has been drafted by the WLGA, which sets out a suggested guide for what activities should be considered when developing local programmes to support Elected Members.

This framework is the basis upon which the programme for Isle of Anglesey County Council has been developed.

2. THE PLAN

The first publication of the plan has been circulated in the form of an Induction Bulletin for Elected Members which can be seen in Appendix 1. For ease of access, an electronic version of this document has been included in the Elected Members Dashboard within the E-Learning Platform, Learning Pool.

The plan highlights the key priority areas identified for the initial Induction period up to June 2022. This document will naturally evolve due to external/internal influences; changing priorities and legislation with the intention is in due course, to form another Induction Bulletin to cover the period July to October 2022.

Between 11th May and 30th June, 23 training days will have been offered, with sessions e.g. Chief Executive's Welcome; Information Technology sessions;

Introduction to Children's Service, providing flexibility with regards to the choice of dates/times to attend.

Generally the numbers that have taken advantage of these opportunities have been encouraging. Data is still being collated/inputted to ensure records are complete and to establish whether repeat sessions may be required.

3. METHODS OF DELIVERY

On a general note, over the past 2 years traditional training delivery methods have not been an option however with the review/lifting of Covid restrictions and as the Authority is returning to a more hybrid way of working, it is envisaged that a hybrid method of training delivery will also be developed.

Future training/briefing delivery will continue to take place via media such as MS Teams/Zoom; the utilisation of the Authority's E-Learning platform, Learning; briefing sessions and possibly also via face to face sessions.

Consideration will also be given on timings of when sessions will be delivered, taking into account work/caring commitments etc., therefore wherever possible and practicable will seek to offer Members options of dates and times.

In addition, partnership working across the region/delivery by in-house specialists will be factored into the plan for 2022/2023 to ensure best use of resources and value for money is achieved.

4. IN SUMMARY

The development plan will be reviewed regularly and revised upon further input from stakeholders in order to ensure that plans respond to the needs and to ensure timely delivery.

5. RECOMMENDATIONS

- To note of the content of the plan and provide relevant feedback

Miriam Williams
HR Training Manager
June 2022

Members Induction Bulletin

Issue 2 – Induction and Training Programme

May – June 2022



www.ynysmon.llyw.cymru

www.anglesey.gov.wales



INDUCTION AND TRAINING PROGRAMME MAY – JUNE 2022

| When? | Title | Subject/Area of Work | Medium | Relevant to: | Date to be held |
|-----------------------|-----------------------------------|--|---|---------------------|--|
| INDUCTION FEW DAYS | PRACTICAL MATTERS | <ul style="list-style-type: none"> ICT assistance/receipt of equipment ID card and photo | In person (at Council Headquarters) Officers | All Elected Members | 11/5/2022 |
| | CYBER SECURITY | <ul style="list-style-type: none"> Understand the principles and personal responsibilities | Online presentation via video | | & 12/5/2022 |
| | ROLE OF THE ELECTED MEMBER | Introduction to the role and to local government | WLGA Website https://www.wlga.wales/member-development-and-support which includes a variety of resources for Elected Members | | Optional |
| | | | | | |
| | WELCOME TO THE AUTHORITY | Introduction to the Isle of Anglesey Authority; Provide an overview of the Authority's vision | Presentation (remotely/face to face). Chief Executive | All Elected Members | 16/5/2022 & 17/5/2022 |
| | FINANCE MATTERS | Overview of Financial matters | Presentation (remotely/face to face). Head of Function (Resources) & S151 Officer | All Elected Members | 2pm – 3pm 19/5/2022 |

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| CODE OF CONDUCT AND ETHICS | Overview of Democratic arrangements - i.e. Input in meetings; rules and standing orders etc. | Presentation (remotely/face to face). Monitoring Officer | All Elected Members | 10am – 12pm 20/5/2022 |
| INTRODUCTION TO THE AUTHORITY'S SERVICES | An overview of the Services' responsibilities and an opportunity for Elected Members to ask questions | Presentations - (remotely/face to face) Directors/Heads of Services/Officers | All Elected Members | |
| | | Social Services – Adults & Education | | 4.30pm – 6.30pm 23/5/2022 |
| | | Finance & Housing | | 4.30pm – 6.30pm 24/5/2022 |
| | | Corporate Transformation & Regulation | | 4.30pm – 6.30pm 25/5/2022 |
| | | Highways/Property/Waste & Council Business | | 4.30pm – 6.30pm 26/5/2022 |
| | | Social Services - Children | | 5.30pm – 6.30pm 8/6/2022 OR 9am – 10am 9/6/2022 |
| | | | | |
| CONSTITUTION | Provide and understanding of the | Presentation – (remotely/face to face) | All Elected Members | 10 am – 12pm |

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| | requirements upon Elected Members | Monitoring Officer | | 27/5/2022 |
| ICT SKILLS SESSIONS | Support Elected Members to become familiar with the different ICT systems available | Presentation – (face to face) Officers | All Elected Members | 9.30am– 3.30pm 26/5/2022 & 27/5/2022 |
| DEALING WITH DATA/PERSONAL INFORMATION: YOUR RESPONSIBILITY AS AN ELECTED MEMBER | Introduction session: Understand general obligations of GDPR and the Data Protection Act 2018; Understand specific requirements of the Act; Understand how to comply with the Act | E-Learning Module Introduction | All Elected Members | Complete by 31/5/2022 |
| | | | | |
| PLANNING COMMITTEES | The Planning Process and role of the Committee The Planning Process – Session for Elected Members with items which will be raised in Committees soon. | Presentation – (remotely/face to face) Planning Officers | Committee Members Specific Members | 1-1 Sessions 9.30am – 4.30pm 06/6/2022 & 07/6/2022 |

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| LICENCING | Provide an understanding of the role and responsibilities of the Licencing Committee | Presentation – (remotely/face to face) Officers | Specific Members | 2pm – 4pm 1/6/2022 | |
| APPOINTMENTS PANEL | Overview sessions to gain an understanding of the role of specific Committees and the responsibilities of Elected Members | Presentation – (remotely/face to face) Officers | Specific Members | Immediately prior to Committee Panel | |
| ICT SKILLS SESSIONS | Support Elected Members to become familiar with the different ICT systems available | Presentation – (face to face) Officers | All Elected Members | 9.30am– 3.30pm 9/6/2022 & 10/6/2022 | |
| WHAT MAKES A GOOD COUNCILLOR? | Understanding the role and tips on dealing with the electorate; communication via social media etc. | WLGA E-Learning module | All Elected Members | Optional | |
| EDUCATION MATTERS | New Curriculum for Wales & Strategy for Schools ICT | Presentation - (remotely/face to face). Officer/GwE | | 5.30 pm – 6.30 pm 16/6/2022 | |

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|--|--|--|---|------------------------|--|
| | | New Legislation Additional Learning Needs | Presentation - (remotely/face to face). Officer | | 5.30 pm – 6.30 pm 23/6/2022 |
| | | Elected Member's Role as a Governor | Presentation - (remotely/face to face). Officer | | 5.30 pm – 6.30 pm 30/6/2022 |
| | SAFEGUARDING MATTERS – CHILDREN AND VULNERABLE ADULTS | Mandatory safeguarding sessions <ul style="list-style-type: none"> • Domestic Violence/Violence Against Women • Modern Slavery • Prevent | E-Learning Modules | All Elected Members | By 30/6/2022 |

ADDITIONAL SESSIONS AVAILABLE ON REQUEST

| | | | | | |
|-------------------------------|-----------------------------|---|---|--|--|
| | | | | | |
| TS/ENREQ/NO Page 16 | ICT TRAINING | One to one/Group sessions to assist ICT equipment/software | Face to Face Relevant Officers/External Providers | Available to all Elected Members upon request | |
| | WORKPLACE ASSESSMENT | Workplace Assessment – ensure working in a safe environment | E-Learning Module | | |
| | SOCIAL MEDIA | Have an understanding of how to make social media work for Councillors; what to share or not; how not to behave on social media; bullying and personal safety | Presentation - (remote/face to face) External Provider | | |

E-LEARNING MODULES

Elected Members have flexible access to E-Learning. See below details of current subject areas available. Additional modules will be developed and introduced in due course.

| | Welsh Language | Health and Safety |
|--|---|--|
| <ul style="list-style-type: none"> - Ethics and Standards - The Effective Ward Councillor - Public Speaking Skills - Chairing Meetings - Corporate Parenting - Decisions for Future Generations - Introduction to Scrutiny | <ul style="list-style-type: none"> - Work Welsh Welcome - Work Welsh Welcome Back | <ul style="list-style-type: none"> - The Safe Use of Display Screen Equipment - Managing Health and Safety |
| Well-being | Customer Care and Professional Skills | Information Technology |
| <ul style="list-style-type: none"> - Violence Against Women, Domestic Abuse and Sexual Violence (M) - Introduction to Equality and Diversity - Health Information - Stress Information - Personal Resilience - Prevent (M) - Well-being of Future Generations (Wales) Act 2015 - Pre-Retirement Planning - Basic Safeguarding Awareness (M) - Modern Slavery (M) | <ul style="list-style-type: none"> - General Data Protection Regulations (GDPR) (M) - Effective Writing - Managing Yourself and Your Time - Effective Minute Writing - Giving and Receiving Feedback - Meeting Skills - Presentation Skills - Emotional Intelligence - Self Development - General Information Governance | <ul style="list-style-type: none"> - Cyber Awareness (M) |

(M) = Mandatory

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| CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL | |
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| COMMITTEE: | Standards Committee |
| DATE: | 28 th June 2022 |
| REPORT TITLE: | Conduct Complaints to the Public Services Ombudsman for Wales |
| PURPOSE OF THE REPORT: | To advise the Committee of the complaints which have been sent to the PSOW in relation to (a) County Councillors and (b) Town and Community Councillors. |
| REPORT BY: | Lynn Ball Director of Function (Council Business) / Monitoring Officer lbxcs@anglesey.gov.uk 01248 752586 |
| LINK OFFICER: | Lynn Ball Director of Function (Council Business) / Monitoring Officer lbxcs@anglesey.gov.uk 01248 752586 |

1. INTRODUCTION

The Standards Committee is provided with an update every quarter on the complaints which have been received by the Public Services Ombudsman for Wales in relation to (a) County Councillors and (b) Town / Community Councillors.

2. UPDATES

- 2.1 A copy of the report for Quarter 3 in relation to County Councillors, appears at **Enclosure 1**.
- 2.2 A copy of the report for Quarter 3 in relation to Town and Community Councillors, appears at **Enclosure 2**.
- 2.3 A copy of the report for Quarter 4, in relation to County Councillors, appears at **Enclosure 3**.
- 2.4 A copy of the report for Quarter 4, in relation to Town and Community Councillors, appears at **Enclosure 4**.

3. DEVELOPING TRENDS

- 3.1 It is encouraging to note that there appear to be no developing trends and that the number of referrals to the PSOW has reduced.

4. RECOMMENDATION

- 4.1 For the Standards Committee members to note the contents of the **Enclosures 1-4**, and consider trends arising (if any) and any corrective actions which are required.
- 4.2 For the Director of Function (Council Business)/Monitoring Officer to distribute **Enclosures 1-4** to the Town and Community Councils and elected and co-opted members of the Council in the Newsletters.

**CWYNION A GYFLWYNWYD I'R OMBWDSMON – “O” – AC YMCHWILIADAU A WNAED GANDDO YNGHYLCH
CYNGHORWYR CYNGOR SIR YNYS MÔN - DIWEDDARIAD**

**UP TO DATE COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” -REGARDING
ISLE OF ANGLESEY COUNTY COUNCILLORS – UPDATE**

Chwarter 3 (Hydref – Rhagfyr Medi 2021) – 2021/2022 – Quarter 3 (October – December 2021)

| Enw'r Cynghorydd Name of Councillor | Enw'r Achwynydd Name of Complainant | Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) “O” | Dyddiad y Gŵyn - “O” Complaint date - “O” | Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol Result of “O” Investigation and date or the current situation |
|--|--|---|--|---|
| Cynghorydd Sir / County Councillor | Aelod o'r Cyhoedd/ Member of the Public | (i) 023362 (ii) 202103343 | 24.08.2021 | 29.09.2021 Ombwdsmon ddim yn ymwchwilio / Ombudsman not investigating |

CWYNION A GYFLWYNWYD I'R OMBWDSMON – “O” – AC YMCHWILIADAU A WNAED GANDDO YNGHYLCH
CYNGHORWYR CYMUNEDOL A THREF - DIWEDDARIAD

UP TO DATE COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” - REGARDING
TOWN AND COMMUNITY COUNCILLORS – UPDATE

Chwarter 3 (Hydref - Rhagfyr 2021) – 2021/2022 – Quarter 3 (October – December 2021)

| Enw'r Cynghorydd Name of Councillor | Enw'r Achwynydd Name of Complainant | Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) “O” | Dyddiad y Gŵyn - “O” Complaint date - “O” | Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol Result of “O” Investigation and date or the current situation |
|--|--|---|--|---|
| Cynghorydd Tref / Town Councillor | Cynghorydd Tref / Town Councillor | (i) 023643 (ii) 202103868 | 06.09.2021 | Ymchwiliad yn parhau / investigation ongoing |

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**CWYNION A GYFLWYNWYD I'R OMBWDSMON – “O” – AC YMCHWILIADAU A WNAED GANDDO YNGHYLCH
CYNGHORWYR CYNGOR SIR YNYS MÔN - DIWEDDARIAD**

**UP TO DATE COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” -REGARDING
ISLE OF ANGLESEY COUNTY COUNCILLORS – UPDATE**

Chwarter 4 (Ionawr 2022 – Mawrth 2022) – 2021/2022 – Quarter 4 (January 2022- March- 2022)

| Enw'r Cynghorydd Name of Councillor | Enw'r Achwynydd Name of Complainant | Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) “O” | Dyddiad y Gŵyn - “O” Complaint date - “O” | Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol Result of “O” Investigation and date or the current situation |
|--|--|---|--|---|
| Dim i'w adrodd / Nothing to report | | | | |

**CWYNION A GYFLWYNWYD I'R OMBWDSMON – “O” – AC YMCHWILIADAU A WNAED GANDDO YNGHYLCH
CYNGHORWYR CYMUNEDOL A THREF - DIWEDDARIAD**

**UP TO DATE COMPLAINTS TO AND INVESTIGATIONS BY THE OMBUDSMAN – “O” - REGARDING
TOWN AND COMMUNITY COUNCILLORS – UPDATE**

Chwarter 4 (Ionawr – Mawrth 2022) – 2021/2022 – Quarter 4 (January – March 2022)

| Enw'r Cynghorydd Name of Councillor | Enw'r Achwynydd Name of Complainant | Cyfeirnod y Ffeil File Reference (i) Un ni/Ours (ii) “O” | Dyddiad y Gŵyn - “O” Complaint date - “O” | Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol Result of “O” Investigation and date or the current situation |
|--|--|---|--|---|
| Cynghorydd Tref / Town Councillor | Cynghorydd Tref / Town Councillor | (i) 023643 (ii) 202103868 | 06.09.2021 | Ymchwiliad yn parhau / investigation ongoing |

| CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL | |
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| COMMITTEE: | Standards Committee |
| DATE: | 28 June 2022 |
| REPORT TITLE: | Adjudication Panel for Wales Decisions |
| PURPOSE OF THE REPORT: | To provide information about the matters considered by the Adjudication Panel for Wales to date (published since the last Committee meeting on 16 December 2021) |
| REPORT BY: | Lynn Ball Director of Function (Council Business) / Monitoring Officer |
| LINK OFFICER: | Lynn Ball Director of Function (Council Business)/Monitoring Officer <u>lbxcs@ynysmon.gov.uk</u> 01248 752586 |

1. INTRODUCTION AND BACKGROUND

The Adjudication Panel for Wales (APW) was established by the Local Government Act 2000. It has two statutory functions:-

1. To form case tribunals, or interim case tribunals, to consider reports from the Public Services Ombudsman for Wales (PSOW) following investigations by the PSOW into allegations that a member has failed to comply with their authority's code of conduct; and
2. To consider appeals from members against the decisions of their own authority's standards committee that they have breached the code of conduct (as well as deciding if permission will be given to appeal in the first instance).

This report includes decisions published by the APW during the period since the Standards Committee meeting on the 16 December 2021. It is intended as a factual summary of the matters decided by the APW. The reported cases for the relevant period are currently available on the [APW website](#)

2. SUMMARY OF THE RELEVANT CASES

A summary of the relevant case/s is/are at **ENCLOSURE 1**.

2.1 Decisions made

[APW/001/2021-022/CT: Councillor Jonathan Bishop 7/9/10 February 2022](#)

[APW/005/2021-022/CT: Councillor Perry Morgan 20 January 2022](#)

[APW/006/2021-022/CT: Councillor William Roy Owen 20 December 2022](#)

2.2 Appeals adjudicated

APW/003/2021-022/AT: Councillor Gareth Baines 13 January 2022

3. RECOMMENDATION

To note the content of the case summaries.

Summary of Cases in Tribunal –December 2021- March 2022

| Name | Summary of Facts | Decision Summary | Findings |
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| <p>Councillor Ray Owen Caernarfon Royal Town Council ('the Town Council') and Gwynedd Council</p> <p>APW/006/2020-021/CT</p> | <p>An allegation that Councillor William Ray Owen had breached the Code of Conduct for Members of Caernarfon Royal Town Council and Gwynedd Council: Breach of paragraphs 4(b), 4(c), 6(1)(a), 6(1)(d), 6(2) and 7(a) of the Council's Code of Conduct.</p> <p>.</p> <p>Allegation 1: Issues around Prescriptions, Volunteers and other matters</p> <p>The Allegation was summarised by the Ombudsman as follows; "Shared information about the complainant on Facebook and with professionals, associated with both Councils, about the complainant" and engaged the following Paragraphs of the Code; -</p> <p>Paragraph 4(b); "You must show respect and consideration for others".</p> <p>Paragraph 4(c); "You must not use bullying behaviour or harass any person".</p> | <p>In relation to Allegation 1, the APW decided that:</p> <ul style="list-style-type: none"> - On the basis of the findings of fact and the documentary evidence, the Case Tribunal found by unanimous decision that the Respondent failed to comply with Paragraph 7(a), but not Paragraphs 4(b), 4(c) or 6(1)(a) of the Code in relation to Allegation 1 | <p>Sanction:</p> <p>The Clerk to the Tribunal reported that there had been no previously reported instances of breach of the Code of Conduct in relation to the Respondent. The Case Tribunal carefully considered the current Sanctions Guidance of the Adjudication Panel for Wales and, in particular noted the public interest- "The overriding purpose of the sanctions regime is to uphold the standards of conduct in public life and maintain confidence in local democracy. Tribunals should review their chosen sanction against previous decisions of the Adjudication Panel for Wales and consider the value of its chosen sanction in terms of a deterrent effect upon councillors in general and its impact in terms of wider public credibility. If the facts giving rise to a breach of the code are such as to render the member entirely unfit for public office, then disqualification rather than suspension is likely to be the more appropriate sanction."</p> <p>The Respondent did not consider that he should be made subject to any formal sanction, and he was particularly concerned that he would no longer</p> |

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| | <p>Paragraph 6(1)(a); “You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute”.</p> <p>Paragraph 7(a); “You must not in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage”.</p> <p>The Details of Allegation 2: The alleged Assault</p> <p>The Allegation was summarised by the Ombudsman as follows: -</p> <p>“Approached the complainant in the street and began an altercation which required police involvement” and engaged the following Paragraph of the Code;</p> <p>-</p> <p>Paragraph 6(1)(a); “You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.”</p> | <p>The Case Tribunal came to the unanimous conclusion that the Respondent had not breached Paragraph 6(1)(a) of the Code regarding Allegation 2</p> | <p>receive an allowance as a County Councillor if he was suspended or disqualified. This was due to his claim that his allowance went towards medical treatment for a young relative.</p> <p>The Ombudsman stated that communications from the Respondent were difficult to follow and that he did not engage in the investigative process in a meaningful way.</p> <p>The Ombudsman noted that the complaints about Councillor L have lacked foundation and credibility and that the impact upon Councillor L has been significant, causing stress and upset. It pointed to numerous breaches over a sustained period.</p> <p>It said that the Respondent has referred to a longstanding grudge against Councillor L for perceived slights, but that he has not provided any evidence of poor behaviour by Councillor L to justify the nature of his behaviour towards him.</p> <p>Finally, the Respondent, as an elected member, is a trusted person in the community with a following on social media. Therefore, his behaviour towards Councillor L could only be interpreted as an attempt to damage Councillor L’s standing within the community. The Case Tribunal’s Findings on Sanction 9.5</p> <p>The Case Tribunal considered that the breaches of Paragraphs 6(1)(d), 6(2) and</p> |

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| | <p>The Ombudsman reached the following conclusions in relation to this Allegation; -</p> <p>The evidence suggests that the Respondent assaulted a fellow Councillor, with whom Councillor Larsen was distributing leaflets advertising the services of a volunteer group linked to Councillor L, during the Covid-19 pandemic.</p> <p>The Respondent approached Councillor L, who was at the time in the company of another councillor on 5 July 2020 and there was an altercation. The police were involved and although the Respondent refused to sign the relevant community resolution paperwork, the police considered it appropriate to issue the Respondent with words of advice</p> <p>The Details of Allegation 3: The disclosure of Personal Information</p> <p>The Allegation was summarised by the Ombudsman as follows; “Posted information, which should reasonably be regarded as confidential, about the complainant’s family members”</p> | <p>The Case Tribunal concluded that, although the action may have damaged his personal reputation, it would not reasonably be regarded as an action which would bring the Respondent’s office or authority into disrepute. The voluntary service was not set up by the Town Council or Gwynedd Council and the reader would have associated the Respondent’s Facebook post in this</p> | <p>7(a) to have been serious breaches which went to the heart of the Nolan principles in terms of lack of honesty, integrity, openness, and leadership and which had the potential to undermine local democracy. It noted that the Respondent had persisted in a course of conduct of exaggerated, unsubstantiated, and malicious complaints which continued to undermine these principles.</p> <p>The Case Tribunal considered that the Respondent’s actions had been deliberate or at best irrational and in the circumstances, disqualification was a potential sanction in this case due to the seriousness of the breaches and to make it clear that this was unacceptable conduct in public office.</p> <p>Nevertheless, the Case Tribunal was mindful that disqualification in this instance might have a particularly disproportionate effect on the Respondent, as it would be likely to prevent him from standing for election until 2027. In the exceptional circumstances of this case, the Case Tribunal considered that a lengthy suspension would be likely to deter repetition.</p> |

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| | <p>and engaged the following Paragraph of the Code; - Paragraph 6(1)(a); “You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.”</p> <p>The Ombudsman reached the following conclusions in relation to this Allegation; - The Respondent disclosed personal information by posting on Facebook that a volunteer group that the Respondent was involved with, had delivered a meal to Councillor L’s parents.</p> <p>As a volunteer during the Covid-19 pandemic, the Respondent was privy to information that he would reasonably be expected to treat as confidential.</p> <p>The information that Councillor L’s parents were receiving meals from a volunteer organisation during the pandemic, could reasonably be considered to be confidential.</p> <p>The post identified Councillor L’s parents as elderly and vulnerable and could have put them at risk.</p> <p>The post related to the Respondent’s role as a volunteer</p> | <p>instance with his private/volunteer capacity rather than his official one.</p> <p>The Case Tribunal therefore concluded by unanimous decision that the Respondent had not breached Paragraph 6(1)(a) of the Code.</p> | <p>The Case Tribunal had regard to sanctions imposed in previous cases and to the principle that the sanction imposed should be the minimum necessary to uphold the standards of conduct in public life and maintain confidence in local democracy.</p> <p>The nature and extent of the breaches and the level of culpability of the Respondent in this case, together with the potential consequences of the breach upon another individual, albeit a political rival rather than a member of the public or an officer, placed these breaches at the higher end of the suspension range in the circumstances. A suspension would need to provide sufficient time for the Respondent to reflect on his conduct before contemplating re-entering local politics.</p> <p>Mitigating Factors</p> <p>The Case Tribunal had regard to the following mitigating factors</p> <p>The Case Tribunal was aware that the Respondent had referred to a range of health issues and personal circumstances and it had no reason to disbelieve that he was suffering from a degree of stress due to the Ombudsman’s investigation.</p> |

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| | <p>rather than as an elected member.</p> <p>4.4 The Details of Allegation 4: Threatening proceedings, certain actions, and complaints The Allegation was summarised by the Ombudsman as follows; “made several complaints to the Clerk, the Police and to the Ombudsman, which lacked foundation and appeared to be motivated by malice or political rivalry” and engaged the following Paragraphs of the Code; - Paragraph 6(1)(d); “You must not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.” Paragraph 7(a); “You must not in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage.” The Ombudsman</p> | <p>Decision in relation to Allegation 4 On the basis of the findings of fact and the documentary evidence, the Case Tribunal found by unanimous decision that the Respondent had failed to comply with Paragraph 6(1)(d) for the following reasons.</p> <p>The Case Tribunal was satisfied that in relation to the multitude of threats of proceedings and complaints against Councillor L, the Respondent was acting in his capacity as an elected member. He wrote directly to the Clerk of the Town Council and to the Monitoring Officer of Gwynedd Council in his official capacity, using his Council e-mail address and signed them off as Councillor. The Case Tribunal was therefore satisfied that all provisions of the Code applied in principle to this Allegation, including Paragraph 6(1)(d). 8.4.7 The Case Tribunal was satisfied in the circumstances, that the Respondent had made a large number of vexatious, malicious and frivolous complaints against Councillor L on a range of subjects, which lacked any real foundation. He’d made these complaints to the Clerks of the Town</p> | <p>The Ombudsman also acknowledged that; “Although Councillor Owen has not presented evidence of his ill health, his behaviour is not as you would expect from someone who is well” and “Councillor Owen has indicated that he has pressures in his life which have contributed to his actions. It should also be noted that his behaviour towards Councillor Larsen appears to have worsened during the COVID 19 pandemic”. A record of over 20 years’ service in local government.</p> <p>The Respondent expressed some limited regret and noted that one of his comments had been “a bit strong”. He said that he had no malice against the Ombudsman’s Investigating Officer and that it was just his heath “kicking in”. He said that he had nothing against her and that he recognised that she was just doing her job.</p> <p>He referred to several apologies that he had made, and provided a copy of a written apology to Councillor L, although there was no evidence that he had communicated this apology to Councillor L.</p> |

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| | <p>reached the following conclusions in relation to this Allegation; -</p> <p>The Respondent made several references to seeking an injunction against Councillor L, including to third parties, and he regularly threatened to “take matters further” to apply pressure to various parties with whom he was in disagreement.</p> <p>The Respondent made numerous statements referencing an injunction, raising complaints, or involving the media, to the Town Clerk, the Chief Executive, the Social Care Team and to the PSOW. The Respondent also made similar comments on Facebook. Apart from seemingly seeking advice from a Romford-based solicitor on 16 September 2020, the PSOW had not seen any credible evidence that the Respondent had issued legal proceedings seeking an injunction as claimed, despite informing the PSOW’s officer on 20 September 2020 that he had instructed the solicitor to act.</p> <p>No Pre-Action Protocol letter had been received or any indication that an injunction had been sought against Councillor L by</p> | <p>Council, the Monitoring Officer, the Ombudsman and the police. There was little evidence that any of the threatened judicial steps had been carried out, save for an initial letter from a firm of solicitors in Romford and initial instructions to another firm of solicitors. He had made two complaints to the Ombudsman, however then failed to provide any evidence to substantiate these complaints and subsequently requested withdrawal of these complaints. 8.4.8 As an example, the Respondent had received a full explanation of how the prescriptions issue had arisen and about the concerns which had led to a change in methodology for release of prescriptions. The Respondent persisted in obsessively pursuing this matter however, despite the explanation from the Chief Executive of Gwynedd Council, which should have provided sufficient comfort to the Respondent, and which should have concluded the matter.</p> <p>The Case Tribunal had no hesitation in concluding that the motivation for the complaints included an element of malice in view of the stated intention to “get rid” of Councillor L as a priority. He had used various means and platforms</p> | <p>He briefly acknowledged a need to change his behaviour, and he had referred to being willing to attend further training. He also acknowledged that if he engaged in Council committees, then he would get answers to concerns. He said that he has removed himself from Facebook.</p> <p>Aggravating Factors</p> <p>The Case Tribunal had regard to the following aggravating factors: -</p> <p>The Respondent had long experience of local government and should have been immersed in the Nolan Principles and been well-versed in Code expectations.</p> <p>He had sought to unfairly blame others for the Respondent’s own actions, primarily Councillor L but also others including an officer of Gwynedd Council and the Clerk of the Town Council.</p> <p>The Respondent persisted with a pattern of behaviour that involved repeatedly failing to abide by the Code.</p> <p>He had not acted with candour during the investigation, for example, he had sent a formal complaint to the Ombudsman about Councillor L, giving</p> |

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| | <p>the Respondent or his legal representative.</p> <p>The Respondent's complaints about Councillor L have lacked foundation and his claimed involvement with the media also lacked credibility. Nevertheless, the repeated comments to a number of different parties, made Councillor L feel undermined and intimidated.</p> <p>The Respondent made vexatious, malicious, or frivolous complaints about various agencies and made two untrue and entirely fabricated complaints that Councillor L had breached the Code of Conduct to the PSOW's officer.</p> <p>The Respondent also made a report of harassment against Councillor L to North Wales Police, although he did not wish to make a formal complaint.</p> <p>These complaints appear to be in retaliation for the complaints made about him.</p> <p>The Respondent has refused to provide the evidence he claimed to have in support of these complaints on two occasions. The complaints against Councillor L were unsubstantiated and</p> | <p>to attempt to achieve this result. It considered that the complaints were also vexatious and frivolous and led to an escalation of events and grossly disproportionate use of the complaint mechanisms of the various bodies during the pandemic. It noted that there appeared to be a pattern of behaviour in finding new issues and avenues through which to pursue his stated aim of getting rid of Councillor L. It therefore found that there was a prima facie breach of Paragraph 6(1)(d) of the Code.</p> <p>As to Paragraph 7(a) of the Code, the Case Tribunal considered that it was the same body of evidence which led to a finding of a breach of 7(a) in relation to Allegation 4 and Allegation 1 and, in the circumstances, it did not consider it necessary to re-visit this.</p> | <p>police crime reference numbers which did not relate to Councillor L.</p> <p>The Respondent, despite expressing regret, appeared not to understand or fully accept the misconduct and any consequences of his misconduct.</p> <p>The Respondent refused to accept the facts, despite clear evidence to the contrary in relation to the prescriptions issue.</p> <p>Article 10 ECHR Considerations The Case Tribunal recognised that the sanction of suspension comprised a prima facie breach of Article 10 in that the finding could be deemed to restrict the Respondent's right to freedom of expression.</p> <p>It considered however that the sanction was a penalty prescribed by law and needed to be of a length which was proportionate in all the circumstances, bearing in mind the public interest and the need to uphold law and justice and to protect the reputation and rights of others in a democratic society.</p> <p>The Case Tribunal recognised that suspension would impact upon the</p> |

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| | <p>therefore appear to be vexatious and malicious.</p> <p>4.5 The Details of Allegation 5: Failure to co-operate with the Ombudsman's investigation The Allegation was summarised by the Ombudsman as follows; "deliberately failed to engage with my investigation in an attempt to obfuscate the process" and engaged the following Paragraph of the Code; -</p> <p>Paragraph 6(2); "You must comply with any request of your authority Paragraph 6(2); "You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers".</p> | <p>Decision in relation to Allegation 5 The Case Tribunal considered that the Respondent had entirely failed to comply with the reasonable and appropriate requests of the Ombudsman in trying to conclude a fair investigation process. He failed to co-operate with the Ombudsman's investigator who was acting in accordance with the Ombudsman's statutory powers. He had returned the Ombudsman's file of evidence and, as a Councillor is expected to consider and respond to the Ombudsman's investigation, based upon the information within the file, this evidenced a failure or willingness to engage with a vital process in upholding the Code.</p> <p>As the Respondent has been able to correspond at length with the Ombudsman as well as other individuals and bodies, albeit without a clear focus, the Case Tribunal considered that the Respondent could and should have co-operated and responded fully and properly to the Ombudsman's investigation. He had been provided with several opportunities to give meaningful evidence and submissions to the</p> | <p>Respondent's Article 10 rights. It concluded however that a suspension for nine months was the minimum necessary to recognise the serious nature of the Respondent's breaches of the Code.</p> <p>The sanction was necessary in this case to uphold standards of conduct in public life, and also to protect the rights and reputation of others from unsubstantiated and unfair allegations.</p> <p>The Case Tribunal concluded by unanimous decision that Councillor Owen should be suspended from acting as a member of both Caernarfon Royal Town Council and Gwynedd Council for a period of nine months or, if shorter, the remainder of his term of office, with effect from 21 December 2021.</p> <p><u>Learning Point</u> This case shows how the tribunal differentiates between 'official' and 'unofficial' actions. The respondent avoided a more draconian sanction as the Tribunal decided that in some instances, the councillor was not acting in his capacity as a councillors but as a member of the public.</p> |

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| | | <p>Ombudsman. He had also been provided with opportunities to supply specific evidence that he was medically unable to engage with the specific process of an Ombudsman's investigation or to engage the assistance of a friend or appoint a legal or other representative to assist. There was no evidence produced however of any significant health condition which prevented engagement with the Ombudsman's investigation.</p> <p>The Case Tribunal considered that the Respondent's various attempts at obfuscation appeared to be designed to delay or confuse the process and to deflect from the allegations. The unwillingness to respond to questions, but conversely to respond at length and in bullish terms about other issues, meant that the Respondent had deliberately failed to engage with the statutory process to investigate complaints against him.</p> <p>The Case Tribunal also considered that the Respondent had not responded to reasonable adjustments made by the Ombudsman in relation to the investigation, including engaging through a representative, despite having professional support from an</p> | |

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| | | <p>advocate, and having the opportunity to respond to written questions rather than participate in a formal interview. The Case Tribunal did not doubt that the Respondent was finding the investigation process stressful, however he continued to act as a ward Member on the Town Council and on Gwynedd Council and he was receiving support. The Case Tribunal considered that he had gone out of his way to disrupt and avoid the statutory process.</p> <p>In the circumstances, it was the Case Tribunal's unanimous decision that the Respondent had breached Paragraph 6(2) of the Code. It considered that Article 10 ECHR was not relevant in the context of a refusal to co-operate with processes and to respond to questions. Even if it was relevant and the failure to comply with reasonable requests of the Ombudsman could be seen to be, in itself, a political expression, the Case Tribunal considered the Respondent's behaviour towards the Ombudsman's investigation and the Investigating Officer to be so egregious that Article 10(2) should apply. It considered that it was necessary to invoke the Code to</p> | |

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| | | protect and uphold the law and the reputation and rights of others. | |
| <p>Councillor Perry Morgan Abertillery and Llanhilleth Community Council Breach of paragraphs 4(a), 4(b), 4(c), 6(1)(a), and 6(2) of the Council's Code of Conduct.</p> <p>APW/005/2021-022/CT</p> | <p>That the Respondent ridiculed Councillor Lucas who has a hearing impairment of which the Respondent was aware, during the council meeting of 30 October 2019. It was alleged that the Respondent said "I can say what I like about her, she can't hear me anyway" and "there should be a law against having a disabled deaf woman here, what use is she going to be?"</p> <p>That the Respondent made discriminatory remarks ridiculing Councillor Lucas immediately after the Council meeting on 30 October 2019 and making the following comments: "what you going to do? If I want to talk about you I will, you won't hear it".</p> <p>That the Respondent's behaviour during council meetings, specifically talking across others and engaging in conversation with Councillor White was a deliberate attempt to cause difficulty for Councillor Lucas</p> | <p>On the basis of the findings of fact, the Case Tribunal found by a unanimous decision that there was a failure to comply with the authority's code of conduct as follows:</p> <p>Paragraph 4(a) of the Code states that you must carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;</p> <p>Paragraph 4(b) of the Code states that you must show respect and consideration for others;</p> <p>Paragraph 4(c) of the Code states that you must not use bullying behaviour or harass any person.</p> <p>Paragraph 6(1)(a) of the Code states that you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p> | <p>Sanction</p> <p>The Case Tribunal considered all the facts of the case and gave careful consideration to the Sanctions Guidance and the Nolan Committee's Principles for Public Life.</p> <p>The tribunal applied the five-stage approach as set out in paragraph 33 of the Sanctions Guidance and concluded that the breaches were serious and their consequences for Councillor Lucas in particular were serious. It was clear however from the evidence, that the Respondent's behaviour had consequences for others too. The breaches related to comments made on the basis of Councillor Lucas' hearing impairment.</p> <p>The tribunal carefully considered whether disqualification was appropriate but concluded that suspension was the broad type of sanction that was appropriate in this case. The tribunal considered the number and nature of the breaches, and the mitigating and aggravating factors as</p> |

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| | <p>That the Respondent failed to engage with the Council's microphone system in a deliberate attempt to cause difficulty for Councillor Lucas and that the Respondent put his hand over his mouth when speaking in a deliberate attempt to cause difficulty for Councillor Lucas who partly relied on lip reading.</p> <p>That the Respondent deliberately failed to engage with the Ombudsman's investigation.</p> | <p>Paragraph 6 (2) of the Code states that you must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.</p> <p>The findings of fact are that the Respondent ridiculed Councillor Lucas during the Council meeting on 30th October 2019 and made the comments in the car park immediately after that meeting constitute breaches of 4(a) and (b and 6(1) (a). The comments were clearly disrespectful and inconsiderate and related to Councillor Lucas's disability. These findings taken together constitute breaches of 4 (c). The Ombudsman's Guidance on the Code of Conduct for member of local authorities in Wales helpfully invites councillors to consider their own conduct from the other person's perspective and describes harassment as repeated behaviour which upsets or annoys people and that bullying can be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour</p> <p>"Bullying behaviour attempts to undermine an individual or a group of</p> | <p>set out in paragraph 42 of the Sanctions Guidance.</p> <p>The tribunal reminded itself that, as per paragraph 44 of the Sanctions Guidance, that the overriding purpose of the sanctions regime is to uphold the standards of conduct in public life and maintain confidence in local democracy. The tribunal considered its chosen sanction against previous decisions of the APW.</p> <p>The tribunal accepted the submissions made on the Ombudsman's behalf about the aggravating factors and the continual denying of the conduct and the facts by the Respondent. The Respondent sought at the hearing to go back on his signed statement of 20th August 2021 and to suggest, in his denial of the facts, that witnesses were mistaken about the 30th October 2019 date that he had previously agreed was accurate.</p> <p>These attempts lacked credibility. Whilst Mrs Oakley referred to the Respondent's record of good service, in fact having signed his declaration of office on 8th May 2017, his experience as a councillor for over two years at the time of these events, made his behaviour an aggravating factor.</p> |

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| | | <p>individuals, is detrimental to their confidence and capability and may adversely affect their health.”</p> <p>Councillor Lucas was upset and felt humiliated by her treatment, and the comments made about her by the Respondent constitute bullying behaviour and harassment. The comments about Councillor Lucas’s hearing impairment were not political comment but were abusive and insulting comments that would not attract the additional protection of article 10.</p> <p>The comments that were made by the Respondent after the meeting of 30th October 2019 were made in the context of his work as a Councillor. The conversation was in the car park outside the council chamber immediately after the council meeting and the contents of the conversation related to matters arising from the council meeting and membership of the council. Behaving in the way that he did and using the words that he did, brought the Respondent’s office as a councillor into disrepute.</p> <p>The Respondent was capable of engaging with the Ombudsman’s investigation and was specifically</p> | <p>The Case Tribunal concluded by unanimous decision that Councillor Morgan should be suspended from acting as a member of Abertillery and Llanhilleth Community Council for a period of 10 months or, if shorter, the remainder of his term of office, with effect from the 20th January 2022.</p> <p>Case Tribunals Recommendations The Case Tribunal makes the following recommendations to the authority; That Councillor Morgan undertake further training upon the Code of Conduct. That Councillor Morgan undertake Equality and Diversity training.</p> <p><u>Learning Point</u> In all of these cases the tribunal considered the Nolan principles. Whilst these are the basis of the standards regime they do not form part of the Code of Conduct and therefore breach of the principles does not in itself constitute a breach of the Code. It is clear however, that the principles do influence the tribunal to a large extent.</p> |

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| | | <p>capable of attending at an online interview in December 2020. Whilst the Tribunal accepts that the Respondent suffers from the condition about which evidence was heard in camera, and that there would likely have been some days when his abilities to deal with matters were compromised, the tribunal did not have evidence before it from which it could conclude, on the balance of probabilities, that the Respondent was entirely incapable through reason of ill health, of engaging with and complying with reasonable requests from the Ombudsman, throughout the investigatory period. The Respondent was able to send detailed analytical correspondence in March 2020, to correspond by e mail by return in December 2020 and to attend at various council meetings both in person and online. The Ombudsman had made reasonable adjustments by sending the written interview questionnaire. Therefore, the breach of 6(2) was made out.</p> | |
| Councillor Jonathon Bishop | The Respondent used language in correspondence, both to the Clerk to the Council on 25 September and 31 December 2019 and 21 January and 3 | The Case Tribunal considered all the facts of the case and the Sanctions Guidance issued by the President of the Adjudication Panel for Wales under | In terms of the broad sanction that was appropriate in the circumstances, the Tribunal considered that the option of disqualification was most applicable. |

| Name | Summary of Facts | Decision Summary | Findings |
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| <p>Taff's Well and Nantgarw Community Council</p> <p>Nature of allegation:</p> <p>Breach of paragraphs 4(b), 4(c), 6(1)(a), 7(a) and 9(a) of the Council's Code of Conduct.</p> <p>APW/001/2021-022/CT</p> | <p>February 2020, and the Chairman, Councillor Fowler, on 11 September 2019, which showed a lack of respect and/or consideration for the recipients and, in the case of Mrs Williams, had amounted to bullying and harassment;</p> <p>The Respondent submitted expenses claims for Mr Edwards' support and attendance at Council meetings on 30 October and 27 November 2019.</p> <p>It was alleged that Mr Edwards was never paid for such attendances, that the Respondent gave false evidence in relation to such claims and that they were not made in compliance with the relevant guidance and principles.</p> <p>Further, the Respondent indicated a desire to recover payment on behalf of his father for support that he provided at another meeting and allegedly supplied false information about his father's relationship with a company with which he was involved. In those instances, it</p> | <p>s. 75 (10) of the Local Government Act 2000.</p> <p>It also considered the Nolan Committee's Principles for Public Life from which the National Assembly for Wales' core principles were derived. Those principles set standards of conduct and behaviour which were expected of councillors in the Respondent's position and which included honesty, integrity, respect and openness, all of which had been brought into focus here.</p> <p>First, the Case Tribunal had to assess the seriousness of the breaches and their consequences. It considered that the Respondent's conduct on 11 September 2019 towards Councillor Fowler and, over a longer period, to Mrs Williams had shown a lack of respect and been unacceptable.</p> <p>It was clear that Mrs Williams had been particularly upset by this, following over forty years' work in local government.</p> <p>In relation to the expenses issues as stated above, the Respondent's closing submissions indicated an awareness that what had been claimed on behalf of Mr Edwards had been</p> | <p>The Tribunal had started by considering whether it could take no action or impose a partial suspension but, in the case of the former, it considered the conduct had been too serious and, in the case of the latter, there was no particular aspect of the Respondent's conduct which made a partial suspension appropriate.</p> <p>As to a suspension generally, the lack of contrition and/or apparent insight into his wrongdoing left the Tribunal with a sense of concern in relation to the Respondent's future conduct. Further, as a result of s. 76 (5) of the Local Government Act, any suspension would have been limited to 4 May 2022, the date upon which the Respondent's term of office ended, which the Tribunal considered would not have adequately reflected the nature of the wrongdoing.</p> <p>The Tribunal then considered both mitigating and aggravating features and, in particular, those matters set out within paragraph 42 of the President's Sanctions Guidance.</p> <p>The Tribunal was informed that the Respondent had no prior record of misconduct with the Ombudsman or the relevant Monitoring Officer.</p> |

| Name | Summary of Facts | Decision Summary | Findings |
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| | <p>was alleged that he failed to act with honesty and integrity;</p> <p>Following Mr Edwards's interview by the Ombudsman on 28 February 2020, a witness statement was sent to him for approval B. By a letter dated 2 March 2020 purportedly from Mr Edwards and apparently signed by him, he objected to the draft witness statement. The Ombudsman alleged that the Respondent had in fact written the letter, a matter which he refused to explain when interviewed. It was alleged that he had thereby, attempted to interfere with the course of the investigation.</p> | <p>more than his indebtedness. Irrespective of the intended use of the 'surplus' which CCMG CIC would have acquired if the claims had been paid, the submission was the clearest admission yet that the claims had not been limited to a liability owed to Mr Edwards.</p> <p>Finally, in relation to the letter purportedly written by Mr Edwards, the panel considered that to have been a serious matter.</p> | <p>In the Respondent's mitigation in relation to the complaint concerning the emails to Councillor Fowler, the Tribunal noted two matters in particular; first, that there had been a certain level of acceptance of wrongdoing at first. Unfortunately, however, that contrition appeared to have evaporated by the time of the hearing, with him continually asserting that the Councillor would not have been upset by the words used.</p> <p>He had nevertheless attended further training on the Code.</p> <p>Secondly, there was the medical evidence in relation to his disability which had to be considered and, in particular, the matters which were said to have contributed to what he described as a 'meltdown'; following assessments in April and June 2020 and the specific reference to 'meltdowns' when overwhelmed.</p> <p>Those were important mitigating factors and the tribunal recognised that the style and content of those emails to Councillor Fowler had been markedly different from hundreds of others that had been sent. The tribunal were encouraged by the effects of the Respondent's altered medication and pleased to hear about his</p> |

| Name | Summary of Facts | Decision Summary | Findings |
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| | | | <p>current relationships with the Authority and his colleagues at Cam Parish Council. Nevertheless, the Respondent had been a councillor, on and off, since 2003 and the emails had been unacceptable.</p> <p>The tribunal were concerned about a repeat of similar conduct in the absence of any clear insight or acceptance of his wrongdoing.</p> <p>It could not have been said, however, that the series of emails which had been written to Mrs Williams had been the product of the same impulsive 'meltdown'. The Respondent had embarked upon a campaign to denigrate and demean and, although his condition may have prevented him from appreciating the effect of his conduct upon someone in Mrs Williams' position, the Tribunal was concerned that his lack of contrition or awareness may lead to a repeat of the same or similar conduct.</p> <p>The Tribunal considered that the Respondent's lack of training in respect of paragraph 4 (c) of the Code was a poor point. They did not consider that a councillor, who was otherwise bound by and aware of the Code, ought to have needed formal training in order to prevent him from engaging in a course of conduct</p> |

| Name | Summary of Facts | Decision Summary | Findings |
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| | | | <p>which amounted to bullying or harassment.</p> <p>Nor did the medical evidence explain or justify the Respondent's wrongdoing in relation to the expenses issues and/or his involvement in the composition of Mr Edwards' letter. These matters were serious and had required care, pre-meditation and an intention to mislead. There was nothing in the medical evidence to suggest that such traits were a feature of his disability.</p> <p>The Case Tribunal considered whether and how to adjust the sanction in order to achieve an appropriate deterrent effect and to maintain public confidence in the standards expected in public life. It concluded by unanimous decision that Councillor Bishop should be disqualified for 12 months from being or becoming a member of the Authority or any other relevant authority within the meaning of the Local Government Act 2000.</p> <p><u>Learning Point</u> In all of these cases the tribunal considered the Nolan principles. Whilst these are the basis of the standards regime they do not form part of the Code of Conduct and therefore breach of the</p> |

| Name | Summary of Facts | Decision Summary | Findings |
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| | | | <p>principles does not in itself constitute a breach of the Code.</p> <p>It is clear however, that the principles do influence the tribunal to a large extent. The starting point here was disqualification.</p> <p>However members may feel that given the language used and the apparent dishonesty the sanction was lenient.</p> |
| <p>Councillor Gareth Baines</p> <p>Wrexham County Borough Council</p> <p>Nature of allegation:</p> <p>Breach of paragraphs 4(b), 4(c) and 7(a) of the Council's Code of Conduct.</p> <p>APW/003/2021-022/AT</p> | <p>The allegations were that Councillor Baines had breached Chirk Town Council's Code of Conduct by sending an e mail on the 1st November 2019 to the employer of the complainant Mrs Rachel Allen in which he attempted to smear her name in her workplace and made her feel threatened and vulnerable. The e mail was sent from Councillor Baines personal account but was signed "Cllr Gareth Baines". The complainant is a teacher. The Ombudsman considered that this e mail was an act of retaliation (because Mrs Allen had made a complaint about Councillor Baines to the Ombudsman), which was designed to cause difficulty for the complainant in</p> | <p>The Ombudsman concluded, after an investigation which included interviewing the Appellant on 27th July 2020, and taking into account the Appellant's written comments and submissions, that the Appellant's conduct was suggestive of a breach of the following paragraphs of the Code of Conduct; • You must - 4(b) - show respect and consideration for others • You must - 4(c) - not use bullying behaviour or harass any person: • You must not - 7(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;</p> | <p>The tribunal consider that the starting point for the length of suspension for the accepted breaches of the Code found by the Standards Committee in this case, would be 3 months, to which the mitigating and aggravating factors should then be applied.</p> <p>Undertaking that exercise, and noting the mitigating factors in this case, particularly the full cooperation with the Ombudsman and the Committee, the Appellant's hitherto unblemished record, his expression of contrition and noting that the breaches arose from one email that was not further pursued, the tribunal recommend that a suspension of two months is appropriate in the particular circumstances of this case.</p> |

| Name | Summary of Facts | Decision Summary | Findings |
|------|--|--|--|
| | <p>her place of work. Councillor Baines also copied this e mail to the Education Workforce Council, the independent regulator for the education workforce in Wales, conduct considered by the Ombudsman as being an attempt to cause a disadvantage to the complainant in her place of work.</p> | <p>The Appellant, in writing before the hearing of the Standard's Committee on the 22nd June 2021, and in oral representations at that hearing, confirmed that he did not dispute the facts in the Ombudsman's report. The Committee then considered the evidence and heard submissions from the Ombudsman's representative and from the Appellant as to whether there had been a failure to follow the Code of Conduct on the facts. The Standards Committee concluded that there had been a breach of paragraphs 4(b), 4(c) and 7(a) of the Code and imposed the following sanctions</p> <p>That the Appellant be suspended as a community Councillor from Chirk Town Council for a period of three months. That the Appellant should undertake Code of Conduct training at the earliest convenience.</p> <p>That the Appellant should send a letter of written apology for the breaches, to the Complainant and to the Chair of Chirk Town Council.</p> | <p>The Appeal Tribunal accept that, as the Ombudsman's representative submitted, sanction in a particular area is a matter for the local Standards Committee and they are not bound to follow neighbouring authorities. The Committee in this case were entitled to consider three months as a reasonable period for suspension.</p> <p>Following the approach in the Sanctions Guidance, and noting the purpose of the sanctions regime, to achieve an appropriate deterrent effect for the individual and the wider Council membership, and to maintain public confidence in the standards of conduct in public life and in local democracy, the tribunal recommend a suspension of 2 months.</p> <p>The Appeal Tribunal accordingly decided by unanimous decision to endorse the decision of the Standards Committee that Councillor Baines should be required to undertake training on the Code of Conduct as soon as possible and that he should send a letter of apology for the breaches of the Code to the complainant and to the Chair of Chirk Town Council.</p> <p>The Appeal Tribunal decided by unanimous decision to refer the matter back to the Standards Committee with a</p> |

| Name | Summary of Facts | Decision Summary | Findings |
|------|------------------|------------------|---|
| | | | <p>recommendation that Councillor Baines should be suspended from being a member or co-opted member of Chirk Town Council for a period of 2 months.</p> <p><u>Learning Point</u></p> <p>The tribunal stated that the starting point for suspension is 3 months and the mitigating and aggravating factors should be added.</p> <p>In this case there could be an element of malice in the respondent writing to the governing body.</p> <p>However the tribunal recommended that the suspension be reduced to 2 months.</p> |

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|---------------------------|--|
| MEETING: | County Council |
| DATE: | |
| TITLE: | Annual Report of the Standards Committee |
| REPORT BY: | Standards Committee |
| PURPOSE OF REPORT: | <p>To inform Members of new duties imposed on the standards committee and leaders of political groups introduced in the Local Government and Elections(Wales) Act 2021</p> <p>To report on the Activities of the Standards Committee in 2021/22 and to secure Council Approval for the Committee’s Work Programme for 2022/322</p> |
| CONTACT OFFICER: | Lynn Ball, Director of Function (Council Business) / Monitoring Officer (ext 2568) lbxcs@ynysmon.gov.uk |

Introduction

This is the first annual report of the Standards Committee to the County Council. Previous reports have been considered by the Council but these have been reports by the Chair of the Committee.

1. The Standards Committee is a statutory committee which comprises 9 members (2 County Councillors, 5 independent members and 2 Community Council members). Details of the Committee and its membership is available [here](#).

2. **Independent Members:**

The terms of four independent members ends on 19th December 2027 whilst the term of the fifth independent member ends on 11th December 2025.

The Chair must be appointed from among the independent members. Mr John R Jones was appointed Chair at a Standards Committee meeting in February 2020. The Chair is appointed for a period of four years.

3. **Town and Community Councillors:**

The two Town and Community Council representatives were appointed in 2017 and their appointments ran for a period until the last Local Government election. A recruitment exercise is underway for two Town and Community Councillors to sit on the Committee until the next Local Government election or until such time as the appointees are no longer Community Council members, whichever occurs first. A

Community Council member may be re-appointed for one further consecutive term, provided that the Isle of Anglesey Town and Community Councils have collectively agreed to select the current Community Council members as nominee for the appointments.

4. County Councillors:

The two County Council members are appointed annually by the Council.

The two current County Councillors are Councillor Trefor Lloyd Hughes and Councillor Dafydd Rhys Thomas.

5. Before the introduction of the Local Government and Elections (Wales) Act 2021, the Standards Committee had (amongst others) the following roles and functions in relation to County Council members and Town/Community Council members:-
- (a) promoting and maintaining high standards of conduct by Members;
 - (b) assisting Members to observe their Code of Conduct;
 - (c) advising, training, or arranging to train Members;
 - (d) considering applications for dispensations;
 - (e) dealing with any referrals from the Public Services Ombudsman for Wales (PSOW), or the Adjudication Panel for Wales (effectively the national Standards Committee).

The Local Government and Elections (Wales) Act 2021 provides that the Standards Committee must make an annual report to the Council and the Council must consider this report and any recommendations made by the Committee within three months of its receipt.

As a minimum, the report must:

- describe how the Committee has discharged its functions during the preceding year;
- include a summary of reports and recommendations made or referred to the committee by the Public Services Ombudsman for Wales (PSOW) relating to the investigation of alleged breaches of the code of conduct, and any subsequent action taken by the Committee;
- describe the advice it has provided on training for all Members and how that advice has been implemented, and
- include the Committee's assessment of how Group Leaders have complied with the new duty to promote high standards of conduct, including the advice the Standards Committee has provided and the training it has suggested.

As this is the Committee's first report, there will necessarily be some information that is not available to put in the report at this stage but this will be included in further reports.

Background

The Local Government and Elections (Wales) Act 2021 ('the Act') has introduced new duties on the Committee and Council in relation to improving standards of conduct of

Councillors and Co-opted Councillors both in the Council and in respect of Town and Community Councillors.

This report outlines the duties introduced by the Act and the work the Committee has undertaken in preparation for the main provisions, which will be in the form of Regulations, and which have been subject to consultation by the Welsh Government.

The Standards Committee have responded to the consultation and the Committee's response is at **Appendix A**.

The report also outlines the work the Committee has undertaken in accordance with its responsibilities.

The new duties

Duty on Leaders of Political groups to take reasonable steps to promote and maintain high standards of conduct by members of the group.

This responsibility is placed on a Leader of a political group within the Council. In order to demonstrate compliance with this duty a further duty is imposed on the leader of a political group to co-operate with the Council's Standards Committee in the exercise of the Committee's functions.

The Constitution is being amended to take into account the revised functions of the Committee and these can be found at **Appendix B**.

The new duties imposed by the Act came into force on 5th May 2022.

The Standards Committee's response.

Apart from responding to the Government consultation, before the local elections, the Chair and Vice-Chair of the Committee met with Leaders of the political groups within the Council to discuss the new roles and duties contained within the Act. These meetings took place on 8th March and 27th April 2021.

Discussions with the Leaders included the introduction of a local resolution protocol.

Work will continue in this respect following the local elections.

Duty of a Standards Committee to monitor Group Leader's compliance and provision of advice and training.

The Standards Committee's response

Apart from meeting the Group Leaders, members of the Standards Committee have also attended formal meetings of the Council including Overview and Scrutiny Committees to learn more about how they work and use this information when consideration is given to what training should be offered.

This will continue in the forthcoming year.

Members of the Committee have discussed informal resolution of complaints with Group Leaders. The Committee consider that this provision should be used where appropriate in order to deal with problems at an early stage and to monitor any trends relating to complaints so that these can be addressed early.

A new procedure to deal with this is being worked on and will be introduced this year.

The Standards Committee is also mindful of its responsibility to provide appropriate training and the Committee's work-plan for next year has been amended to provide for this. The work-plan of the Committee for next year can be found at **Appendix C**.

Town and Community Councils.

The Standards Committee also has responsibility in relation to Town and Community Councils and to fulfil this responsibility the Committee has undertaken the following work this year.

The Committee has undertaken a review of the register of interests of members of Town and Community Councils. The Committee asked the Councils if they were happy for it to undertake this review and a sample of councils was selected for review. A report on the review has been produced and sent to all Community Councils.

The report was anonymised and the Councils have been asked to report on the conclusions, to a future meeting of their Councils. The report is at **Appendix D**

The Committee also issues regular newsletters to Town and Community Councils to inform them of the Committee's work.

Review of the Ethical Standards Framework and Model Code of Conduct

Apart from responding to the consultation on the Act, the Committee also responded to an independent review of the Ethical Standards Framework and Model Code of Conduct carried out by Richard Penn. The response is at **Appendix E**

Reports from the PSOW

Reports from the PSOW in relation to complaints received in relation to alleged breaches of the code of conduct by members of the Council or Town and Community Councils are issued on a quarterly basis.

Over the past year, two complaints have been received by the PSOW. These complaints were received in quarter 2.

One was in relation to a County Councillor and one in relation to a Town and Community Councillor.

In respect of the complaint against the County Councillor, the PSOW decided not to investigate further. In relation to the Town and Community councillor, the PSOW's investigation is continuing.

It is encouraging to note that no complaints were received in quarters 3 and 4, the most recent periods for which reports have been received.

Dispensations

Dispensations may be granted by the Standards Committee, in certain circumstances defined by statute, where the member would otherwise be unable to participate in a debate or decision owing to a significant (prejudicial) personal interest. The Standards Committee may sometimes be in a position to overreach that prejudicial interest if certain conditions are met. The Dispensations Regulations apply to County Council members and Town and Community Council Members.

On 12th November 2021 the Standards Committee granted 7 dispensations to Members of the Council.

The dispensations were granted under Para 81(4) of the Local Government Act 2000 under the following grounds:-

that no fewer than half of the members of the relevant authority or of a committee of the authority, by which the business is to be considered has an interest which relates to that business

that no fewer than half of the members of a leader and cabinet executive, by which the business is to be considered has an interest which relates to that business

All County Council members and Town and Community Council members are advised to consider whether an application for dispensation may be appropriate for them in some circumstances and are encouraged to contact the Monitoring Officer for advice.

Draft Statutory Guidance – Standards of conduct

Question 1: Does the draft guidance make it clear what is expected of leaders of political groups in principal councils as set out in the provisions of Part 4 of the Local Government and Elections (Wales) Act 2021 in a way that can be understood by leaders of political groups in principal councils? If not, why not?

The Isle of Anglesey Council Standards Committee consider that the draft guidance is clear. However they consider that the guidance could be made stronger. For example the use of the word 'may' in Chapter 2 of the guidance 'Reasonable steps the group leader may undertake include' could be changed to 'should' or 'could'. The guidance does not address the behaviour of members who are not in a group which, on many occasions, can be the source of some problems.

The Committee considers that the Leaders of Political groups should be subject to the same requirements to report as the Standards Committee.

They consider that the political leaders should be required to produce an annual report (at least) outlining what steps they have taken to maintain and improve high standards of conduct within their group.

The report should be produced two months after the beginning of the municipal year so that it could be considered before the Standards Committee compose their report. This would have several benefits:

1. There would be consistency of approach across Wales.
2. It would publicise the raising of standards across the council and Wales.
3. The report by the Standards Committee could address any issues raised in the Leader's reports.
4. The Leader's report could identify any concerning trends of behaviour that could be addressed by the Committee and provide support.

The Committee also feel that there should be an obligation on Leaders to report any serious concerns to the Standards Committee immediately perhaps in an anonymised form so the Committee can provide support and advice. Suggestions for what the Leaders report could include are details of minor complaints, any training provided by or on behalf of the Leaders and any efforts made by the Leaders to raise standards of conduct within their group.

Question 2: Does the draft guidance make it clear what is expected of Standards Committees in principal councils as set out in the provisions of Part 4 of the Local Government and Elections (Wales) Act 2021 in a way that can be understood by Standards Committees? If not, why not?

The Standards Committee consider that the guidance is clear on this issue. However they consider that their role could be strengthened by the introduction of mandatory training for all members. This should include more than the register of interests but the whole standards regime including the Nolan principals and local resolution of issues.

Members of the Standards Committee should also help to provide the training. They consider that the guidance relating to exercising other functions for example maladministration complaint procedures could be confusing as these areas may well be the preserve of other committees within the Council e.g. Governance and Audit Committees.

Question 3: We would like to know your views on the effects that the guidance would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

The committee do not consider that the guidance would have a significant effect on the Welsh language. The Committee also felt that the Welsh language is barely mentioned in the guidance and so wonder why this question has been posed.

Question 4: Please also explain how you believe the guidance could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and have no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

The Committee consider that all councils must be encouraged to comply with the legislation in relation to the use of the Welsh language. Translation services should always be available. In Anglesey all meetings are held in the Welsh language and an English translation is provided. Consideration should be given to encouraging the use of the Welsh in Councils on a Wales - wide basis.

Question 5: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use the consultation response to express your views.

The Committee consider that it is important that the committee has a good relationship with Leaders of political parties. Therefore, it is important that the guidance does not 'talk down' or patronise leaders.

The local resolution procedure is an important element of the Standards regime and consideration should be given to codify this in Law.

The Leaders of political parties do meet together informally at Anglesey on a regular basis. However, it is accepted that this may not be the case in other authorities.

Informal meetings between Leaders and the Standards Committee should also be encouraged so any problems can be picked up and any worrying trends identified.

The Standards Committee were mindful that local resolution may formalise issues

rather than more informal mediation and consider that care should be taken to differentiate between the two solutions.

Local resolution and mediation add more responsibilities to the Committee's workload and this will have a financial cost and the Committee ask that this is considered seriously.

There are two questions in the consultation document relating to the Welsh language although little mention of this is made in the text of the document. The Committee would like further guidance on what is sought from the Committee in this respect.

The final point is that care should be taken when translating documents as some of the translations in the document are not accurate.

Appendix 2

2.9.1 Standards Committee

The Council will establish a Standards Committee.

2.9.2 Composition

2.9.2.1 Membership

The Standards Committee will, in accordance with the provisions of the Local Government Act 2000, be composed of:

2 County Councillors

5 independent members

2 community council members (who are not deemed to be independent members for the purposes of this Constitution).

2.9.2.2 Term of office

2.9.2.2.1 The independent members are automatically appointed for a period of two consecutive ~~four~~ five year terms.

2.9.2.2.2 Unless re-selected the community council members are appointed until the next election or until they cease to be community council members within the area of Isle of Anglesey County Council, whichever is the shorter. A community council member may be re-appointed for one further consecutive term, provided that the Isle of Anglesey Town and Community Councils have collectively agreed to select a current community council member(s) as a nominee for the appointment.

2.9.2.2.3 County Councillors who are members of the Standards Committee will have a term of office of no more than ~~four~~ five years or until the next ordinary local government election following their appointment whichever is the shorter.

2.9.2.3 Quorum

A meeting of the Standards Committee shall only be quorate when:

2.9.2.3.1 at least three members, including the chairperson, are present, and

2.9.2.3.2 at least half the members present (including the chairperson) are independent members.

2.9.2.4 Voting

County Council members, independent members and the community council members will be entitled to vote at meetings.

2.9.2.5 Community Council Members

2.9.2.5.1 The community council members shall not take part in the proceedings of the Standards Committee when any matter relating to their Community Council is being considered.

2.9.2.5.2 The community council members shall only participate in hearings/applications before the Standards Committee when it is discharging those functions in relation to community councils and community council members.

2.9.2.6 Chairing the Committee

2.9.2.6.1 Only an independent member of the Standards Committee may be the chairperson.

2.9.2.6.2 The chairperson will be elected by the members of the Standards Committee for a period not exceeding, ~~four~~ five years or the period he/she remains a member of the Committee, whichever is the shorter period, but will be eligible for re-election as chairperson.

2.9.3 Role and Function

The Standards Committee will have the following roles and functions:

2.9.3.1 promoting and maintaining high standards of conduct by Councillors, co-opted members and church and parent governor representatives;

2.9.3.2 assisting the Councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct (5.1);

2.9.3.3 advising the Council on the adoption or revision of the Members' Code of Conduct (5.1);

2.9.3.4 monitoring the operation of the Members' Code of Conduct (5.1);

2.9.3.5 advising, training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct (5.1);

2.9.3.6 granting dispensations to Councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct (5.1);

2.9.3.7 dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.

2.9.3.8 the exercise of 2.9.3.1 to 2.9.3.7 above in relation to the community councils in its area and the members of those community councils.

2.9.3.9 As soon as reasonably practicable after the end of each financial year, to submit an annual report to the Council. The report must describe how the committee functions have been exercised during the financial year.

The report must include a summary of what has been done to discharge the general and specific functions of the committee in relation to:

2.9.3.9.1 monitoring, compliance by the group leaders of their duty to promote and maintain high standards of conduct by councilors.

2.9.3.9.2 providing training to group leaders to enable them to fulfil their duty under paragraph 2.9.3.9.1.

2.9.3.9.3 reports and recommendations made or referred to the committee in relation to:

- Guidance issued by the Public Services Ombudsman for Wales (PSOW).
- Investigations by the PSOW
- Matters referred to the Monitoring Officer by the PSOW and action taken
- Decisions taken by the Adjudication Panel for Wales
- Decisions taken by the 1st tier tribunal
- Decisions by the Welsh case tribunal
- action taken by the committee following its consideration of such reports and recommendations.

2.9.3.9.4 The annual report of the standards committee may include recommendations to the authority about any matter in respect of which the committee has functions.

2.9.3.9.5 The council must consider each annual report made by its standards committee before the end of 3 months beginning with the day on which the council receives the report.

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~~NB A copy of the full Constitution of the Standards Committee is available from the Monitoring Officer.~~

Appendix 2

9.1 Standards Committee

The Council will establish a Standards Committee.

2.9.2 Composition

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5 independent members

2 community council members (who are not deemed to be independent members for the purposes of this Constitution).

2.9.2.2 Term of office

2.9.2.2.1 The independent members are automatically appointed for a period of two consecutive five year terms.

2.9.2.2.2 Unless re-selected the community council members are appointed until the next election or until they cease to be community council members within the area of Isle of Anglesey County Council, whichever is the shorter. A community council member may be re-appointed for one further consecutive term, provided that the Isle of Anglesey Town and Community Councils have collectively agreed to select a current community council member(s) as a nominee for the appointment.

2.9.2.2.3 County Councillors who are members of the Standards Committee will have a term of office of no more than five years or until the next ordinary local government election following their appointment whichever is the shorter.

2.9.2.3 Quorum

A meeting of the Standards Committee shall only be quorate when:

2.9.2.3.1 at least three members, including the chairperson, are present, and

2.9.2.3.2 at least half the members present (including the chairperson) are independent members.

2.9.2.4 Voting

County Council members, independent members and the community council members will be entitled to vote at meetings.

2.9.2.5 Community Council Members

2.9.2.5.1 The community council members shall not take part in the proceedings of the Standards Committee when any matter relating to their Community Council is being considered.

2.9.2.5.2 The community council members shall only participate in hearings/applications before the Standards Committee when it is discharging those functions in relation to community councils and community council members.

2.9.2.6 Chairing the Committee

2.9.2.6.1 Only an independent member of the Standards Committee may be the chairperson.

2.9.2.6.2 The chairperson will be elected by the members of the Standards Committee for a period not exceeding, five years or the period he/she remains a member of the Committee, whichever is the shorter period, but will be eligible for re-election as chairperson.

2.9.3 Role and Function

The Standards Committee will have the following roles and functions:

2.9.3.1 promoting and maintaining high standards of conduct by Councillors, co-opted members and church and parent governor representatives;

2.9.3.2 assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct (5.1);

2.9.3.3 advising the Council on the adoption or revision of the Members' Code of Conduct (5.1);

2.9.3.4 monitoring the operation of the Members' Code of Conduct (5.1);

2.9.3.5 advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct (5.1);

2.9.3.6 granting dispensations to councillors , co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct (5.1);

2.9.3.7 dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.

2.9.3.8 the exercise of 2.9.3.1 to 2.9.3.7 above in relation to the community councils in its area and the members of those community councils.

2.9.3.9 s soon as reasonably practicable after the end of each financial year, to submit an annual report to the Council. The report must describe how the committee functions have been exercised during the financial year.

The report must include a summary of what has been done to discharge the general and specific functions of the committee in relation to:

2.9.3.9.1 monitoring, compliance by the group leaders of their duty to promote and maintain high standards of conduct by councilors.

2.9.3.9.2 providing training to group leaders to enable them to fulfil their duty under paragraph 2.9.3.9.1.

2.9.3.9.3 reports and recommendations made or referred to the committee in relation to:

- Guidance issued by the Public Services Ombudsman for Wales (PSOW).
- Investigations by the PSOW
- Matters referred to the Monitoring Officer by the PSOW and action taken
- Decisions taken by the Adjudication Panel for Wales
- Decisions taken by the 1st tier tribunal
- Decisions by the Welsh case tribunal
- action taken by the committee following its consideration of such reports and recommendations.

2.9.3.9.4 The annual report of the standards committee may include recommendations to the authority about any matter in respect of which the committee has functions.

2.9.3.9.5 The council must consider each annual report made by its standards committee before the end of 3 months beginning with the day on which the council receives the report.

Draft Work Programme for Standards Committee 2022/23

| No | Items | Action | Completed / Further Actions |
|----|---|---|---|
| 1 | The Standards Committee's Annual Report to full Council | The Committee to begin consideration of and work on the next Annual Report ahead of their formal meeting in June, 2022. Share the annual report (once considered by the Council) with the PSOW? | Draft report considered at informal meeting on 28/3/2022. Work ongoing for presentation to meeting on 28/6/2022 |
| 2 | Review of Local Resolution Protocol | An amendment was made in March 2022 – further review may be needed after discussions with group leaders. Report anonymised cases dealt with under local resolution processes to PSOW? | Amendment made March 2022 – further work needed. PSOW has issued 'model' protocol for TCCs. |
| 3 | Offer and Provision of training to leaders of political groups. Need to decide: <ul style="list-style-type: none"> • Who will deliver training • Involvement of standards committee members. • Involve senior officers? | Need discussion with political group leaders and democratic services. These arrangements must be made at the start of each administration and training take place within 6 months of the election and be reviewed at least annually | Discussed with HR. Enquiries made of WLGA for any 'bespoke' training available |
| 4 | Communication with political group leaders | Formal reporting process by leaders or more informal? What frequency of reports from group leaders? Arrange meetings periodically to review behaviour? | Met previously 8/3/21 and 27/5/21 |
| 5 | Intervention/notification of low – level complaints some within groups not reported to PSOW. | Need to see response from Penn report by Wales Government. Any reports to be anonymised. | Met previously 8/3/21 and 27/5/21 |
| 6 | Meetings | Last formal meeting 15/12/2021 | Informal meeting held on 28/3/2022 and 27/4/2022. |

| | | | |
|---|--|---|---|
| | | <p>Informal meeting(s) to consider:</p> <ul style="list-style-type: none"> • consultation on WG's draft statutory guidance on standards of conduct • a draft for the Annual Report of the Committee to full Council. • Workplan for 22/23 <p>Next formal meeting scheduled for 28/6/2022.</p> | |
| 7 | Newsletters following the 15.12.2021 formal meeting | Members to consider following-up responses to the Newsletter from a certain number of town and community councils after the discussion of the item at the Committee's formal meeting in December 2021. | |
| 8 | Complaints reporting – Quarterly Update Reports | Work required on a procedure to allow Committee members to ascertain and be assured that reported PSOW cases do not show any particular trend in poor behaviour. This process to preserve and respect (any of) the PSOW's requirements of confidentiality relating to these matters. | |
| 9 | Standards Committee Observing work of Public Committees and full Council | <p>Following a decision that members of the Committee would undertake the role of observing proceedings at formal, public meetings of certain Committees of the Council (Scrutiny and Planning) and full Council meetings, it was communicated to the Group Leaders that this was now effective.</p> <p>Members of the Committee who wish to participate in</p> | Pro-forma report to be developed to ensure all issues recorded. |

| | | | |
|----|-------------------------|--|------------------------------|
| | | this observation role are requested to volunteer so that a schedule can be drawn-up and responsibilities allocated accordingly. | |
| 10 | Training for SC Members | | Discussions on-going with HR |
| 11 | How to Complain | Consideration to be given as to how to publicise how to complain against elected members once it has been settled what the process will be for 'low-level complaints' following the Penn Review and WG's response. | |

The Standards Committee would like to take this opportunity to thank the clerks, and members, from the five Town and Community Councils that were reviewed for their time and co-operation.

The reviews are deemed to have been a productive exercise; the Standards Committee was generally pleased with the findings, as several good practices were noted. However, some common areas of concern have also been identified and these require attention. This Report aims to include both, so that it is a useful guidance to all Town and Community Councils on what needs to be done.

The documents requested:

At each Council the following documents, dating back to May 2017 (i.e. the date of the last election), were requested for the review:

- The Register of Personal Interests – namely the Declarations made at Meetings Register and the Gifts and Hospitality Register
- Copy of the declaration form used by members for declaring personal / prejudicial interests in meetings
- The Council's Code of Conduct
- A list of names of all Councillors [including details of any vacant seats] and confirmation that each current member has undertaken to comply with the Code of Conduct
- Members' Training Records
- Information on Clerk Training
- The Council's Local Resolution Protocol and information on its adoption
- Website address
- Copies of all Council and sub-committee Agenda and Minutes of meetings
- Details of any dispensation granted to Councillors.

Code of Conduct:

The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 came into force on 1st April 2016. There was a requirement for all Town and Community Councils to adopt this amended Code and, once adopted, for an advertisement to be published in one or more newspapers circulating in the local area, and for a copy of the Code to be sent to the Public Services Ombudsman for Wales. **A copy of the statutory Code of Conduct can be seen [here](#) (Appendix 1).**

The Standards Committee was pleased to note that the majority of the Councils reviewed had adopted the same fully.

- **All Councils are asked to ensure the updated Code is brought to the attention of its members and adopted if not already done so.**

Agenda and Minutes:

There is no specific format for Agendas and Minutes; however the Standards Committee considers it good practice to include "Declarations of Interest" as a standing item on each Council Agenda, as a way of reminding members. This was done at all Councils reviewed.

It was felt that, generally, more information should be included in the Minutes under the 'Declaration of Interest' item i.e. (a) name of the member making the oral declaration, (b) to which agenda item the declaration relates, and (c) whether the declaration made was a personal or prejudicial interest. Furthermore, under the business item itself, it would be good practice for the Minutes to confirm (a) whether a declaration of interest has been made, and by whom, (b) whether the interest is personal or prejudicial, (c) details of the personal/prejudicial interest, and (d) when prejudicial, that the member left the meeting room. Including such information assists members of the public to ensure that decisions are made transparently and in the public interest. It may also be good practice, when an oral declaration relates to an interest which a Member has already registered (i.e. declared orally for the first time and then confirmed the same in writing) for the Minutes to confirm the details of when the interest was registered by the Member – this would ensure transparency for the public should they question the same.

Undertaking to comply with the Code of Conduct:

It is a requirement for each member to sign a new undertaking to abide by the council's adopted Code of Conduct at the commencement of each term of office. It was therefore expected that there would be a form for each Councillor following the local elections in May 2017, irrespective of whether the member had been re-elected or not and, whether or not an election took place for that Council; or when that member had been co-opted. Whilst this was done for the vast majority of members in the Councils reviewed, some were missing and other pre-dated May 2017.

The Standards Committee was pleased that, where there are completed Undertaking forms, these have been signed before a witness (the status of whom is detailed in section 83(3) of the Local Government Act 1972); [the clerk, as proper officer of the Council, is usually the witness used and this is compliant].

- Members should check they have signed an undertaking to conform to the Code of Conduct, in the presence of the Clerk, since May 2017.
- Councils are reminded that undertakings must be signed by new and returning Councillors following the May 2022 election.

Clerk Forum:

Several Clerks have suggested they would welcome a "peer support group" as a means for Clerks to share ideas and support each other. This is something which the Committee supports in principle and it has included the idea in a consultation exercise on the "Ethical Framework" by Welsh Government.

Register of Personal Interests (declared in meetings):

→Format of the Register:

- When the previous review was conducted, the majority of the Councils had Registers consisting of (a) the Minutes for the relevant meeting (which confirm the oral declaration of interest made) and (b) the Declaration of Interest forms, completed by each member following an oral declaration of personal and/or prejudicial interest for the first time at a meeting. This was considered a satisfactory format. During this review, the majority of the Councils had Registers consisting of a Table format, where the Clerk will input certain information as received from the Councillor. There is no specific format for the Register, but if a Table is to be relied upon, all relevant information must be included in the summary Table.
- It was noted that many Councils go beyond the requirement in the Code to confirm an oral declaration when it is made for the first time by confirming every oral declaration made with written confirmation (hence, there could be several declaration forms by the same member in relation to the same issue at several different meetings). This appears to be good practice and an easier format for the public to be able to review, albeit, this is not a requirement under the Code of Conduct.
- There were no examples of written confirmation by Members that the details of those interests which are disclosed in their Register have changed. Members are reminded of their obligation to confirm any changes to personal/prejudicial interests which have been registered within 28 days of the change having occurred.
- Members are also reminded that a personal/prejudicial interest will only be deemed to have been previously disclosed if written notification has been provided since the last date on which the individual was elected, appointed or nominated as a member of the Council. Members should bear this in mind particularly following the May 2022 election.

→Publication:

The Register of Interests must be published on your Council's website. The Standards Committee was pleased to note that this was done in all reviewed Councils; this is an improvement since both the 2016 and 2018 Reviews.

→Confirmation of declarations of interests made at meetings Form:

There is no single format for the Declaration of Interests Form to be used to confirm a declaration of personal and/or prejudicial interest made orally at a meeting. The majority of the 'Declaration Forms' reviewed by the Standards Committee followed the IOACC standard document and were satisfactory in terms of the information requested by Members. **A copy of the IOACC Form can be seen [here](#).**

The Standards Committee was not provided with copies of completed forms in several of the reviewed Councils. The Committee therefore had to rely on the information included in the Table register, and this did not always provide a full picture.

It is on this basis that the Committee would suggest publishing the Declaration Forms so that they form part of the Register by sitting behind the Table.

Members are reminded to fully answer all relevant questions on the Declaration Form.

Personal and Prejudicial Interests:

Members do not always appear to understand the requirement to declare personal and/or prejudicial interests when they arise, or which applies when. Members are reminded that:-

- A personal interest is one of those contained within the definitive list in the Code of Conduct;
- A prejudicial interest is a personal interest which an objective observer would consider so significant that it is likely to compromise a member's ability to make a decision in the public interest;
- The distinction is important because members are allowed to participate when they have a personal interest, but not when they have a personal interest which is also prejudicial. If an interest is prejudicial, members must also physically/virtually leave the meeting while the item is under discussion.

Members should ensure they understand their obligations under the Code of Conduct, and if they do not, arrange appropriate training.

A Briefing Note on the declaration of personal and prejudicial interests by Members of Town and Community Councils can be seen [here](#).

If Members have any specific questions, they should be seeking advice from their clerk or contacting the Monitoring Officer at the IOACC on lbxc@nynsmon.gov.uk

Gifts and Hospitality Register:

Whilst there is no requirement for Town and Community Councils to have a Standing Register (i.e. pre-registration of certain interests), your Councils are obliged to maintain the other two Registers required under the Code. There is therefore a requirement for Members to register any gifts and hospitality received by them in their role as Councillors, above a financial threshold which is to be agreed by each Council. This area requires attention as the majority of the Councils reviewed did not have a Register and were unaware of this requirement.

- Councils should have a Register even if it confirms that no declarations have been made.
- Members must appreciate the requirement to register such receipts, and each Council needs to agree on a limit above which all gifts and hospitality must be registered.

Training:

→ Clerk Training:

A properly trained and resourced clerk will assist the Council collectively, being better equipped to advise members, both inside and outside meetings. Members are reminded that clerks are the proper officers within the Councils and that their advice should be given due consideration.

→ Member Training:

Clerks appear to be advising members of training, but members seem to be generally unable/unwilling to attend training. Attending training will assist members with matters such as personal / prejudicial matters and the Standards Committee would encourage Members to consider their training needs.

Councils are advised that, as of May 2022, Town and Community Councils will be required to produce a Training Plan setting out their proposals in relation to the provision of training for Councillors and staff ([section 67 of the Local Government and Elections \(Wales\) Act 2021](#)).

Councils are reminded that an element for training (for Clerk/staff and Members) could be included when the Council sets its precept amount.

The Councils reviewed as part of this exercise did have a training budget available but it appeared it was not always being utilised; the Standards Committee would encourage Councils to make use of the money available for any identified training needs.

Dispensations:

Not many Council members seem to be applying for dispensations.

Dispensations are available for Members when they have a prejudicial interest, but, because of one of the statutory grounds, the member should be able to participate in the discussion, despite the prejudicial interest (e.g. because of the Member's expertise, or more than half the members of the Council has a prejudicial interest). **A Briefing Note on Dispensations, which incorporates the Application Form itself, is available [here](#).**

Websites:

As of May 2015, Town and Community Councils have a statutory requirement to have websites and to publish specified information on these websites. Statutory Guidance has been issued to assist Councils in fulfilling this obligation and a further **copy of this Guidance can be seen [here](#).**

The Standards Committee welcomes the work done in relation to the creation and publication of information on websites, and notes this is an improvement since the last Review in 2018.

- Councils are reminded of the minimum requirements noted in the statutory guidance and are encouraged to comply so as to be visible for the public.

Virtual meetings:

All reviewed Councils were praised for their approach in ensuring Council meetings have been held virtually during the past year, with several Councils allowing the public to access the virtual meetings too.

Councils have also been praised for their adaptations to ensure the requirement under the Code of Conduct for a member who declares a prejudicial interest to leave a meeting is being observed. Councils reported that they have (a) moved Agenda items so that the item is considered last [and the Councillor with the prejudicial interest can leave the meeting] or (b) made use of the "Zoom waiting room" [and Clerks have placed the Councillor with a prejudicial interest in this virtual room until the item has closed].

With [section 47 of the Local Government and Elections \(Wales\) Act 2021](#) detailing that Community Councils must continue with allowing remote access to meetings in the future, the Standards Committee encourages all Councils to adopt similar arrangements for dealing with Code of Conduct requirements.

Local Resolution Protocol:

Of the five Councils reviewed, four had adopted a Local Resolution Protocol (with three using the model prepared by One Voice Wales). The Standards Committee welcomes the adoption of such Protocol in the Councils, as it is good practice, although not mandatory. The Standards Committee also welcomed the fact that none of the Councils where the Protocol had been adopted had reason to use it since its adoption.

- Where Clerks are required to act as mediators under this process, the Standards Committee encourages Clerks to complete relevant training.

GOOD PRACTICE IDENTIFIED IN THE REVIEWS:

- (1) An improvement on the amount of information, including the Register of Personal Interests, published on the Council websites since the last review;
- (2) Councils' willingness to adopt a Local Resolution Protocol;
- (3) Councils have adapted well with ensuring compliance with the Code when conducting virtual meetings;
- (4) The inclusion of "Declarations of Interest" as a standing item on each Council Agenda;
- (5) The format of the 'Declaration Forms' used for declaring personal/prejudicial interests at formal meetings.

AREAS FOR IMPROVEMENT:

- (1) Need to ensure adequate records showing that members sign an undertaking to abide by the Code of Conduct (2016 version) at the commencement of their new term of office;
- (2) The format for the Register of Members' Personal Interests so as to ensure it includes adequate information and is clear for the public;
- (3) Some members' apparent lack of understanding of the distinction between personal and/or prejudicial interests needs to be addressed;
- (4) For councils to maintain a Register of Gifts and Hospitality and that members are aware of the financial limit agreed by their council;
- (5) Attendance at, and the recording of, training by members and officers, particularly in light of the requirement to develop Training Plans as of 2022;
- (6) More details of the interests declared to be included on the Agendas/Minutes for all Council meetings.



**CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL**

Mr Richard Penn
penn.richard@yahoo.com

2/07/2021

Annwyl Mr Penn

Adolygiad o'r Fframwaith Moesegol

Diolch am y cyfle i gwrdd â chi i drafod eich adolygiad o'r Fframwaith Moesegol yn ystod Fforwm Pwyllgorau Safonau Gogledd Cymru ar 24 Mehefin 2021.

Fel Pwyllgor Safonau rydym yn croesawu eich adolygiad ac, fel rhan o'r gwaith i baratoi ar gyfer y Fforwm, cyfarfu'r Pwyllgor Safonau i ystyried pa newidiadau / gwelliannau y gellid eu gwneud. Mae crynodeb isod o'r prif bwyntiau a godwyd gan Bwyllgor Safonau Cyngor Sir Ynys Môn. Gobeithiwn y byddwch yn rhoi ystyriaeth iddynt wrth i chi lunio eich argymhellion i Lywodraeth Cymru:

1. Trefniadau amgen:

Y posibilrwydd o gael trefn "cyffyrddiad ysgafn" ar gyfer cynghorau cymuned sydd â phraesept / cronfa wrth gefn / cyllideb islaw lefel benodol neu ryw fesur gwrthrychol arall.

Neu fel arall, y posibilrwydd o greu is-bwyllgor asesu "sifft gyntaf" i benderfynu a yw cwynion yn deilwng o gael eu

CC-022335-MY/651169

BUSNES Y CYNGOR / COUNCIL BUSINESS

**LYNN BALL LL.B., (Hons.) Cyfreithiwr/Solicitor
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Dear Mr Penn

Review of the Ethical Framework

Thank you for the opportunity of meeting to discuss your review of the Ethical Framework during the North Wales Standards Committee Forum on 24 June 2021.

As a Standards Committee, we welcome your review and, as part of the preparatory work for the Forum, we met as a Standards Committee to consider what changes / improvements might be made. Below is a summary of the key points made by the Isle of Anglesey County Council's Standards Committee. We hope you will take these into consideration in formulating your recommendations to Welsh Government:

1. Alternative arrangements:

The possibility of introducing a "light touch" regime for community councils with a precept / reserve / budget below a specified level, or some other objective measure.

Alternatively, the possibility of creating a "first sift" assessment sub-committee to determine whether there is sufficient

hanfon ymlaen at yr Ombwdsmon.

2. Cyflwyno cwynion:

Paragraff 6(1)(c) o'r Cod. Mae'r geiriad presennol yn creu disgwyliad y bydd Swyddogion Monitro yn gwneud cwynion i'r Ombwdsmon ar ran aelodau. Mae hyn yn creu gwrthdaro i'r Swyddog Monitro pe byddai angen cynghori'r Pwyllgor Safonau yn ddiweddarach. Dylai fod yn eglur bod yr Ombwdsmon yn disgwyl i dystion uniongyrchol wneud cwynion, fel sy'n briodol.

3. Dyletswydd Arweinyddion Grwpiau:

Sut fydd y ddyletswydd statudol newydd ar arweinyddion grwpiau mewn perthynas ag ymddygiad (fel y mae'n cael ei chynnwys yn Neddf Llywodraeth Leol ac Etholiadau (Cymru) 2021) yn cael ei hadlewyrchu yn y Cod? Ac, yn fwy penodol, beth fydd y disgwyliadau ar Bwyllgorau Safonau o ran goruchwyllo'r ddyletswydd hon a roddir ar arweinyddion grwpiau?

4. Cydraddoldeb:

Paragraff 4(a) o'r Cod. Efallai bod angen ystyried diweddarau'r diffiniad o Gydraddoldeb yng nghyd-destun y ddyletswydd gymdeithasol-economaidd newydd, sydd wrth gwrs yn effeithio ar aelodau wrth iddynt wneud penderfyniadau strategol yn eu hawdurdodau.

5. Hyfforddiant mandadol:

(a) Prif gynghorau:

A ddylai'r Cod ei hun gynnwys gofyniad fod aelodau yn cwblhau hyfforddiant gorfodol ar y Cod ac unrhyw elfennau penodol eraill? Mae'n amlwg fod awdurdodau lleol Cymru yn amrywio yn hyn o beth. Yma yng Nghyngor Sir Ynys Môn, mae'n rhaid i aelodau gwblhau hyfforddiant ar y Cod Ymddygiad o

merit for complaints to be forwarded to the Ombudsman.

2. Presenting complaints:

Paragraph 6(1)(c) of the Code. The current wording creates an expectation on Monitoring Officers that they will make complaints to the Ombudsman on behalf of members. This creates a conflict for the Monitoring Officer if there is a need to advise the Standards Committee at a later stage. There should be clarity that the Ombudsman requires first hand witnesses to make complaints, as appropriate.

3. Duty by Group Leaders:

How will the new statutory conduct duty on group leaders (as included in the Local Government and Elections (Wales) Act 2021) be reflected in the Code? More particularly, what will be the expectations on Standards Committees to oversee this duty by group leaders?

4. Equality:

Paragraph 4(a) of the Code. Perhaps there needs to be consideration given to updating the definition of Equality matters in light of the new socio-economic duty which of course impacts members when making strategic decisions in their authorities.

5. Mandatory training:

(a) Principal councils:

Should the Code itself include a requirement that members must complete mandatory training on the Code and any other specific elements? It is clear that local authorities in Wales differ in terms of this requirement. Here in Ynys Môn, Code of Conduct training is mandatory for members within the

fewn chwe mis iddynt gael eu hethol, a ni chaniateir i aelodau eistedd ar y Pwyllgor Cynllunio a Thrywyddedu oni bai eu bod wedi derbyn hyfforddiant penodol. Mae rhai awdurdodau'n gofyn am lai na hyn, ac mae eraill yn gofyn am fwy. A ddylai hyn fod yn gyson ym mhob awdurdod?

first six months of being elected, and members cannot sit on the Planning and Licensing Committee without having received specific training. Some authorities ask for less than this, and others require more. Should this be consistent in every authority?

(b) Cynghorau cymuned:

O ystyried y ddyletswydd statudol newydd ar bob cyngor cymuned i gyhoeddi cynllun hyfforddi blynyddol ar gyfer aelodau a chlercod (sydd wedi'i gynnwys yn Neddf Llywodraeth Leol ac Etholiadau (Cymru) 2021), a oes cyfle i gynnwys unrhyw elfennau gorfodol mewn perthynas â hyfforddiant ar y Cod, ac, os felly beth fyddai'r elfennau gorfodol hynny? Beth am hyfforddiant gorfodol ar gyfer clercod, sy'n mynd tu hwn i'r Cod ei hun ac sy'n delio â materion llywodraethu ehangach? Ein profiad ni yw bod anghydfod ynghylch materion llywodraethu yn aml yn arwain at broblemau yn y berthynas rhwng clercod a rhai aelodau etholedig. A oes angen ehangu'r ymgynghoriad newydd ar gymhwyster ar gyfer clercod?

(b) Community councils:

Given the new statutory duty on all community councils to publish an annual training plan for members and clerks (included in the Local Government and Elections (Wales) Act 2021), is it an opportunity to include any mandatory elements in relation to training on the Code, and, if so what would those mandatory elements be? What about mandatory training for clerks, which goes beyond the Code itself and deals with broader governance issues? It has been our experience that disputes about governance issues are frequently the trigger for relationship issues between clerks and some elected members. Should the new consultation on qualification for clerks be extended further?

6. Cyfryngau cymdeithasol:

Wrth ystyried yr achosion y mae'r Ombwdsmon wedi adrodd arnynt yn ddiweddar mae'n holl bwysig bod y Cod yn rhoi sylw i Gyfryngau Cymdeithasol, er ein bod yn gwerthfawrogi mai'r llwyfan sy'n wahanol yn hytrach na'r disgwyliadau o ran ymddygiad.

6. Social media:

Considering the cases recently reported by the Ombudsman, it is imperative that the Code addresses the issue of Social Media although we appreciate that it is the platform which is different, rather than the behavioural expectations.

7. Parch a bwlio:

Mae parch a bwlio yn ddau faes sylweddol o ran cwynion ac mae angen eglurder ynghylch pa faterion y dylai'r Ombwdsmon ystyried ymchwilio iddynt o dan y Cod Ymddygiad. Mae Calver, a phenderfyniadau dilynol, wedi codi mwy o gwestiynau nag y maent wedi eu hateb, yn arbennig mewn perthynas â'r

7. Respect and bullying:

Respect and bullying are two significant areas for complaints and clarity is required as to what matters should be considered for investigation by the Ombudsman under the Code of Conduct. Calver, and subsequent decisions, have raised more questions than they have answered, particularly

berthynas rhwng aelodau ac uwch swyddogion; ac yn arbennig Prif Weithredwyr yn derbyn cwynion cynyddol a gohebiaeth ormesol gan rai aelodau.

8. Datrysiad lleol:

(a) Prif gynghorau:

A ddylid cael protocol datrysiad lleol safonol ar gyfer prif gynghorau er mwyn sicrhau cysondeb a thegwch i bob aelod etholedig?

Yn arwain o hyn, a ddylai fod yn ofynnol i aelodau etholedig ymrwymo i gydweithredu â phrotocol datrysiad lleol (fyddai'n cael ei weithredu'n lleol a'i fabwysiadu'n genedlaethol) o dan y Cod Ymddygiad ei hun?

Yn ein barn ni fel Pwyllgor Safonau, nid yw'r broses datrysiad lleol wedi bod yn effeithiol oherwydd ei bod yn broses wirfoddol.

(b) Cynghorau cymuned:

O safbwynt datrysiad lleol mewn cynghorau cymuned, mae'n ymddangos nad yw pob cyngor wedi mabwysiadu model Un Llais Cymru; mae rhai wedi creu eu dogfen eu hunain ac nid oes gan eraill brotocol o gwbl. Unwaith eto, a ddylid datblygu protocol datrysiad lleol safonol ar gyfer y cynghorau cymuned?

O ran model Un Llais Cymru, rydym yn credu fod problemau efo'r model hwn oherwydd ei fod yn rhoi cyfrifoldeb ar y clerwr a'r cadeirydd i weithredu'r datrysiad. O'n profiad ni fel Pwyllgor, yn amlach na pheidio, problem yn y berthynas rhwng y clerwr a'r cadeirydd yw'r rheswm am weithredu'r protocol yn y lle cyntaf, ac o'r oherwydd nid yw Protocol Un Llais Cymru yn addas

with regard to the relationship between members and senior officers; and particularly Chief Executives receiving cumulative complaints and oppressive correspondence from certain members.

8. Local Resolution:

(a) Principal councils:

Should there be a standard local resolution protocol for principal councils in order to provide consistency and fairness to all elected members?

Following from this, should it be mandatory for elected members to undertake to co-operate with the local resolution protocol (locally applied and nationally adopted) under the Code of Conduct itself?

As a Standards Committee, it is our opinion that the local resolution protocol has proved ineffective because it is voluntary.

(b) Community councils:

In relation to local resolution at community councils, it seems that not all councils have adopted the One Voice Wales model; some have created their own document and others are without any protocol. Once again, should a standardised local resolution protocol be developed for community councils?

As far as the One Voice Wales model is concerned, we believe there are problems with this model as it focuses on the clerk and the chair as undertaking the resolution. However, from this committee's experiences, it is often difficulties in the relationship between the clerk and the chair that required local resolution in the first place; making the One Voice Wales Protocol unsuitable.

Beth yw rôl Pwyllgorau Safonau mewn datrysiad lleol ar lefel cynghorau cymuned, os oes rôl iddynt o gwbl? Mae unrhyw ddau aelod o'n Pwyllgor yn cynnal y broses datrysiad lleol, yn wirfoddol, gyda rhai cynghorau cymuned. Mae'r Pwyllgor wedi derbyn hyfforddiant datrysiad lleol gan y Ganolfan Craffu Cyhoeddus ac rydym ar fin derbyn yr hyfforddiant hwn unwaith eto.

A oes opsiynau eraill ar gyfer cyfryngwyr hyfforddedig e.e. Un Llais Cymru neu a ddylai hyn fod yn swyddogaeth i'r Pwyllgor Safonau ar gais yr Ombudsmon?

What if anything should be the role for Standards Committees in local resolution at community level? Any two members of our Committee undertake the local resolution process, on a voluntary basis, with some community councils. The Committee has received training on local resolution from the Centre for Public Scrutiny and we are about to undertake this training again.

Are there other options for trained mediators e.g. One Voice Wales or should this be a Standards Committee function at the request of the Ombudsman?

9. Clercod Cynghorau Cymuned:

(a) Rhwydwaith:

Mae ein Pwyllgor yn cynnal adolygiadau rheolaidd o lywodraethiant mewn sampl o gynghorau cymuned ac yn adrodd ar y canfyddiadau a'r argymhellion cyffredinol. Yn ystod y broses hon, nododd nifer o glercod cynghorau cymuned y byddent yn gwerthfawrogi rhwydwaith o glercod i gefnogi ei gilydd gan y gall y swydd fod yn un unig. Efallai y byddai adolygu'r Fframwaith Moesegol yn gyfle i sefydlu trefniant o'r fath.

(b) Pecyn cymorth:

Fel y gwyddoch, mae bod yn glerc yn golygu llawer mwy na drafftio rhaglenni a chymryd cofnodion: maent yn swyddogion proffesiynol ac mae ganddynt gyfrifoldebau statudol. Byddai creu pecyn cymorth ar gyfer clercod (yn ychwanegol i'r syniad o greu rhwydwaith cymorth, fel y nodir ym mhwynt 9(a) uchod) yn cadarnhau'r gofynion ac yn cynnig cysondeb mewn safonau ymysg gwahanol gynghorau. Byddai hefyd yn ddefnyddiol os byddai unrhyw hyfforddiant a ddatblygir yn cyd-fynd

9. Community Council Clerks:

(a) Network:

Our Committee undertakes regular governance reviews at a sample of community councils, and reports generic findings and recommendations. During the course of this process, several community clerks noted that they would appreciate a network of clerks to support one another as the job can often be isolating. Reviewing the Ethical Framework might be an opportunity to set up such an arrangement.

(b) Toolbox:

As you know, being a clerk is much more than drafting agendas and taking minutes; they are professional officers with statutory responsibilities. Creating a toolbox for clerks (in addition to the idea of creating a support network, as noted in point 9(a) above) would confirm the requirements and offer consistency of standards between different councils. It would also be useful if any training developed would complement the contents of this toolbox.

efo cynnwys y pecyn cymorth hwn.

10. Swyddogion Monitro:

(a) Llawlyfr:

Mae angen diweddarau llawlyfr y Swyddogion Monitro.

(b) Hyfforddiant:

Ar hyn o bryd nid oes rhaglen hyfforddi genedlaethol yng Nghymru ar gyfer darpar Swyddogion Monitro. Nid yw'r hyfforddiant a ddarperir yn Lloegr yn briodol erbyn hyn oherwydd gwahaniaethau mewn deddfwriaeth. Credir ei bod yn bwysig sicrhau bod y cyngor a roddir i Bwyllgorau Safonau, aelodau etholedig, cynghorwyr cymuned ac ati yn gywir ac yn gyfredol a bod trefniadau priodol yn cael eu gwneud ar gyfer cynllunio olyniaeth. Mae hyn yn hanfodol er mwyn sicrhau bod y Fframwaith Moesegol yn gweithredu'n effeithiol.

Fel rhan o hyn, efallai y dylid ystyried cymhwyster ffurfiol ar gyfer cyfreithwyr llywodraethiant sy'n dymuno bod yn Swyddogion Monitro?

11. Pwerau Cosbi Panel Dyfarnu Cymru:

Mae'r adolygiad hwn yn gyfle i ailystyried pwerau cosbi Panel Dyfarnu Cymru, a Phwyllgorau Safonau, pan ganfyddir fod y Cod wedi cael ei dorri. Efallai y byddai ystod ehangach o gosbau wedi eu teilwra yn ddefnyddiol. Er enghraifft, efallai mai'r gosb yw gwahardd dros dro am gyfnod penodol o amser, ond ni fyddai hynny'n cael ei weithredu os yw'r aelod yn cyflwyno ymddiheuriad ysgrifenedig o fewn cyfnod penodol o amser; neu, bod yr aelod yn cwblhau hyfforddiant penodol o fewn cyfnod penodol o amser. Byddai hyn wedyn yn sicrhau cydbwysedd rhwng (A) "cosbi" achos o dorri'r Cod a (B) y ffaith nad oes gan etholwyr gynrychiolaeth tra bod eu

10. Monitoring Officers:

(a) Handbook:

The Monitoring Officer's handbook needs updating.

(b) Training:

There is currently no national programme of training in Wales for future Monitoring Officers. That provided in England is no longer appropriate owing to divergent legislation. It is felt that this is important to ensure the advice provided to Standards Committees, elected members, community councillors etc., is correct and current and that there is adequate succession planning. This is essential so as to ensure that the Ethical Framework operates effectively.

As part of this, perhaps consideration should be given to a formal qualification for governance solicitors wishing to be Monitoring Officers?

11. Adjudication Panel for Wales' Sanction Powers:

This review is an opportunity to review the sanction powers of the Adjudication Panel for Wales, and Standards Committee, when there is a finding of a breach of the Code. A wider range of tailored sanctions might be useful. For instance, perhaps the sanction is that of suspension for a specified period of time but this will not be implemented if the member provides a written apology within a specified time; or, that the member completes particular training within a specific time. This would then ensure a balance between (A) "punishing" a breach of the Code and (B) the fact that electors are without

haelod wedi cael ei wahardd dros dro.

representation when their member is suspended.

Gobeithir y bydd y llythyr hwn yn rhoi syniad i chi o'r materion sy'n bwysig i'r Pwyllgor Safonau yma ar Ynys Môn ac rydym yn edrych ymlaen at y broses ymgynghori a fydd yn dilyn eich adroddiad cychwynnol i Lywodraeth Cymru.

It is hoped that this letter will provide you with an indication of the matters that are important to the Standards Committee here in Ynys Môn and we look forward to the consultation process that will follow your initial report to Welsh Government.

Llawer o ddiolch

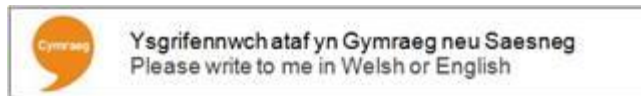
Many thanks

Yn gywir

Yours sincerely,

John R Jones

John R Jones
Cadeirydd – Pwyllgor Safonau Cyngor Sir Ynys Môn
Chair – The Isle of Anglesey's Standards Committee



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Draft Work Programme for Standards Committee 2022/23

| No | Items | Action | Completed / Further Actions |
|----|---|---|---|
| 1 | The Standards Committee's Annual Report to full Council | The Committee to begin consideration of and work on the next Annual Report ahead of their formal meeting in June, 2022. Share the annual report (once considered by the Council) with the PSOW? | Draft report considered at informal meeting on 28/3/2022. Work ongoing for presentation to meeting on 28/6/2022 |
| 2 | Review of Local Resolution Protocol | An amendment was made in March 2022 – further review may be needed after discussions with group leaders. Report anonymised cases dealt with under local resolution processes to PSOW? | Amendment made March 2022 – further work needed. PSOW has issued 'model' protocol for TCCs. |
| 3 | Offer and Provision of training to leaders of political groups. Need to decide: <ul style="list-style-type: none"> • Who will deliver training • Involvement of standards committee members. • Involve senior officers? | Need discussion with political group leaders and democratic services. These arrangements must be made at the start of each administration and training take place within 6 months of the election and be reviewed at least annually | Discussed with HR. Enquiries made of WLGA for any 'bespoke' training available |
| 4 | Communication with political group leaders | Formal reporting process by leaders or more informal? What frequency of reports from group leaders? Arrange meetings periodically to review behaviour? | Met previously 8/3/21 and 27/5/21 |
| 5 | Intervention/notification of low – level complaints some within groups not reported to PSOW. | Need to see response from Penn report by Wales Government. Any reports to be anonymised. | Met previously 8/3/21 and 27/5/21 |
| 6 | Meetings | Last formal meeting 15/12/2021 | Informal meeting held on 28/3/2022 and 27/4/2022. |

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|---|--|---|---|
| | | <p>Informal meeting(s) to consider:</p> <ul style="list-style-type: none"> • consultation on WG's draft statutory guidance on standards of conduct • a draft for the Annual Report of the Committee to full Council. • Workplan for 22/23 <p>Next formal meeting scheduled for 28/6/2022.</p> | |
| 7 | Newsletters following the 15.12.2021 formal meeting | Members to consider following-up responses to the Newsletter from a certain number of town and community councils after the discussion of the item at the Committee's formal meeting in December 2021. | |
| 8 | Complaints reporting – Quarterly Update Reports | Work required on a procedure to allow Committee members to ascertain and be assured that reported PSOW cases do not show any particular trend in poor behaviour. This process to preserve and respect (any of) the PSOW's requirements of confidentiality relating to these matters. | |
| 9 | Standards Committee Observing work of Public Committees and full Council | <p>Following a decision that members of the Committee would undertake the role of observing proceedings at formal, public meetings of certain Committees of the Council (Scrutiny and Planning) and full Council meetings, it was communicated to the Group Leaders that this was now effective.</p> <p>Members of the Committee who wish to participate in</p> | Pro-forma report to be developed to ensure all issues recorded. |

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|----|-------------------------|--|------------------------------|
| | | this observation role are requested to volunteer so that a schedule can be drawn-up and responsibilities allocated accordingly. | |
| 10 | Training for SC Members | | Discussions on-going with HR |
| 11 | How to Complain | Consideration to be given as to how to publicise how to complain against elected members once it has been settled what the process will be for 'low-level complaints' following the Penn Review and WG's response. | |

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