

# 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  
LLANGFNI  
Ynys Môn - Anglesey  
LL77 7TW

Ffôn / tel (01248) 752500  
Ffacs / fax (01248) 750839

<b>RHYBUDD O GYFARFOD</b>		<b>NOTICE OF MEETING</b>	
<b>PWYLLGOR SAFONAU</b>		<b>STANDARDS COMMITTEE</b>	
<b>DYDD MERCHER, 13 RHAGFYR 2023 am 10:00 o'r gloch</b>		<b>WEDNESDAY, 13 DECEMBER 2023 at 10:00 am</b>	
<b>CYFARFOD HYBRID - YN YSTAFELL BWYLLGOR 1 AC YN RHITHWR</b>		<b>HYBRID MEETING - VIRTUAL AND IN COMMITTEE ROOM 1</b>	
<b>Swyddog Pwyllgor</b>	<b>Mrs Shirley Cooke 01248 752514</b>	<b>Committee Officer</b>	

## **Aelodau Annibynnol / Independent Members**

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

## **Yn cynrychioli'r Cyngor Sir / Representing the County Council**

Y Cynghorydd/Councillor Margaret M Roberts  
Y Cynghorydd/Councillor Dafydd Rhys Thomas

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

Mr Iorwerth Roberts  
Mrs Margaret Thomas

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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** (Pages 1 - 10)

To confirm the draft minutes of the previous meeting of the Standards Committee held on 14 June 2023.

**3 DEMOCRATIC SERVICES UPDATE** (Pages 11 - 14)

A report by the Head of Democracy.

**4 MEMBER DEVELOPMENT** (Pages 15 - 26)

A report by the Human Resources Training Officer.

**5 CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES**  
(Pages 27 - 32)

A report by the Director of Function (Council Business)/Monitoring Officer in relation to:-

- (a) County Councillors, and
  - (b) Town/Community Councillors
- for Quarters 1 and 2 of 2023/2024

**6 DECISIONS BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES** (Pages 33 - 52)

A report by the Director of Function (Council Business)/Monitoring Officer on the Public Services Ombudsman for Wales Investigation Outcomes published since the last Standards Committee on 14 June 2023.

**7 DECISIONS BY THE ADJUDICATION PANEL FOR WALES** (Pages 53 - 64)

A report by the Director of Function (Council Business)/Monitoring Officer on the APW's decisions in Wales since the last Standards Committee on 14 June 2023.

**8 APPLICATIONS FOR DISPENSATIONS** (Pages 65 - 70)

A report by the Director of Function (Council Business)/Monitoring Officer on the applications for dispensations considered by the Standards Committee since the last Standards Committee on 14 June 2023.

**9 LOCAL RESOLUTION PROTOCOLS FOR TOWN AND COMMUNITY COUNCILS**  
(Pages 71 - 74)

A report by the Director of Function (Council Business)/Monitoring Officer detailing the Local Resolution Protocol developed by the Standards Committee for use in the Town and

Community Councils.

- 10**     **UPDATE FROM THE NATIONAL STANDARDS COMMITTEE FORUM** (Pages 75 - 78)  
A report by the Director of Function (Council Business)/Monitoring Officer on the National Forum for Independent Members of Standards Committees in Wales.
- 11**     **TOWN AND COMMUNITY COUNCILS' TRAINING PLANS** (Pages 79 - 82)  
A report by the Director of Function (Council Business)/Monitoring Officer detailing the responses received from the Town and Community Council to the Standards Committee's request for documentation.
- 12**     **SUMMARY OF RESPONSES TO THE WELSH GOVERNMENT'S CONSULTATION ON THE PENN REVIEW** (Pages 83 - 92)  
A report by the Director of Function (Council Business)/Monitoring Officer detailing the Summary published by Welsh Government of the responses it received to its Consultation on the Penn Review's Findings.
- 13**     **ANNUAL REPORT FOR THE STANDARDS COMMITTEE** (Pages 93 - 100)  
A report by the Director of Function (Council Business)/Monitoring Officer enclosing the Annual Report for 2022/2023.
- 14**     **INDEMNITIES POLICY** (Pages 101 - 112)  
A report by the Director of Function (Council Business)/Monitoring Officer enclosing a copy of the Indemnities Policy as discussed by the Democratic Services Committee at its meeting on 29 November 2023.
- 15**     **REVIEWS OF THE REGISTERS OF INTERESTS FOR A SAMPLE OF THE ELECTED MEMBERS OF THE COUNTY COUNCIL** (Pages 113 - 124)  
A report by the Director of Function (Council Business)/Monitoring Officer with details of the process to be followed when conducting the reviews of registers of interests for a sample of elected members.

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## **STANDARDS COMMITTEE**

### **Minutes of the meeting held on 14 June 2023**

**PRESENT:** **Independent Members**

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

**Representing the County Council**

Councillor Trefor Lloyd Hughes MBE  
Councillor Dafydd Rhys Thomas

**Representing Town and Community Councils**

Councillor Iorwerth Roberts

**IN ATTENDANCE:** Legal Services Manager & Deputy Monitoring Officer (RJ)  
Head of Democracy (DS) (for Item 3)  
Solicitor (Corporate Governance) (MY)  
Human Resources Training Manager (MW) (for Item 4)  
HR Training Officer (AJ) (for Item 4)  
Committee Officer (SC)

**APOLOGIES:** Mrs Margaret Thomas (Town & Community Council  
Representative)  
Director of Function (Council Business)/Monitoring Officer

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The Chair welcomed all those present to the meeting. He extended his best wishes to the HR Training Manager on her retirement and thanked her for her excellent work over the years with the Standards Committee.

The Chair, on behalf of the Standards Committee, also offered his condolences to Mrs Sharon Warnes at this difficult time, on the loss of her husband. A minute's silence was observed as a mark of respect.

#### **1. DECLARATION OF INTEREST**

No declaration of interest was received.

## **2. MINUTES OF THE MEETING**

The draft minutes of the Standards Committee held on 14 December 2022 were confirmed as correct.

## **3. ELECTED MEMBERS' ANNUAL REPORTS**

Submitted – a report by the Head of Democracy in response to concerns raised at the Committee's last meeting regarding the low uptake in members submitting annual reports.

The Head of Democracy reported that arrangements are in place to raise awareness and encourage new members to submit and publish annual reports on their activities. He stated that members have been informed of the process and timetable for presenting annual reports, and Group Leaders have also been briefed on the matter.

It was noted that 24 reports out of 35 (68%) have been received to date for 2022/23, which compares favourably with previous years.

The Head of Democracy reported that an updated version of this report will be presented to a Group Leaders' meeting this month and the Democratic Services Committee on 28 June 2023.

The Head of Democracy reported that he proposes to undertake the following: -

- To further discuss with individual members ways to overcome any barriers that may be present in relation to presenting and publishing annual reports.
- To discuss with other County Councils ways to identify good practice/lessons to improve the uptake in annual reports.
- To develop the template for completing annual reports to ensure that it is user friendly.

**RESOLVED to note the content of the report.**

**Action: None**

## **4. MEMBER DEVELOPMENT**

Submitted - a report by the Human Resources Training Manager on the training and development provision that has been offered to elected members during the past financial year.

The HR Training Manager reported that 59 training days were offered to members between May 2022 and March 2023 on a wide range of topics eg Charing and ICT skills, with some sessions aimed at specific Committees e.g. Planning and Orders Committee / Governance and Audit Committee. It was noted that attendances at the training sessions had been varied.

The HR Training Manager reported that arrangements are in place for the 2023/24 Training Plan. She referred to the Member Development Strategy 2022-2027, which highlights the support the Council must facilitate for its members. She stated that each member has been invited to undertake a development interview to discuss one's individual's training needs. It was noted that the Leadership Team and Heads of Service will also be consulted and invited to submit any potential development and training needs. The draft Training Plan will then be presented to the Chair of the Democratic Services Committee and Head of Democracy for approval.

It was noted that in addition to the Training Plan, Elected Member Bulletins have been published and circulated, which summarise the training that is available on Learning Pool. The E-Learning modules now include Health and Wellbeing and generic and specific modules for members' roles. It was further noted that quarterly reports detailing members' attendances at training sessions will be distributed to Group Leaders in future.

The HR Training Manager reported that this year, consideration will be given to convening more hybrid/face to face training sessions. She stated that the timing of training sessions is continually being reviewed to offer flexibility and respond to the needs of individuals who have work/caring commitments.

A member suggested that additional training on planning matters should be provided to members of the Planning and Orders Committee. The HR Training Manager suggested that in the first instance it would be advisable to speak to Planning Officers regarding further training.

**RESOLVED: -**

- **To note the content of the report.**
- **To present the Members' Training Plan to the Democratic Services Committee on 28 June 2023 for approval.**
- **That the HR Training Manager raises the issue of additional training provision on planning matters for members of the Planning and Orders Committee with the Council's Planning Officers.**

**Action: See Resolution above**

**5. CONDUCT COMPLAINTS TO THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW)**

Submitted - a report by the Solicitor (Corporate Governance) in the form of an updated matrix on quarterly complaints received by the Public Services Ombudsman for Wales (PSOW) in relation to (a) County Councillors, and (b) Town/Community Councillors.

The Legal Services Manager & Deputy Monitoring reported that no complaint had been submitted to the PSOW against a County Councillor for Quarter 3, 2022/23 (October - December 2022) or Quarter 4, 2022/23 (January - March 2023).

It was also noted that no complaint had been lodged with the PSOW against a Town/Community Councillor for Quarter 3 or Quarter 4, 2022/23.

**RESOLVED: -**

- **To note the content of Enclosures 1-4.**
- **That the Director of Function (Council Business)/Monitoring Officer distributes Enclosures 1-4 to elected and co-opted members of the Council, and members of the Town and Community Councils via their respective Newsletters.**

**Action: See Resolution above**

## **6. PUBLISHED FINDINGS BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES (PSOW) FOR ALL COUNCILS IN WALES**

Submitted - a report by the Solicitor (Corporate Governance) summarising information on the Public Services Ombudsman for Wales (PSOW) website on Code of Conduct matters between December 2022 and May 2023.

The Legal Services Manager and Deputy Monitoring Officer reported that a comprehensive summary of the 7 cases involving a breach of the Code of Conduct was presented in Enclosure 1 of the report.

The Solicitor (Corporate Governance) reported that the main theme from the report is that the Ombudsman still uses the two-step threshold to determine whether a complaint should be investigated. She stated that two of the cases had been referred to the Adjudication Panel for Wales, and two had been referred to the relevant Standards Committee. Case number 2 is discussed in more detail under agenda item number 7.

It was noted that the Ombudsman's decisions will be included in the next Newsletters to County Councillors and Town and Community Councillors.

**RESOLVED: -**

- **To note the content of the report.**
- **To include links to the Ombudsman's reported cases and learning points in the Newsletters to County Councillors and Town and Community Councillors.**

**Action: See Resolution above**

## **7. ADJUDICATION PANEL FOR WALES DECISIONS**

Submitted – a report by the Solicitor (Corporate Governance) summarising the key issues and learning points presented in the decisions published by the Adjudication Panel for Wales (APW), since the Standards' Committee's last meeting in December 2022.



The Legal Services Manager and Deputy Monitoring Officer gave a summary of the following 2 cases that had been referred to the APW: -

Case 1 – Councillor Paul Rogers’ appeal against a decision by Wrexham County Borough Council’s Standards Committee had not been submitted by the required deadline. It was noted that members must be mindful of technical issues when forwarding appeals and adhering to strict time limits which are set for Appeal Tribunals.

Case 2 – Former Councillor Sheila Jenkins’ case is more complex and involves a former councillor who had taken part in an item of business and failed to declare personal and prejudicial interests on two separate occasions. The Case Tribunal considered that the breach of the Code was of a serious nature and imposed a sanction of disqualification for one year.

**RESOLVED to note the case studies presented in the report.**

**Action: None**

## **8. APPLICATIONS FOR DISPENSATIONS**

No report was presented, as it was noted that no applications for dispensations have been received during the period since the last meeting of the Standards Committee and the date of publishing this agenda.

## **9. LOCAL RESOLUTION PROTOCOL FOR THE TOWN AND COMMUNITY COUNCILS**

Submitted – a report by the Solicitor (Corporate Governance) on introducing a Local Resolution Protocol (LRP) for Town and Community Councils (TCCs).

The Solicitor (Corporate Governance) reported that the Standards Committee has previously discussed whether the Standards Committee wishes to adopt a LRP for TCCs, similar to the Protocol drafted by the Committee and adopted by members of the County Council.

The Solicitor (Corporate Governance) reported that One Voice Wales has published a Protocol for use by TCCs to assist them to resolve low-level issues internally. She stated that the Standards Committee encourages all TCCs to adopt and, where necessary, utilise that Protocol, although not all TCCs have adopted it. It is also not always workable, as it relies heavily on the Chairs and Clerks of the relevant TCC being involved in the process, which is not always possible if they are a party to the dispute.

It was noted that the Standards Committee has previously assisted TCCs with informal resolution processes. It was further noted that participation in such process is voluntary and is conducted at the discretion of the Standards Committee’s Chair.

Discussion focused on whether the Committee should develop its own Protocol to deal with conduct issues, which would complement the One Voice Wales Protocol. Following discussion, the Committee accepted the draft proposal put forward in Enclosure 1, subject to minor amendments i.e. to provide clarity on the circumstances where the One Voice Wales Protocol may be unsuitable, and use less technical language in the document.

Clarity was sought on whether One Voice Wales could adapt its own Protocol and provide training support to TCCs. The Solicitor (Corporate Governance) responded that the LRP published by One Voice Wales details that officers/members of *“Town and Community Councils should receive training so they are able to implement the Protocols”*.

**RESOLVED: -**

- **That the Solicitor (Corporate Governance) writes to One Voice Wales to enquire whether the organisation offers training on its published Local Resolution Protocol, with a view to share this information with TCCs.**
- **To accept the Standard’s Committee’s Draft Resolution Protocol for Town and Community Councils in Enclosure 1, subject to the minor amendments listed in the report.**
- **That the Standards Committee forwards a copy of its TCC Local Resolution Protocol to the Town and Community Councils via Newsletter and present a copy, through the Chair of the Committee, to a meeting of the Town and Community Councils Forum.**
- **That the Standards Committee holds further discussion on ways to promote the Standards Committee’s Protocol for Town and Community Councils.**

**Action: See Resolution above**

## **10. UPDATE FROM THE NATIONAL STANDARDS COMMITTEE FORUM**

Submitted – a report by the Solicitor (Corporate Governance), following the National Standards Committee Forum’s first meeting in January this year.

The Legal Service Manager and Deputy Monitoring Officer reported that the Standards Committee will have an opportunity through the Chair to raise any other important issues at the next Forum meeting on 30 June.

The Chair reported that in the last meeting he raised the following questions: -

- How do other Councils prepare and deliver Members’ Annual Reports?
- Do other local authorities provide Chairing Skills Training? Could training be arranged via the Forum?

It was noted that the Forum agreed to look further at Members’ Annual Reports and Chairing Skills Training.

The Chair asked the Standards Committee to consider whether they wished to raise any issues in the Forum's next meeting, so that they could be itemised on the next agenda.

**RESOLVED: -**

- **To note the content of the report.**
- **That the Chair follows up on the above matters including if Chairing training is mandatory in other authorities, and raises the following additional matters in the next Forum meeting: -**
  - **What sort of role (processes/procedures) do other Standards Committees take when dealing with Town and Community Councils?**
  - **What are the experiences of other Standards Committees of One Voice Wales training?**

**Action: See Resolution above**

**11. DRAFT ANNUAL REPORT FOR THE STANDARDS COMMITTEE 2022/2023**

Submitted – a Draft Annual Report by the Solicitor (Corporate Governance) together with the Standards Committee's proposed Work Programme for 2023/24.

The Solicitor (Corporate Governance) reported that members have met informally to discuss the Draft Annual Report and agreed a Work Programme for 2023/24. She stated that the Report is currently incomplete, as the process for Group Leaders providing information relating to their new duties is still ongoing.

**RESOLVED: -**

- **To agree on the content of the draft report and enclosures subject to including an additional sentence to thank the officers that support the Committee for their work.**
- **That the current Draft Annual Report for 2022/23 (Enclosure 1) be updated in accordance with information obtained after the process of gathering information from Group Leaders has been completed.**
- **That any changes to the Annual Report be made either in an informal meeting or via correspondence with all Committee members, in accordance with the Chair's instructions, having discussed with the Monitoring Officer.**

**Action: See Resolution above**

**12. WELSH GOVERNMENT'S CONSULTATION ON THE PENN REVIEW**

Submitted – a report by the Solicitor (Corporate Governance) on the Welsh Government's draft consultation on the Penn Report.

The Solicitor (Corporate Governance) reported that Welsh Government is undergoing a consultation process on the Penn Review. She stated that the

Standards Committee had met informally to discuss the Standards Committee's views in response to specific questions included in the consultation document (Enclosure 1). The Standards Committee had considered the questions and a draft of its response (Enclosure 2) had been prepared. The Standards Committee's draft response was presented by the Committee's Chair at a meeting of the Group Leaders.

The Chair reported that in the Group Leader's meeting, discussion focused on the period before former councillors or former officers could become members of the Standards Committee. He stated that this was an area where there was no clear consensus. Two Group Leaders accepted the Standards Committee's proposal, as follows: -

1. Former councillors should be able to sit as independent member on the Standards Committee of the council to which they were elected two years after the termination of their elected office, and
2. Most former Council employees should be able to sit as independent members on the Standards Committee of the council with which they were employed after 12 months of their employment ending. For individuals who held a politically restricted post, they should wait two years after the termination of their employment.

Another two Group Leaders felt that the grace period for former employees should be 3 years, and former councillors should not be eligible as independent member on a Standards Committee.

It was noted that following the collation of responses in the consultation process, Welsh Government will provide general feedback on the responses received to the consultation. There will be an opportunity for the Standards Committee to consider that overview in due course.

**RESOLVED: -**

- **That the Standards Committee approves the draft response in Enclosure 2 of the report, subject to the Solicitor (Corporate Governance) and the Chair adapting the wording of the document [as detailed in the third bullet point below].**
- **That the Chair forwards the Standards Committee's response on the draft consultation on behalf of Anglesey County Council to Welsh Government, and**
- **That the Chair includes in the consultation response that there was a difference of opinion in questions 14 and 15 in relation to the timing of former councillors and employees becoming independent members of the Standards Committee.**
- **That the Monitoring Officer informs the Standards Committee of any documentation or information received from the Welsh Government's Consultation on the Penn Review.**

**Action: See Resolution above**

### **13. TOWN AND COMMUNITY COUNCILS (TCCs) TRAINING PLANS**

Submitted – a report by the Solicitor (Corporate Governance) on the above.

The Solicitor (Corporate Governance) reported that it is now a statutory requirement for every Town and Community Council (TCC) to develop and publish an annual Training Plan for both councillors and officers. The first Training Plan was required to be published within 6 months of the local government election in May 2022.. She stated that the Standards Committee, in its Newsletter to TCCs, requested a copy of each TCCs current Training Plans. It was noted that only 5 of the 40 TCCs had responded.

Concerns were expressed that the responses from TCCs had been disappointing. Discussion focused on ways to remind and assist TCCs of their legal obligation to produce Training Plans and publish them on their websites.

#### **RESOLVED: -**

- **To note the information detailed regarding TCCs in Enclosure 1 of the report.**
- **To write to all TCCs to enquire whether they have received a copy of the Standards Committee's Newsletter requesting a copy of their Training Plans.**
- **That an update report be presented to the Standards Committee's next formal meeting on the Training Plans.**

**Action: See Resolution above**

The Chair thanked Mrs Celyn Edwards for her work with the Standards Committee. He stated that she will be standing down as a member of the Committee soon.

The meeting concluded at 12.10 pm

**MR JOHN R JONES  
CHAIR**

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<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>Committee:</b>	Standards Committee
<b>Date:</b>	13 December 2023
<b>Title of report:</b>	Democratic Services Update
<b>Purpose of report:</b>	To update the Committee on the work of the service following the Committee meeting in June and further discussions over the summer.
<b>Author:</b>	Dyfan Sion, Head of Democratic Services

## Background

1. A report was presented to the Committee in June on arrangements for members' annual reports and we consulted with the Committee over the summer on revising the Protocol for Hybrid Meetings and members wellbeing arrangements.
2. This report provides an update on the following matters:
  - a. Protocol for Hybrid Committee Meetings
  - b. Wellbeing of members – training and support
  - c. Elected members annual reports
  - d. Job descriptions for members and group leaders
  - e. Members register of interests.

## Protocol for Hybrid Meetings

3. The Protocol was revised over the summer in order to combine two documents and to provide clear and current guidance to members of Council committees. During the process of developing the new protocol, we consulted with the Democratic Committee; Group Leaders and the Standards Committee.
4. The aim of the Protocol is to support and complement the guidance and procedures contained in the Council's Constitution, by providing additional information on hybrid meeting arrangements. It also aims to support the Member Code of Conduct by explaining the expectations on Members when they take part in remote meetings.

5. The Protocol was shared with members in October and was published on the Council's intranet. Following this, the statement at the start of each committee meeting which is read by the Chair was also revised to reflect the main changes / messages in the Protocol. For example, it highlights the requirement for members attending remotely to keep their cameras on during meetings and to inform the Chair if they need to leave the meeting for whatever reason.
6. We intend to review the Protocol after six months to consider if there's a need for further revisions or to raise awareness among members.

### **Member Wellbeing**

7. With increasing concerns about abusive comments and threatening behaviour towards elected members at all levels, it's important that county councillors receive adequate training and support to protect their wellbeing.
8. Information was shared with members in the lead up to the mental health awareness week in May about the support that is available, e.g., targeted training for members; corporate e-learning modules; and a confidential counselling service.
9. Democratic Services work closely with the Council's Training Team on the annual member development plan. The plan for 23/24 includes mandatory training on Health and Safety, including personal safety. Elected members may also take advantage of the wellbeing modules that are available for staff in general.
10. We aim to further develop wellbeing provision for members during 2024 and we will continue to work with WLGA on this subject. We expect to receive the new Member Development Self-assessment Framework from WLGA in the new year and this will be the basis for new discussions on training priorities.

### **Elected members' Annual Reports**

11. A report was presented to the Standards Committee in June providing an update on this issue and explaining the effort that had been made to increase the number of reports received.



12. It was explained at the time that 19 out of 35 reports had been received by members. A total of 26 were received in the end for the 22/23 period. This is a significant improvement on 21/22.
13. All the reports have been published on the Council's website and we have included a note to explain if a member has not presented a report. It should be highlighted however that there is no statutory requirement on members to present a report.
14. Over the last weeks, we have had discussions with other authorities on their experiences and we have started to revise the template report for 23/24 to make it as easy as possible to complete.

### **Job descriptions for members and group leaders**

15. Following the Committee's discussions with group leaders over the summer, we were asked to research into the need to have a better definition of the role of group leaders.
16. Job descriptions and person specifications have been published on the Council's website for a number of elected member roles, including:
  - a. Elected member
  - b. Committee member
  - c. Committee chair
  - d. Member of the Executive
  - e. Leader and Deputy
  - f. Political Group Leader
17. Therefore, information about the role and responsibilities of group leaders already exists and we have compared the information with WLGA's recommendations about the role. They correspond closely.
18. So, we will consult with group leaders over the next few weeks to ensure that they are satisfied that the job description and person spec are suitable.

### **Member register of interests**

19. The register of interests for each member has been published on the Council's website.
20. A Message from democratic services was sent to all members in September reminding them to check and review the information regularly to ensure that it is correct. Members were also reminded to register any changes in their circumstances within 28 working days.

21. We intend to send another message to remind members in the new year.

**Recommendation**

22. For the Committee to note the content of the report.

<b>ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>MEETING:</b>	STANDARDS COMMITTEE
<b>DATE:</b>	13 <sup>th</sup> DECEMBER 2023
<b>TITLE OF REPORT :</b>	MEMBER DEVELOPMENT
<b>REPORT BY :</b>	HUMAN RESOURCES TRAINING OFFICER
<b>CONTACT OFFICER :</b>	L. AMY JONES (extension 2505)
<b>PURPOSE OF REPORT :</b>	TO PROVIDE AN UPDATE ON TRAINING AND DEVELOPMENT MATTERS FOR ELECTED MEMBERS

## 1. INTRODUCTION

The purpose of the report is to provide the Standards Committee with an update on Training and Development matters, since the report presented in June 2023, and to provide an overview of the provision offered to Elected Members during the last financial year.

## 2. THE PLAN

The plan for 2023-24 (Appendix 1) has been divided into the following specific headings; Mandatory training; General; Health and Wellbeing; On Request and E-Learning Modules. With these specific headings in mind, we provide below an update on training delivery from April 2023 to date.

A total of 27 training and development opportunities have been offered to Elected Members by the Human Resource Training Team. Full details attached in appendix 2.

See below an update on training deemed to be mandatory (as outlined by Democratic Services) and their corresponding attendance levels;

Code of Conduct	35/35
Health & Safety	15/35
Equality, Diversity & Inclusion	31/35
GDPR / Data Protection	29/35
Cyber Security	33/35
Safeguarding	29/35

Where possible, further mandatory training sessions will be arranged, or corporate training sessions will be opened-up, and spaces made available to ensure all Elected Members have received the relevant training.

The training team have recently delivered 1-1 ICT skills sessions for Elected Members to develop confidence and ability. These sessions have proven to be positive and beneficial, and have been supported by '*How to*' guides where required for future reference. Following on from these sessions, an ICT skills questionnaire has been developed and will be shared with all Elected Members via e-mail, and hard copies made available, to determine further specific areas of development. Once this information has been collated, the Training team will be in a position to plan further IT skills sessions to continue progress in the area.

Numerous Introduction to Climate Change training sessions have been delivered to Elected Members to support the Authority's commitment to become a Net Zero Council by 2030. To date, 21 Members have completed the training which has received positive feedback.

Fraud and Corruption training has been identified as a training need for corporate staff and Elected Members, given the serious risk to the authority and the fact that we are all responsible for managing these risks. Daytime and evening sessions have been offered to Elected Members and Lay Members, which saw 17 in attendance.

In terms of Well-being, as no specific needs have been raised, Elected Members are now invited to all Well-being events organised corporately, recent examples being; Menopause, Mindfulness and Well-being & Burnout. It should be noted, however, that these sessions are advertised via a flyer only, and *Outlook* invites are not shared as is usual practice with other training and development opportunities (as highlighted in point 3).

### **3. COMMUNICATION**

The Training team continues to work closely with Democratic services and relevant Officers within the authority to ensure the plan addresses the Elected Member's needs, and continues to evolve as required.

Invitations to attend training continue to be shared through the usual arrangements via the '*CefnogaethAelodau*' (*MembersSupport*) e-mail address, in addition to invitations via direct electronic calendar appointments.

Further work has been undertaken to provide information about forthcoming training events in a format that is easier to follow. This has recently been shared

with Elected Members (Appendix 3), with hard copies also available to view in the Member's lounge or on request.

The training team share with Democratic services quarterly updates in terms of training completed by Elected Members, for that specific quarter, which is then shared with Group leaders in a format this is more user friendly. It has been confirmed in a recent Group Leader meeting that there were no issues raised in terms of the way in which the information is presented, therefore moving forward it has been agreed that the training team will be providing further information concerning all mandatory training, specifying who has completed the training but also who needs to complete.

#### **4. METHODS OF DELIVERY**

Delivery of sessions is now, in the main, taking place as classroom sessions, though the option to deliver online sessions is still being taken into consideration. The method of delivery will be dependent on the subject area, in conjunction with what method is offered by the training provider.

Elected Members continue to be offered the choice of attending a session within a normal working day or an early evening session, to ensure the commitments of the Elected Members are considered along with maximising attendance on sessions.

Due to the need to offer sessions during the day and of an evening, it was not deemed cost-effective to also be offering separate English and Welsh sessions, therefore, where possible, training through the medium of Welsh is sought after and a translation service arranged for those wishing to listen through the medium of English.

#### **5. IN SUMMARY**

The plan which is presented is an evolving document and will continue to be reviewed and revised as required; e.g. following changes in Legislation; procedures; external matters etc. This will ensure that we are able to respond to the identified needs and ensure timely delivery.

#### **6. RECOMMENDATION**

- To note of the content of the report





CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL



**Eich Ffordd Ymlaen**  
**Your Way Forward**

Cefnogi Eich Dyfodol – Supporting Your Future

# **ELECTED MEMBERS**

## ***LEARNING AND DEVELOPMENT PLAN***

**MAY 2023 – MARCH 2024**

*This document is also available in Welsh.*

TITLE	SUBJECT / FIELD OF WORK	MEDIUM	IDENTIFIED COHORT
<b>Mandatory Training</b>			
<b>CODE OF CONDUCT</b>	<ul style="list-style-type: none"> <li>• Overview of Democratic arrangements; <i>i.e. Input in meetings; standing rules and regulations, etc.</i></li> </ul>	Presentation: (virtual and/or face-to-face)	All Elected Members and Lay Members
<b>EQUALITY, DIVERSITY AND INCLUSION</b>	<ul style="list-style-type: none"> <li>• Understand the role of Elected Members with regards to equalities in the decision-making process;</li> <li>• Awareness of Equality and Diversity Matters.</li> </ul>	Presentation: (virtual and/or face-to-face)  External Provider	All Elected Members
<b>SAFEGUARDING MATTERS – VULNERABLE CHILDREN AND ADULTS</b>	<ul style="list-style-type: none"> <li>• Domestic Abuse;</li> <li>• Violence Against Women;</li> <li>• Modern Slavery;</li> <li>• Prevent and Safeguarding Awareness.</li> </ul>	Presentation: (virtual and/or face-to-face)  Internal Provider(s)	All Elected Members
<b>PROCESSING DATA / PERSONAL INFORMATION: YOUR RESPONSIBILITY AS AN ELECTED MEMBER</b>	<ul style="list-style-type: none"> <li>• Understand general obligations of GDPR and the Data Protection Act 2018;</li> <li>• Understand specific requirements of the Act</li> <li>• Understand how to comply with the Act</li> </ul>	<a href="#">e-Learning Module</a> <i>(to be renewed every 3 years)</i> <b>and:</b> Presentation: (virtual and/or face-to-face )  External Provider(s)	All Elected Members
<b>HEALTH AND SAFETY – LEADING SAFELY</b>	<ul style="list-style-type: none"> <li>• Understand the legal requirements of Health &amp; Safety, with regards to Elected Members</li> <li>• General overview of Personal Safety for Members</li> </ul>	Presentation: (virtual and/or face-to-face)  External Provider(s)	All Elected Members
<b>CHAIRING SKILLS</b>	<ul style="list-style-type: none"> <li>• How to lead and contribute towards holding Effective Committees</li> </ul>	Presentation: (virtual) <i>(to be renewed every 2 years)</i>  External Provider(s)	All Chairpersons and Vice-Chairpersons of the Council and its Committees
<b>PLANNING &amp; LICENSING, GOVERNANCE &amp; AUDIT</b>	<ul style="list-style-type: none"> <li>• Relevant Training as identified</li> </ul>		All Members on the Planning, Licensing and Governance & Audit Committees



TITLE	SUBJECT / FIELD OF WORK	MEDIUM	IDENTIFIED COHORT
<b>Additional Training</b>			
<b>BEGINNER ICT SKILLS</b>	<ul style="list-style-type: none"> <li>Supporting Elected Members that may experience difficulties using ICT equipment</li> </ul>	Up to three Face-to-face Sessions Internal Provider(s)	All Elected Members
<b>INTERMEDIATE ICT SKILLS</b>	<ul style="list-style-type: none"> <li>Developing Members' ICT Skills</li> </ul>	Face-to-face Sessions External Provider(s)	All Elected Members and Lay Members
<b>INTRODUCTION TO CLIMATE CHANGE</b>		Internal Provider(s)	All Elected Members and Lay Members
<b>DEFAMATION</b>	<ul style="list-style-type: none"> <li>How to avoid and/or mitigate against any defamation claim(s)</li> </ul>	Presentation: (virtual and/or face-to-face) Internal Provider(s)	All Elected Members
<b>FINANCE AND TREASURY MANAGEMENT</b>	<ul style="list-style-type: none"> <li>Understanding of financial matters;</li> <li>Budget setting; etc.</li> </ul>	Presentation: (virtual and/or face-to-face) Section 151 Officer / External Provider(s)	All Elected Members
<b>DEALING WITH THE PRESS</b>	<ul style="list-style-type: none"> <li>Practical session which provides Elected Members with experience of undertaking radio and television interviews;</li> <li>Opportunity for Members to undertake mock-interviews and practice.</li> </ul>	Presentation and mock-interviews, with copies to keep; (Face-to-face) Internal Officers / External Provider(s)	All Elected Members and Lay Members

	TITLE	SUBJECT / FIELD OF WORL	MEDIUM	IDENTIFIED COHORT
<b>Additional Training</b>				
	<b>GYPSIES &amp; TRAVELLERS CULTURAL AWARENESS</b>	<ul style="list-style-type: none"> <li>Introductory Training on working with Gypsies and Travellers in Wales.</li> </ul>	Presentation and activities (face-to-face) Housing Service / External Provider(s)	All Elected Members and Lay Members
	<b>BRIEFING SESSIONS</b>	<ul style="list-style-type: none"> <li>Relevant and Current Subject matters presented and discussed</li> </ul>	Presentation: (virtual and/or face-to-face) Internal Officer(s) / External Provider(s)	All Elected Members
<b>Well-being &amp; Community</b>				
Page 22	<b>PERSONAL SAFETY / DEALING WITH DIFFICULT SITUATIONS</b>	<ul style="list-style-type: none"> <li>Overview of skills and techniques that can be adopted to ensure personal safety, and the ability to deal with difficult situations.</li> </ul>	Presentation: (virtual and/or face-to-face) External Provider(s)	All Elected Members
	<b>HEALTH &amp; WELL-BEING: GENERAL AND AWARENESS</b>	<ul style="list-style-type: none"> <li>Provide understanding of:               <ul style="list-style-type: none"> <li>- Resilience</li> <li>- Work life Balance</li> <li>- Managing Stress</li> <li>- Mental Health Awareness</li> </ul> </li> </ul>	<a href="#">e-Learning Modules available</a> Presentation: (virtual and/or face-to-face)	All Elected Members and Lay Members
	<b>MENOPAUSE AWARENESS</b>	<ul style="list-style-type: none"> <li>Overview for those who are experiencing or wish to raise their awareness</li> </ul>	Presentation: (virtual and/or face-to-face)	All Elected Members and Lay Members
	<b>MINDFULNESS AWARENESS</b>	<ul style="list-style-type: none"> <li>Short sessions to discuss the effect of stress on the body and relaxation tips</li> </ul>	Presentation: (virtual and/or face-to-face)	All Elected Members and Lay Members

	TITLE	SUBJECT / FIELD OF WORK	MEDIUM	IDENTIFIED COHORT
<b>Training On Request</b>				
Page 23	<b>ICT SKILLS DEVELOPMENT</b>	<ul style="list-style-type: none"> <li>• Drop-in / One-to-One sessions</li> <li>• Support with specific ICT skills / Software</li> </ul>	Face-to-face  Internal Provider(s) / External Provider(s)	All Elected Members and Lay Members
	<b>SOCIAL MEDIA</b>	<ul style="list-style-type: none"> <li>• Have an understanding of how to make Social Media work for Elected Members;</li> <li>• What to share and what not to;</li> <li>• How not to behave on Social Media;</li> <li>• Bullying and Personal Safety elements.</li> </ul>	Presentation: (virtual and/or face-to-face)  External Provider(s)	All Elected Members
	<b>SCRUTINY</b>	<ul style="list-style-type: none"> <li>• Introduction to Scrutiny procedures</li> <li>• An understanding of the principles of effective Scrutiny</li> </ul>	Presentation: (virtual and/or face-to-face)  External Provider(s)	All Elected Members
	<b>INVESTIGATION</b>	<ul style="list-style-type: none"> <li>• Introduction to Audit procedures</li> </ul>	Presentation: (virtual and/or face-to-face)  Internal / External Provider(s)	All Elected Members

## E-LEARNING MODULES

Elected Members have flexible access to e-Learning. Please see below details on the current topic areas that are available.

Mandatory Modules	Member Development	Welsh Language
<ul style="list-style-type: none"> <li>- <a href="#">Cyber Awareness</a> (to be renewed every 3 years)</li> <li>- <a href="#">Emergency Planning for Members</a> (refresher to be agreed upon)</li> <li>- <a href="#">Chairing Meetings Effectively</a></li> <li>- <a href="#">Prevent</a> (to be renewed as appropriate)</li> <li>- <a href="#">Modern Slavery</a> (to be renewed every 3 years)</li> <li>- <a href="#">General Data Protection Regulations (GDPR)</a> (to be renewed every 3 years)</li> <li>- <a href="#">Violence Against Women, Domestic Abuse and Sexual Violence</a> (to be renewed every 3 years)</li> </ul>	<ul style="list-style-type: none"> <li>- <a href="#">Ethics and Standards</a></li> <li>- <a href="#">Public Speaking and Working with the Media</a></li> <li>- <a href="#">Corporate Parenting</a></li> <li>- <a href="#">Well-being of Future Generations (Wales)</a></li> <li>- <a href="#">Effective Scrutiny</a></li> <li>- <a href="#">Social Services and Well-being Act (Wales)</a></li> </ul>	<ul style="list-style-type: none"> <li>- <a href="#">Welsh Language Standards</a></li> <li>- <a href="#">Welsh in the Workplace (1)</a></li> <li>- <a href="#">Welsh in the Workplace (2)</a></li> </ul>
Well-being	Health & Safety	Corporate Courses
<ul style="list-style-type: none"> <li>- <a href="#">Health &amp; Well-being in the Authority</a></li> </ul>	<ul style="list-style-type: none"> <li>- <a href="#">The safe use of Display Screen Equipment (DSE) - Workplace Assessment</a></li> </ul>	<ul style="list-style-type: none"> <li>- <a href="#">Learning Pool: Online Booking</a></li> </ul>

A number of the e-Learning modules can be used: to supplement classroom/*hybrid* sessions held; as renewed modules as required; as additional Personal Development provision for Members.

Note that this plan is an evolutionary one, and therefore it is likely that additional training will be included during the year in order to meet any changes in needs/priorities. Should unexpected circumstances beyond our control arise, it may be necessary to amend some of the dates/times stated above.

Details of these training sessions will be sent to Elected Members and Lay Members (as required) in email/calendar appointment form.

At least 7 days notice will be given, where practicable, via [ElectedMembersSupport@Anglesey.gov.wales](mailto:ElectedMembersSupport@Anglesey.gov.wales)

**Cynnig Hyfforddiant a Datblygiad i Aelodau Etholedig yn 2023**

**Training and Development offered to Elected Members in 2023**

<b>Teitl y Cwrs</b>	<b>Fynychwyd / Attended</b>	<b>Gwahoddwyd / Invited</b>	<b>Course Title</b>
Côd Ymddygiad	1	1	Code of Conduct
Côd Ymddygiad	2	2	Code of Conduct
Côd Ymddygiad	3	3	Code of Conduct
Cyfansoddiad y Cyngor	1	1	Council Constitution
Delio gyda'r Wasg	3	8	Dealing with the Press
Diogelu i Aelodau	6	14	Safeguarding for Members
Sesiwn Sgiliau TGCh 1-i-1	3	3	1-to-1 ICT Skills Session
Sesiwn Sgiliau TGCh 1-i-1	2	3	1-to-1 ICT Skills Session
Sesiwn Sgiliau TGCh 1-i-1	2	2	1-to-1 ICT Skills Session
Sesiwn Sgiliau TGCh 1-i-1	2	3	1-to-1 ICT Skills Session
Sesiwn Sgiliau TGCh 1-i-1	2	3	1-to-1 ICT Skills Session
Sesiwn Sgiliau TGCh 1-i-1	0	1	1-to-1 ICT Skills Session
Ymwybyddiaeth Ofalgar x2 ( <i>agored i bawb</i> )	0	35	Mindfulness Awareness x2 ( <i>open to all</i> )
Ymwybyddiaeth Menopos ( <i>agored i bawb</i> )	0	35	Menopause Awareness ( <i>open to all</i> )
Sgiliau Cadeirio	1	2	Chairing Skills
Sgiliau Cadeirio	3	3	Chairing Skills
Sgiliau Craffu Effeithiol	1	1	Principles of Effective Scrutiny
Cyflwyniad i Newid Hinsawdd	11	26	Introduction to Climate Change
Cyflwyniad i Newid Hinsawdd	4	21	Introduction to Climate Change
Cyflwyniad i Newid Hinsawdd	3	19	Introduction to Climate Change
Cyflwyniad i Newid Hinsawdd	3	12	Introduction to Climate Change
Cydraddoldeb, Amrywiaeth a Chynhwysiant	0	4	Equality, Diversity & Inclusion
Diogelu Data	6	12	Data Protection
Diogelu Data	8	14	Data Protection
Ymwybyddiaeth Diogelu i Aelodau	9	15	Safeguarding Awareness for Members
Ymwybyddiaeth Diwylliannol Sipsiwn a Theithwyr	13	35	Gypsies and Travellers' Cultural Awareness
Ymwybyddiaeth Twyll a Llygredd i Aelodau Etholedig ac Aelodau Lleyg	17	43	Fraud & Corruption Awareness for Elected Members and Lay Members

# Elected Members' Development Plan

2023  
/24

## November 2023

- 15/11/23 - Data Protection for Members (**Mandatory\***) (Welsh) - 13:00-14:30 - Zoom
- 16/11/23 - Data Protection for Members (**Mandatory\***) (English) - 18:00-19:30 - Zoom
- 20/11/23 - Intro. to Climate Change - 09:30-12:30 - 'Training Room 1', Headquarters
- 20/11/23 - Intro. to Climate Change - 17:30-20:00 - 'Training Room 1', Headquarters
- 27/11/23 - Safeguarding Awareness for Members (**Mandatory\***) - 18:00-19:00 - Zoom
- 29/11/23 - Well-being & Burnout Event - 13:30-15:00 - Council Chambers, Headquarters
- 30/11/23 - Gypsies & Travellers' Cultural Awareness - 13:30-15:30 - Zoom

## December 2023

- 04/12/23 - Fraud & Corruption for Members - 09:30-12:00 - 'Training Room 1', HQ
- 04/12/23 - Fraud & Corruption for Members - 17:30-19:30 - 'Training Room 1', HQ

## January 2024

## February 2024

- 06/02/24 - Equality, Diversity & Inclusion (**Mandatory\***) - 09:30-12:30 - Zoom
- 16/02/24 - Health & Safety for Members (**Mandatory\***) - TBC - Zoom
- 16/02/24 - Health & Safety for Members (**Mandatory\***) - 17:30 - 20:00 - 'Yst. Hyfforddiant 1'
- 21/02/24 - Anti-Racism Training - 09:30 - 11:30 - Zoom
- 21/02/24 - Anti-Racism Training - 17:30 - 19:30 - Zoom

\*mandatory for Members that are outstanding

## March 2024

- 21/03/24 - Group 6 - Violence Against Women, Domestic Abuse and Sexual Violence - 09:30-11:30 - 'Training Room 1', HQ
- 21/03/24 - Group 6 - Violence Against Women, Domestic Abuse and Sexual Violence - 17:30-19:30 - 'Training Room 1', HQ

## Dates to be confirmed:

- Planning & Licensing (**Mandatory for identified Members**)
- Finance & Treasury Management (**Mandatory for identified Members**)
- General ICT Skills
- Leading Safely for Members



CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Conduct Complaints to the Public Services Ombudsman for Wales (PSOW)</b>
<b>PURPOSE OF THE REPORT:</b>	<b>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.</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley</b> <b>Solicitor – Corporate Governance</b> <a href="mailto:mwyics@ynysmon.llyw.cymru">mwyics@ynysmon.llyw.cymru</a>
<b>LINK OFFICER:</b>	<b>Lynn Ball</b> <b>Director of Function (Council Business) /</b> <b>Monitoring Officer</b> <a href="mailto:lbxcs@ynysmon.llyw.cymru">lbxcs@ynysmon.llyw.cymru</a> <b>01248 752586</b>

## 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 The reports for Quarter 3 (October – December 2022) and Quarter 4 (January - March 2023) for 2022/2023 were submitted at the Standards Committee meeting on 14 June 2023.

2.2 A copy of the report for Quarter 1 for 2023/2024 [April – June 2023], in relation to County Councillors, appears at **Enclosure 1**.

A copy of the report for Quarter 1 for 2023/2024 in relation to Town and Community Councillors, appears at **Enclosure 2**.

2.3 A copy of the report for Quarter 2 for 2023/2024 [July – September 2023], in relation to County Councillors, appears at **Enclosure 3**.

A copy of the report for Quarter 2 for 2023/2024, in relation to Town and Community Councillors, appears at **Enclosure 4**.

2.4 The reports for Quarters 1 and 2 (**Enclosures 1- 4**) will be distributed to the Town and Community Councils and the elected and co-opted members of this Council following this Standards Committee meeting and contained within the Newsletters.

### 3. RECOMMENDATION

- 3.1 For the Standards Committee members to note the contents of the **Enclosures at 1-4** and consider trends arising (if any) and any corrective actions which are required.
- 3.2 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 their respective 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 1 (Ebrill - Mehefin 2023) – 2023/2024 – Quarter 1 (April – June 2023)**

<b>Enw'r Cynghorydd</b>  <b>Name of Councillor</b>	<b>Enw'r Achwynydd</b>  <b>Name of Complainant</b>	<b>Cyfeirnod y Ffeil</b>  <b>File Reference</b>  <b>(i) Un ni/Ours</b> <b>(ii) “O”</b>	<b>Dyddiad y Gŵyn - “O”</b>  <b>Complaint date - “O”</b>	<b>Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol</b>  <b>Result of “O” Investigation and date or the current situation</b>
Cynghorydd Sir / County Councillor	Aelod o'r cyhoedd / Member of the public	(i) 024736 (ii) 202207849	04/2023	Ombwdsmon wedi penderfynu peidio ymchwilio. / Ombudsman decided not to investigate.
Cynghorydd Sir / County Councillor	Aelod o'r cyhoedd / Member of the public	(i) 024735 (ii) 202207688	04/2023	Ombwdsmon wedi penderfynu peidio ymchwilio. / Ombudsman decided not to investigate.

**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 1 (Ebrill - Mehefin 2023) – 2023/2024 – Quarter 1 (April – June 2023)**

<b>Enw'r Cynghorydd</b>  <b>Name of Councillor</b>	<b>Enw'r Achwynydd</b>  <b>Name of Complainant</b>	<b>Cyfeirnod y Ffeil</b>  <b>File Reference</b>  (i) Un ni/Ours (ii) “O”	<b>Dyddiad y Gŵyn - “O”</b>  <b>Complaint date - “O”</b>	<b>Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol</b>  <b>Result of “O” Investigation and date or the current situation</b>
<b>DIM I'W ADRODD / NONE TO REPORT</b>				

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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 2 (Gorffennaf – Medi 2023) – 2023/2024 – Quarter 2 (July – September 2023)**

<b>Enw'r Cynghorydd</b>  <b>Name of Councillor</b>	<b>Enw'r Achwynydd</b>  <b>Name of Complainant</b>	<b>Cyfeirnod y Ffeil</b>  <b>File Reference</b>  <b>(i) Un ni/Ours</b> <b>(ii) “O”</b>	<b>Dyddiad y Gŵyn - “O”</b>  <b>Complaint date - “O”</b>	<b>Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol</b>  <b>Result of “O” Investigation and date or the current situation</b>
<b>Cynghorydd Sir / County Councillor</b>	Aelod / Member	024922 202302251	Gohebiaeth gyntaf gan O / First correspondence received from O: 09.08.2023	O yn ymchwilio'r gŵyn / O is investigating the complaint
<b>Cynghorydd Sir / County Councillor</b>	Aelod o'r cyhoedd / Member of the public	025094 202303311	Penderfyniad yr O / O's decision: 15.08.2023	O ddim yn ymchwilio'r gŵyn / O is not investigating the complaint

**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 2 (Gorffennaf – Medi 2023) – 2023/2024 – Quarter 2 (July – September 2023)**

<b>Enw'r Cynghorydd</b>  <b>Name of Councillor</b>	<b>Enw'r Achwynydd</b>  <b>Name of Complainant</b>	<b>Cyfeirnod y Ffeil</b>  <b>File Reference</b>  (i) Un ni/Ours (ii) “O”	<b>Dyddiad y Gŵyn - “O”</b>  <b>Complaint date - “O”</b>	<b>Canlyniad Ymholiad “O” a'r dyddiad neu'r sefyllfa gyfredol</b>  <b>Result of “O” Investigation and date or the current situation</b>
<b>DIM I'W ADRODD / NONE TO REPORT</b>				

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<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Published findings by the Public Services Ombudsman for Wales for all Councils in Wales</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To advise the Committee of all Wales findings published on its website by the Public Services Ombudsman for Wales for the period between 1 June and 30 November 2023.</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwy@ynysmon.llyw.cymru">mwy@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbx@ynysmon.llyw.cymru">lbx@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. INTRODUCTION

This report summarises the information published under the “[Our Findings](#)” heading on the [Public Services Ombudsman for Wales \(PSOW\)](#) website for the months of June to November 2023 in relation to Code of Conduct matters only [**ENCLOSURE 1**].

## 2. QUARTERLY NEWSLETTER

In addition to the information on the website, the Ombudsman also publishes quarterly Newsletters. The second Quarterly Newsletter from the Public Services Ombudsman for Wales (dated August 2023) can be seen [here](#).

## 3. BACKGROUND

The PSOW exercises “first sift” powers under Section 69 of the Local Government Act 2000, which requires the PSOW to consider complaints that members of local authorities in Wales may have broken their code of conduct. The PSOW’s jurisdiction includes county councils and town and community councils.

Having received a complaint, the PSOW applies its threshold test to determine whether or not the complaint should be investigated. The threshold test involves the PSOW being satisfied that:-

- There is evidence to suggest that the code of conduct may have been breached; and
- That the matter is sufficiently serious for it to be in the public interest for an investigation to be opened.

When an investigation is opened, the PSOW may reach one of four findings under Section 69 of the Local Government Act 2000 which are:-

- (a) that there is no evidence that there has been a breach of the authority's code of conduct;
- (b) that no action needs to be taken in respect of the matters that were subject to the investigation;
- (c) that the matter be referred to the authority's monitoring officer for consideration by the standards committee; or
- (d) that the matter be referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal (this generally happens in more serious cases).

If (c) or (d) above apply, the PSOW will then submit its report to the local standards committee or to the Adjudication Panel for Wales (APW), and it is for the committee, or a case tribunal of the APW, to conduct a hearing to consider the evidence and to make the final decision on whether or not the code of conduct has been breached and, if so, whether a penalty should be imposed, and what any penalty should be.

Standards committees have statutory authority to issue a suspension against a councillor for a period not exceeding 6 months. Standards committees have no powers of disqualification and, where there are findings of breach, will try to apply a sanction that is proportionate to the offence. This will often be a censure (public rebuke) or a recommendation of training/undertaking/mediation etc.

A case tribunal has authority to suspend a councillor for up to 12 months and to disqualify for up to 5 years.

#### **4. RECOMMENDATION**

The Chair of the Standards Committee will lead a discussion on any matters of interest reported in **ENCLOSURE 1**.

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
<p><b>1.</b></p> <p>Mumbles Community Council</p> <p>Case ref number 202106588</p>	21/03/2023	<p>The Ombudsman received 2 complaints from the then-Chair of Mumbles Community Council ("the Council") that a Former Councillor had breached the Council's Code of Conduct.</p>	<p>6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.</p> <p>6(1)(d) – Members must not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.</p>	<p>The report on the investigation was referred to the Monitoring Officer of Swansea Council for consideration by its Standards Committee.</p>	<p>CODE - Referred to Standards Committee</p>	<p>Link to Swansea Council's Standards Committee's report at its Hearing on 13 October 2023 is available <a href="#">here</a>.</p> <p><b>It resolved that:</b></p> <p>Former Councillor Louise Thomas be found to be in breach of Paragraphs 6 (1) (a) and 6 (1) (d) of the Code of Conduct.</p> <p>Former Councillor Louise Thomas be formally censured for breaching Paragraphs 6 (1) (a) and 6 (1) (d) of the Code of Conduct.</p> <p>Should Former Councillor Louise Thomas still have been a serving Community Councillor, the Standards Committee would have imposed a 6-month suspension, which is the maximum period of suspension</p>

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
						that the Committee could impose.
<b>2.</b> Mumbles Community Council  Case ref number 202106524	21/03/2023	The Ombudsman received 2 complaints from the then-Chair of Mumbles Community Council ("the Council") that a Former Councillor had breached the Council's Code of Conduct.	6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.  6(1)(d) – Members must not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.	The report on the investigation was referred to the Monitoring Officer of Swansea Council for consideration by its Standards Committee. This summary will be updated following the Standards Committee's decision.	CODE - Referred to Standards Committee	The matter was heard at the same time as the above matter in number 1.  Link to Swansea Council's Standards Committee's report at its Hearing on 13 October 2023 is available <a href="#">here</a> .
<b>3.</b> Bay of Colwyn Town Council  Case ref number 202205087	30/03/2023	A member of the public complained about a post a Member had shared on social media featuring a mass murderer holding up a sign promoting a supermarket meal deal. It was alleged the Member had used his platform to make an offensive political comment. The Ombudsman determined that an	6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	The investigation found that the post drew attention on social media and in online news articles. The Member had apologised for any offence caused and removed the post immediately claiming that he did not know who the person was in the picture and it had been an erroneous use of clipart and a genuine mistake. The complainant provided no further information.	CODE - Discontinued	Members are reminded to be mindful when using social media; the Code of Conduct may still apply.  A Guide for Members on their use of social media has been developed by WLGA and is available <a href="#">here</a> .



Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
		<p>investigation should consider whether the Member may have breached paragraph 6(1)(a) of the Code of Conduct by conducting themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.</p>		<p>The Ombudsman considered that suggesting a link between the mass murderer and the meal deal would be an egregious parallel to have been made, and the post and the resultant media attention which referred to the Member's role as a councillor was suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct. However, the Member claimed that the link was unintentional and although the Ombudsman considered the Member's explanation for how the post was made lacked credibility, no evidence was provided to the contrary and no information about similar behaviours was provided by the complainant.</p> <p>The post was wholly inappropriate. However, given the lack of engagement from the complainant, the remorse expressed by the Member, the challenge of disproving his explanation, his co-operation with the</p>		

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				investigation, and the immediate removal of the post, it was decided that further investigation would not be in the public interest. The Member was warned to take care when making public posts in future and the investigation was discontinued.		
<p><b>4.</b></p> <p>Barry Town Council and the Vale of Glamorgan</p> <p>Case ref number 201806120</p>	30/03/2023	<p>In December 2018, the Ombudsman's office received a complaint from the Monitoring Officer of the Vale of Glamorgan Council that the Former Member (who was still a member of both town and county Councils at the time) had been charged with historic sexual offences and, as such, may have brought both his Councils and his office as a councillor into disrepute.</p> <p>The Former Member was found guilty. He was sentenced to 7 years imprisonment.</p>	6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	<p>Section 80A of the Local Government Act 1972 provides that a person shall be disqualified from being elected or being a member of a local authority in Wales if a person has been convicted of a criminal offence and has been sentenced to imprisonment (whether suspended or not) of 3 months or more.</p> <p>The Former Member has automatically been disqualified from being a member of any Authority in Wales under the above provision. As the maximum period of disqualification which is available to the Adjudication Panel for Wales has already been imposed there is no benefit from continuing the</p>	CODE - Discontinued	The facts for cases numbers 4 and 5 (below) are the same, though there are two case reference numbers, suggesting two separate complaints were made in relation to the same issue.

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				investigation. Therefore it was discontinued.		
<p><b>5.</b></p> <p>Barry Town Council and the Vale of Glamorgan</p> <p>Case ref number 201805958</p>	30/03/2023	<p>In December 2018, the Ombudsman's office received a complaint from the Monitoring Officer of the Vale of Glamorgan Council that the Former Member (who was still a member of both town and county Councils at the time) had been charged with historic sexual offences and, as such, may have brought both his Councils and his office as a councillor into disrepute.</p> <p>The Former Member was found guilty. He was sentenced to 7 years imprisonment.</p>		<p>Section 80A of the Local Government Act 1972 provides that a person shall be disqualified from being elected or being a member of a local authority in Wales if a person has been convicted of a criminal offence and has been sentenced to imprisonment (whether suspended or not) of 3 months or more.</p> <p>The Former Member has automatically been disqualified from being a member of any Authority in Wales under the above provision. As the maximum period of disqualification which is available to the Adjudication Panel for Wales has already been imposed there is no benefit from continuing the investigation. Therefore it was discontinued.</p>	CODE - Discontinued	The facts for cases number 4 (above) and 5 are the same, though there are two case reference numbers, suggesting two separate complaints were made in relation to the same issue.
<p><b>6.</b></p> <p>Carmarthen shire County Council</p>	30/03/2023	The Ombudsman received a self-referred complaint from a Member ("the Member") of Carmarthenshire	<p>4(b) – Members must show respect and consideration for others.</p> <p>6(1)(a) – Members</p>	The Ombudsman found that the Member's explanation for his comments appeared to be credible. Whilst the language he used following his private exchange with	CODE - No Action Necessary	The case shows that the PSOW continues to use the two stage test i.e. (1) the evidential test - is there direct

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
Case ref number 202201203		<p>County Council (“the Council”) that they may have breached the Code of Conduct. The Member said that during a council training session other members of the Council heard him “swearing”.</p> <p>Information was obtained from the Council, including a link to a recording of the Council training session. Witnesses were interviewed. In comments to the Ombudsman, the Member said that he attended the Council’s training session via Zoom and was heard “swearing”. The Member explained that he was in the office of his private business whilst attending the Council training session, he had not realised his microphone was not on mute and during the session, he had</p>	must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	<p>his sub-contractor was disrespectful, the evidence gathered suggested that it was a private exchange, and she was therefore not persuaded that there was sufficient evidence suggestive of a breach of paragraph 4(b) of the Code.</p> <p>However, the Ombudsman found that the Member’s wholly inappropriate comments were heard by members of the Council, officers of the Council delivering the training and also attracted significant media interest and were widely reported in the press. The Ombudsman determined that as a result of the adverse publicity which reported on the Member’s conduct during a council training session, the Member’s comments were such that could reasonably be regarded as having brought the Council and the Member’ office into disrepute.</p> <p>In view of this, the Ombudsman found that the</p>		<p>evidence that a breach of the Code took place; and</p> <p>(2) the public interest test – considering if an investigation or a referral to the Adjudication Panel or a standards committee is required in the public interest.</p> <p>The PSOW made a recommendation that the Member should make a public apology to the Council at the next meeting of the Council.</p>

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
		<p>an exchange with a sub-contractor and used a “few swearing words”. The Member said that the comments were to his sub-contractor and were not aimed at any member of the Council. He apologised for the incident and offered to apologise to the full Council.</p>		<p>Member’s the comments were suggestive of a breach of paragraph 6(1)(a).                      In view of the Member’s recognition of the inappropriateness of his actions and contrition, his prompt self-referral to the Ombudsman and his willingness and eagerness to offer an apology to the Council, the Ombudsman considered that that it was not in the public interest for any further action to be taken. However, the Ombudsman noted that but for the member’s action and apology, conduct of this kind would have met the Ombudsman’s threshold for a referral to the Standards Committee. The Member was informed that he should make a public apology to the Council at the next meeting of the Council.                      The Ombudsman found that under Section 69(4)(b) of the Local Government Act 2000 no action needed to be taken in respect of the matters investigated.</p>		

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
<p><b>7.</b></p> <p>Solva Community Council</p> <p>Case ref number 202201039</p>	30/03/2023	<p>The Ombudsman received a complaint that a Member (“the Former Member”) of Solva Community Council (“the Council”) had breached the Code of Conduct)</p> <p>The Former Member recorded a video of himself verbally abusing the complainant and uploaded this video to his Facebook page before removing it a couple of hours later. In the video the Former Member can be seen making allegations regarding the complainant and his daughter. It is also alleged that he made inappropriate comments; he stated the complainant would be dead by the time of the next election and he called the complainant a derogatory term.</p> <p>Information was obtained from the</p>	<p>The Ombudsman’s investigation considered whether the Former Member’s conduct may have breached paragraphs 4(a), 4(b), 4(c) and 6(1)(a) of the Council’s Code of Conduct.</p> <p>4(a) – Members must carry out their 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>4(b) – Members must show respect and consideration for others.</p> <p>4(c) – Members must not use bullying behaviour or harass any person;</p> <p>6(1)(a) – Members must not conduct</p>	<p>In comments to the Ombudsman, the Former Member acknowledged the remarks had been inappropriate, although clarified his comment regarding the complainant’s death was a remark against his age rather than a threat of any physical harm.</p> <p>The Ombudsman accepted that the Former Member did not mean the reference to the complainant’s death to be interpreted as a threat on his life. The explanation he gave was credible. However, the comment was in reference to his age and failed to show regard to the principle that there should be equality of opportunity for all people, regardless of their age. The comments were also disrespectful and his actions amounted to behaviour which may be capable of bringing his office or authority into disrepute.</p> <p>The Ombudsman considered that the actions of the member were</p>	CODE - No Action Necessary	<p>The case shows that the PSOW continues to use the two stage test i.e.</p> <p>(3) the evidential test - is there direct evidence that a breach of the Code took place; and</p> <p>(4) the public interest test – considering if an investigation or a referral to the Adjudication Panel or a standards committee is required in the public interest.</p>

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
		Council including minutes confirming that the Former Member had resigned his post. Three witnesses, including the complainant, were interviewed.	themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	<p>suggestive of a breach of paragraphs 4(a), 4(b) and 6(1)(a).</p> <p>The Former Member has resigned as a member and apologised publicly and privately for his conduct and those apologies seemingly have been accepted by the complainant. The Ombudsman considered that his actions had addressed his behaviour and it would not be in the public interest to take further action.</p> <p>The Ombudsman found that under Section 69(4)(b) of the Local Government Act 2000 no action needed to be taken in respect of the matters investigated.</p>		
<p><b>8.</b></p> <p>St Harmon Community Council</p> <p>Case ref number 202106161</p>	31/03/2023	The Ombudsman's office received a complaint that a former member ("the Former Member") of St Harmon Community Council ("the Council") had breached the Code of Conduct.	7(a) – Members must not in their official capacity or otherwise, use or attempt to use their position improperly to confer on or secure for themselves, or any other person, an advantage or create or avoid for themselves,	The report on the investigation was referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal. This summary will be updated following the Adjudication Panel for Wales' decision.	CODE - Referred to the Adjudication Panel for Wales	

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
			<p>or any other person, a disadvantage.</p> <p>6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.</p>			
<p><b>9.</b></p> <p>Abertillery &amp; Llanhilleth Community Council</p> <p>Case ref number 202105435</p>	03/05/2023	The Ombudsman's office received a complaint that a Member ("the Member") of Abertillery & Llanhilleth Community Council ("the Council") had breached the Code of Conduct.		The report on the investigation was referred to the Monitoring Officer of Blaenau Gwent County Borough Council for consideration by the Council's Standards Committee. This summary will be updated following the Standards Committee's decision.	CODE - Referred to Standards Committee	<p>Link to Blaenau Gwent County Borough Council's Standards Committee's report, when it agreed to proceed to a full hearing, at its meeting on 21 September 2023 is available <a href="#">here</a>.</p> <p>Hearing not yet conducted.</p>
<p><b>10.</b></p> <p>Abertillery &amp; Llanhilleth Community Council</p> <p>Case ref number</p>	03/05/2023	The Ombudsman's office received a complaint that a Member ("the Member") of Abertillery & Llanhilleth Community Council ("the Council") had breached the Code of Conduct.		The report on the investigation was referred to the Monitoring Officer of Blaenau Gwent County Borough Council for consideration by the Council's Standards Committee. This summary will be updated following the Standards Committee's	CODE - Referred to Standards Committee	<p>Link to Blaenau Gwent County Borough Council's Standards Committee's report, when it agreed to proceed to a full hearing, at its meeting on 21 September 2023 is available</p>



Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
202105443				decision.		<a href="#">here.</a>  Hearing not yet conducted.
<b>11.</b>  Abergele Town Council  Case ref number 202107167	15/05/2023	<p>The Ombudsman received a complaint that a Former Member (“the Member”) of Abergele Town Council (“the Council”) had breached the Code of Conduct because of failings when acting in their capacity as Clerk to a Board under the control of this and a neighbouring council (“the Board”).</p> <p>The Member was appointed as Clerk to the Board. At the time of the appointment, the Member and the Board members believed the Board to be an autonomous body.</p> <p>The complaint was that the Member failed to complete</p>	6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	<p>The investigation considered the actions of the Member and the Board by reviewing documents and interviewing relevant witnesses. The investigation found that the Board and the councils associated with it were all acting under the misunderstanding that it was an independent body and there was no evidence to suggest action was taken by anyone to identify the correct legal position.</p> <p>The investigation found that the Clerk was appointed through a recruitment process, and that all involved believed they were eligible to perform the role.</p> <p>The accounts and documents were poorly maintained and while the Member bore some responsibility for that, there was little to no oversight from the Board or the</p>	CODE - No Action Necessary	<p>The case shows that the PSOW continues to use the two stage test i.e.</p> <p>(5) the evidential test - is there direct evidence that a breach of the Code took place; and</p> <p>(6) the public interest test – considering if an investigation or a referral to the Adjudication Panel or a standards committee is required in the public interest.</p>

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
		<p>required tasks, incorrectly asserted that the Board was an autonomous body, when it was not, and that they inappropriately took a wage from the Board.</p> <p>The complaint suggested that these actions resulted in a critical report from Audit Wales which had a negative impact on the reputation of the Board and the councils associated with it.</p>		<p>associated councils.</p> <p>The investigation found that the Member was not acting in their capacity as an elected member when they undertook their role as Clerk, so the whole Code of Conduct was not engaged. The responsibility for the poor governance of the Board lay with all those involved. It was also found that the Member took the wage in good faith and did not mislead anyone regarding her role or remuneration for that role.</p> <p>However, the Ombudsman considered that the Member was in large part responsible for failing to establish the legal position of the Board and that the Member should have undertaken proper research sooner. Failing to do so put the reputation of the Board and the Council at risk and is suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct.</p> <p>While it is noted that the</p>		

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				<p>Member's actions were suggestive of a breach of the Code of Conduct, significant mitigation arose because all those involved were acting under the same mistaken belief that the Board was a separate entity and no one sought independent advice on this matter. Even if a referral to the Standards Committee would be made it seems that, given the mitigation, and the fact that the Member is also now retired from public life, it is unlikely, even if a breach of the Code of Conduct were proven, a sanction of any kind would be imposed. Therefore under section 69(4)(b) of the Local Government Act 2000, the finding is that no action needs to be taken in respect of the matters investigated.</p>		
<p><b>12.</b> Bannau Brycheiniog National Park Authority</p>	28/06/2023	<p>The Ombudsman received a complaint that a Member ("the Member") of the Brecon Beacons National Park Authority ("the</p>	<p>4(b) – Members must show respect and consideration for others.  4(c) – Members must not use bullying</p>	<p>The Ombudsman's investigation considered whether the Member's conduct may have breached paragraphs 4(b), 4(c) and 6(1)(a) of the Code.</p>	CODE - No Evidence of Breach	<p>The Code of Conduct is not to be used to inhibit political discussion.</p>

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
Case ref number 202106025		Authority”) had breached the Authority’s Code of Conduct (“the Code”). It was alleged that during 2 specific Authority meetings, the Member failed to treat a member of staff, an officer of the Authority, with respect and used bullying behaviour towards her.	behaviour or harass any person;  6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	<p>Information was obtained from the Authority, including relevant correspondence and emails. A video recording and transcript of a relevant meeting was obtained. Witness information was also obtained.</p> <p>The Ombudsman’s investigation found that, with regard to the first Authority meeting, the Member was frustrated with the way in which the meeting was administered. The Member engaged in a robust discussion and voiced his concerns about the meeting’s administration. The Ombudsman found that such criticism of ideas and opinions is considered part of democratic debate. The Member’s comments were political in nature and therefore attracted enhanced protection under the ECHR.</p> <p>The Ombudsman acknowledged that the</p>		

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				<p>member of staff may have been upset at the criticism of the way in which the meeting had been handled, but the Ombudsman did not consider there was evidence that the Member's comments were personally or gratuitously offensive. The Ombudsman found on the basis of the evidence and, in particular, the video recording of the first meeting, that the Member was not particularly forceful or aggressive, although it is clear he was frustrated. The Ombudsman did not consider that the Member's comments were sufficiently offensive, intimidating or insulting to amount to bullying or disrespectful behaviour within the meaning of the Code. As a result, the Ombudsman was not persuaded that there was evidence to suggest a breach of paragraphs 4(b) or 4(c) of the Code.</p> <p>In relation to the second meeting, the Ombudsman's investigation found that there was a disagreement</p>		

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				<p>between the Member and the member of staff about the working arrangements and governance in the Authority. The Ombudsman found, on the basis of the evidence, that the Member's comments during the second meeting were political comments about the Authority's policies and administration. The Ombudsman found that the Member's comments fell within the realms of freedom of expression and were not sufficiently offensive, intimidating or insulting to amount to bullying or disrespectful behaviour within the meaning of the Code. As a result, the Ombudsman was not persuaded that there was evidence to suggest a breach of paragraphs 4(b) or 4(c) of the Code.</p> <p>The Ombudsman found that, in view of her findings above, there was also no evidence to suggest the Member had brought his office as Member or his Authority into disrepute.</p>		

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				The Ombudsman found that under Section 69(4)(a) of the Local Government Act 2000, there was no evidence of any failure to comply with the Code.		
<p><b>13.</b></p> <p>Conwy County Borough Council</p> <p>Case ref number 202205954</p>	07/09/2023	The Ombudsman received a complaint that a Member (“the Member”) of Conwy County Borough Council (“the Council”) had breached the Code of Conduct (“the Code”) by participating and voting in a Council meeting, which he attended virtually, while appearing to be driving.	6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	<p>The Ombudsman’s investigation considered whether the Member had breached the Code by bringing his office or authority into disrepute.</p> <p>Information was obtained from the Council, including minutes from the relevant Council meetings and videos of the incidents that led to the complaint. Information was also obtained from the Member and from the Police. The video footage from the first Council meeting showed the Member to be driving a vehicle whilst participating in the meeting and the Member acknowledged that this was the case. The Member felt it important that he attend all meetings.</p> <p>Subsequent videos showed</p>	CODE - No Action Necessary	<p>The case shows that the PSOW continues to use the two stage test i.e.</p> <p>(7) the evidential test - is there direct evidence that a breach of the Code took place; and</p> <p>the public interest test – considering if an investigation or a referral to the Adjudication Panel or a standards committee is required in the public interest.</p> <p>The PSOW’s decision will be held on record and will be taken into account if there is any future similar behaviour by the Member.</p>

Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				<p>the car either to be stationary or that the Member was in the passenger seat.</p> <p>The Police said it had not received a complaint and it would not now be in the public interest to investigate the matter.</p> <p>It is not the Ombudsman's role to determine whether the Member's actions would have amounted to criminal behaviour. However, the Police decision does not mean the Member's actions were considered acceptable.</p> <p>The Ombudsman found that the actions of the Member were suggestive of a breach of the Code. The public rightly expect elected members to engage fully with Council business and to attend a meeting whilst driving a vehicle demonstrated poor judgement and had the potential to bring the Council into disrepute.</p>		



Name of Council	Report date	Summary of Complaint	Relevant Provision of Code	Decision Summary	Report Type	Learning points for members
				<p>The Ombudsman considered that there was evidence of a single incident where the Member was driving and interacted with the meeting, and that it did not appear to be indicative of repeated behaviour. That subsequent videos showed the Member to be in the passenger seat or in a stationary vehicle suggests the Member had not repeated the behaviour and has learned from this complaint.</p> <p>The Ombudsman found that although the Member's actions were suggestive of a breach of the Code, that he had not repeated the behaviour since, and the lack of a criminal investigation meant it would not be in the public interest to take further action.</p> <p>The Ombudsman found that, under Section 69(4)(b) of the Local Government Act 2000, no action needed to be taken in respect of the matters investigated.</p>		

**ENCLOSURE 1 (June - November 2023)**

<b>Name of Council</b>	<b>Report date</b>	<b>Summary of Complaint</b>	<b>Relevant Provision of Code</b>	<b>Decision Summary</b>	<b>Report Type</b>	<b>Learning points for members</b>
				This decision will be held on record and will be taken into account if there is any future similar behaviour by the Member.		

<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Adjudication Panel for Wales Decisions</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To provide information about the matters considered by the Adjudication Panel for Wales and published since the last Committee meeting on 14 June 2023</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwycs@ynysmon.llyw.cymru">mwycs@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business)/Monitoring Officer <a href="mailto:lbxcs@ynysmon.llyw.cymru">lbxcs@ynysmon.llyw.cymru</a> 01248 752586</b>

## 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 14 June 2023. 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 cases are at **ENCLOSURE 1**.

### 2.1 Decisions made

APW/014/2022-023/CT: Councillor Steve Davies

APW/013/2022-023/CT: Former Councillor Karen Laurie-Parry

APW/001/2023-024/CT: Former Councillor Donald Jenkins

APW/015/2022-023/CT: Former Councillor Chris Evans

## **2.2 Appeals adjudicated**

None reported

## **3. RECOMMENDATION**

To note the content of the case summaries

**Summary of Cases before the Adjudication Panel for Wales – June to November 2023**

Name	Summary of Facts	Decision Summary	Findings
<p>1.</p> <p><u>APW/014/2</u> <u>022-</u> <u>023/CT:</u> <u>Councillor</u> <u>Steve</u> <u>Davies</u></p> <p>Page 55</p>	<p>In a letter dated 20th March 2023, the Adjudication Panel for Wales received a referral from the Public Services Ombudsman for Wales in relation to allegations made against Cllr Steve Davies. The allegations were that Cllr Davies had breached the Ceredigion County Council and Aberystwyth Town Council Code of Conduct by failing to comply with paragraphs 4(b), 4(c), 6(1)(a) and 7(a) of the Code.</p> <p>The reference to the APW from the PSOW by letter dated 20th March 2023 contained an Interim Report which detailed an initial complaint made to the PSOW by the then Statutory Director of Social Services for Ceredigion County Council on 9th December 2021, and further incidents that had come to light and were under investigation by the PSOW.</p> <p>The allegations that the Ombudsman considered on balance were suggestive of a breach of the Code were as follows;</p> <p>Allegation 1: - In October 2020 a</p>	<p>The Interim Case Tribunal is tasked, in accordance with section 76(2) of the Local Government Act 2000, with adjudicating upon the following three considerations;</p> <p>(A) Is the prima facie evidence such that it appears that the Respondent has failed to comply with the Code of Conduct of the relevant authorities?</p> <p>(B) Is the nature of that failure such as to likely to lead to disqualification under section 79(4)(b)?</p> <p>(C) Is it in the public interest to suspend or partially suspend the Respondent immediately?</p> <p><u>Is the prima facie evidence such that it appears that the Respondent has failed to comply with the Code of Conduct of the relevant authorities?</u></p> <p>The decision record details: it is particularly important to note, and the Interim Case Tribunal reminded itself, that the consideration of whether there is prima facie evidence such that it appears that the Respondent has failed to comply with the Code of Conduct, is a different exercise to determining whether, on the facts, there has been a breach of the Code of Conduct. The Interim Case Tribunal is not determining whether the allegations of a breach of the Code of Conduct are made out or not. That is a task for the Case Tribunal in due course. It follows that the Interim Case Tribunal is not required to and has made no findings of fact on whether the allegations are made out or not.</p> <p>Allegation 1: The Interim Case Tribunal were satisfied on the totality of the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) and 7(a) of the Code of Conduct in respect of the first allegation.</p>	<p><u>Relevant Code of Conduct paragraphs:</u></p> <p>Paragraph 4 (b) states that “You must- show respect and consideration for others;”</p> <p>Paragraph 4(c) states that “You must- not use bullying behaviour or harass any person.”</p> <p>Paragraph 6(1)(a) states that “You must- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute:</p> <p>Paragraph 7(a) states that “You must not- (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>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 56</p>	<p>complaint was made to the Council that the Respondent was making repeated 'welfare checks' on a vulnerable widow (Ms A) despite her not being in his Ward and her asking him not to visit her. Ms A said that she did not wish to make a formal complaint and that she was terrified of the Respondent. The Respondent was spoken to by the Monitoring Officer.</p> <p>Allegation 2: - In November 2020 a Police referral was made to the Council indicating that a member of the public (Ms B) had complained of harassing behaviour towards her by the Respondent. Ms B did not wish to make a formal complaint, but the Respondent was given words of advice by the Police.</p> <p>Allegation 3 :- In March 2021 the Respondent was alleged to have made inappropriate sexual and offensive remarks to a staff member (Ms C) and volunteer (Ms D) at a community hub where he also volunteered. The Respondent was advised by the hub that he was no longer welcome to attend there. Ms C and Ms D did not feel comfortable reporting matters to the Police owing to the Respondent's position as a councillor and because he lived</p>	<p>Allegation 2: The Interim Case Tribunal were satisfied on the totality of the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c) and 6(1)(a) of the Code of Conduct in respect of the second allegation. The Interim Case Tribunal have noted above at paragraphs 6.4 and 6.4.1 of the decision record prima facie evidence suggestive of a breach of the Code in relation to this allegation and that the Respondent did not deny that the behaviour complained of had taken place.</p> <p>Allegation 3: The Interim Case Tribunal were satisfied on the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) and 7(a) of the Code of Conduct in respect of the third allegation. The Interim Case Tribunal have noted above at paragraphs 6.5 and 6.5.1 of the decision record prima facie evidence suggestive of a breach of the Code in relation to this allegation.</p> <p>Allegation 4: The Interim Case Tribunal were satisfied on the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) and 7(a) of the Code of Conduct in respect of the fourth allegation. The Interim Case Tribunal have noted above at paragraphs 6.6 and 6.6.1 of the decision record prima facie evidence suggestive of a breach of the Code in relation to this allegation.</p> <p>Allegation 5: The Interim Case Tribunal were satisfied on the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) of the Code of Conduct in respect of the fifth</p>	<p><u>Decision:</u></p> <p>The Interim Case Tribunal decided that the Respondent should be <b>suspended from being a member or a co-opted member of Ceredigion County Council and Aberystwyth Town Council for a period which does not exceed six months or (if shorter) the remainder of the Respondent's term of office with effect from 10th July 2023, the date of the decision notice.</b></p> <p><u>Points of learning:</u></p> <p>Section 72(1) of the Local Government Act 2000 ("the Act") authorises the PSOW to produce an interim report where the Ombudsman considers it necessary and in the public interest, before the completion of the Ombudsman's investigation under section 69.</p>

Name	Summary of Facts	Decision Summary	Findings
Page 57	<p>close to them. One of the alleged victims, Ms C, has reported that this was part of a pattern of behaviour by the Respondent that went unaddressed.</p> <p>Allegation 4 : - In March 2021, a woman, Ms E, advised Police that the Respondent had, since March 2020, been making unwanted visits to her home including at night. The Police recorded this as a stalking offence and gave advice to the Respondent. This was a different woman to the subject of allegation 1 above.</p> <p>Allegation 5 : - In January 2023 an allegation was made to the Police of harassment and stalking behaviour towards a much younger woman (Ms F) by the Respondent. Ms F did not pursue the complaint, but the Respondent was given advice by the Police and the incident recorded by the Police as a stalking event.</p>	<p>allegation. The Interim Case Tribunal have noted above at paragraphs 6.7 and 6.7.1 and 6.7.2 of the decision record prima facie evidence suggestive of a breach of the Code in relation to this allegation.</p> <p>The Interim Case Tribunal therefore found by unanimous decision that in relation to the five particular allegations that there was prima facie evidence such that it appears that the Respondent had failed to comply with the Code.</p> <p><u>Is the nature of that failure such as to likely to lead to disqualification under section 79(4)(b)?</u></p> <p>The Interim Case Tribunal noted that the overriding purpose of the sanctions regime is to uphold the standards of conduct in public life and to maintain confidence in local democracy. Taking all of these matters into account, the Interim Case Tribunal accept the representations of the PSOW (summarised at 7.1 and 7.2 of the decision record) and find that the nature of such alleged failures to follow the Code of Conduct is such as to be likely to lead to disqualification under section 79(4)(b) of the Local Government Act 2000 if there are positive findings of fact in respect of them.</p> <p><u>Is it in the public interest to suspend or partially suspend the Respondent immediately?</u></p> <p>Section 78(1) of the Local Government Act 2000 states that an interim case tribunal which adjudicates on any matters which are the subject of an interim report from the PSOW must reach one of the following conclusions; (a) that the subject of the recommendation in the PSOW's interim report (the Respondent) should not be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or (b) that the subject of the recommendation in the PSOW's interim report (the Respondent) should be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned for a period which does not exceed six months or (if shorter) the remainder of the person's term of office.</p>	<p>This is the first interim suspension granted under the above provision.</p> <p>The Respondent has the right to seek the leave of the High Court to appeal the above decision.</p>

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<p><b>2.</b></p> <p><u>APW/013/2</u> <u>022-</u> <u>023/CT:</u> <u>Former</u> <u>Councillor</u> <u>Karen</u> <u>Laurie-</u> <u>Parry</u></p> <p>Page 58</p>	<p>In a letter dated 22 February 2023, the Adjudication Panel for Wales received a referral from the Public Service Ombudsman for Wales ('the Ombudsman') in relation to allegations made against the Respondent. The allegations were that she had breached Powys County Council's Code of Conduct by making repeated, unsubstantiated allegations of corruption and malfeasance and had corresponded in an excessive and unreasonable manner and in breach of restrictions that had been placed upon her.</p>	<p>The decision record details that between 2019 and 2022, the Respondent sent a large volume of emails to a number of recipients on a regular basis. Although a range of different subjects were covered, three matters took particular prominence;</p> <ul style="list-style-type: none"> <li>• Bronllys</li> <li>• Y Gaer</li> <li>• The Heart of Wales Property Service ('HOWPS').</li> </ul> <p>A complaint was made by the Chief Executive of Powys County Council to the PSOW in May 2021 due to the content and number of correspondence sent by the Councillor.</p> <p>A further complaint was made in July 2021 due to the Councillor's behaviour at a Council meeting earlier in the month.</p> <p>On the basis of the findings of fact, the Case Tribunal found by a unanimous decision that there were failures to comply with Powys County Council's Code of Conduct as follows, and details the following:</p> <p>(i) Paragraph 4 (b) and (c);</p> <p>Officers should not be subject to unwarranted comments which may be reputationally damaging or that hamper their ability to carry out their duties or undermine public confidence in the administration. The Respondent's communications were considered to be frequent, and that they contained little precision and often included personal and damaging rhetoric which directly concerned the integrity and professionalism of a senior officer. The repeated nature of the Respondent's behaviour was considered to be conduct constituting bullying.</p>	<p><u>Relevant Code of Conduct paragraphs:</u></p> <p>Paragraph 4 (b) and (c); "You must- (b) show respect and consideration for others; (c) not use bullying behaviour or harass any person;"</p> <p>Paragraph 5 (a); "You must not- (a) Disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without express consent of a person authorised to give such consent, or unless required by law to do so;"</p> <p>Paragraph 6 (1)(a) and (d); "(1) You must – (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute; (d) not make vexatious, malicious or frivolous</p>



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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 59</p>		<p>The nature of the Respondent’s conduct was considered by the Panel to be in excess of that which might be required of somebody in Mr Brinn’s position (as the Corporate Director for the Economy and the Environment Directorate for the County Council) as a person who was expected to have had a ‘thick skin’ and the effect upon Mr Brinn was evident from his witness statement.</p> <p>The Panel considered that the course of conduct followed by the Respondent constituted breaches of paragraph 4.</p> <p>(ii) Paragraph 5 (a);</p> <p>The Tribunal was satisfied that the Respondent was also in breach of paragraph 5 (a) of the Code of Conduct in relation to three separate incidents.</p> <ul style="list-style-type: none"> <li>• A report from the District Valuer was sent by her to a number of people, both internal and external to the Council, which had been provided to her on an ‘agreed’...’confidential basis’.</li> <li>• In her role as a councillor, she received an email concerning a theft which was described as ‘sensitive’ and which itself was stated to have been ‘confidential’. She emailed questions about the theft to the Police and Crime Commissioner “who she obviously thought to have been one in the same as the police”, and other Council staff who had not been privy to the original communication.</li> <li>• The Respondent’s unauthorised disclosure of her trade union representative’s (a Council employee as well) mental health was “unauthorised and insensitive and ought reasonably to have been regarded as personal, and confidential, albeit that it did not directly concern the business of the Council itself”.</li> </ul> <p>(iii) Paragraph 6 (1)(a)</p> <p>The Tribunal considered the Ombudsman’s Guidance which details that making ‘unfair or inaccurate criticism of your authority in a public arena’ is an example of behaviour falling under this paragraph. The Tribunal agreed the Respondent was in breach of this provision;</p>	<p>complaints against other members or anyone who works for, or on behalf of, your authority.”</p> <p>Paragraph 7 (b)(i) and (iv);          “You must not –          (b) use, or authorise others to use, the resources of your authority (i) imprudently;          (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;”</p> <p><u>Decision:</u></p> <p>The Case Tribunal unanimously <b>disqualified the Respondent for a period of 18 months from being or becoming a member of authority or of any other relevant authority within the meaning of the Local Government Act 2000.</b></p> <p><u>Points of learning:</u></p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 60</p>		<p>(iv) Paragraph 6 (1)(d);                      The Respondent’s conduct, particularly in relation to her repeated concerns about Mr Brinn, were considered by the Tribunal to be “wilful and/or vexatious”.</p> <p>(v) Paragraph 7 (b) (i) and (iv);                      The Tribunal was not satisfied that the alleged breaches of paragraph 7 were properly made out.                      The Tribunal considered the wording of the Code and also the PSOW’s Guidance in relation to “whether those paragraphs of the Code of Conduct could properly have been applied to the Respondent’s conduct. Could a Deputy Monitoring Officer or a Chief Executive Officer be a ‘resource’ that was ‘used’ in the sense covered by paragraphs?”</p> <p>→ <u>Aggravating factors:</u></p> <ul style="list-style-type: none"> <li>• That the Respondent failed to alter her course of conduct after repeated warnings and/advice from senior officers, including the Monitoring Officer and the CEO;</li> <li>• That the conduct undoubtedly caused personal disadvantage to Mr Brinn in particular, whether it had been intended or not;</li> <li>• That the breaches of confidentiality had been abusive of the trust that had been placed in her as a Councillor;</li> <li>• That her behaviour was not a ‘one off’. She had embarked upon a pattern of conduct over many months;</li> <li>• She appeared to have been driven by a personal agenda. There was little evidence that she was pursuing concerns that had been raised by constituents in the manner in which she had raised them.</li> </ul> <p>→ <u>Mitigating factors:</u></p> <ul style="list-style-type: none"> <li>• The Respondent’s personal circumstances, including the physical and mental ill-health;</li> <li>• Her past record of good service;</li> </ul>	<p>In its interpretation of the Code of Conduct, the APW did not consider that a Deputy Monitoring Officer or a Chief Executive Officer were a ‘resource’ that was ‘used’ in the sense covered by paragraphs 7 (b) (i) and (iv) of the Code.</p>

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		<ul style="list-style-type: none"> <li>The fact that she cooperated with the Ombudsman in relation to the investigation;</li> </ul>	
<p><b>3.</b></p> <p><u>APW/001/2023-024/CT: Former Councillor Donald Jenkins</u></p> <p>Page 61</p>	<p>By letter and Report dated 23 March 2023, the PSOW made a referral to the APW in relation to allegations made against the Respondent. The allegations were made in the context of a Report of Audit Wales ('AW') dated October 2021 which was critical of the Relevant Authority as a whole, as well as specific individuals, including the former Clerk, Ms West, and the Internal Auditor, as well as the Respondent. Whilst the AW Report identified irregularities in governance and financial processes, the PSOW Report focused upon certain narrow and specific issues from the AW Report. During the Respondent's interview, the PSOW's representative made it clear; '...although the Audit Wales report covered a vast range of different topics, this interview will only deal with those two specific allegations...'</p> <p>The specific allegations contained in the PSOW Report were that; -</p> <ol style="list-style-type: none"> <li>In relation to a certain tender notice for the refurbishment of</li> </ol>	<p>There were four Disputed Material Facts outlined in the PSOW Report as follows: -</p> <ol style="list-style-type: none"> <li>Did the Respondent create and display a tender notice in the community for the refurbishment of the bus shelters?</li> <li>Was the tender notice for the bus shelter refurbishment provided to AW by Ms West a copy of the actual tender notice that the Respondent said was displayed by him?</li> <li>Did the Respondent attempt to mislead AW in relation to the bus shelter refurbishment tender notice?</li> <li>Did the Respondent attempt to mislead AW in relation to whether the ARGS was approved by Council after the amendments were made to it during the June 2019 Council meeting?</li> </ol> <p>The Case Tribunal then considered each of the Disputed Material Facts in turn as follows.</p> <ol style="list-style-type: none"> <li>The Case Tribunal determined that the Respondent had not created and displayed a tender notice in the community for the refurbishment of the bus shelters.</li> <li>The Case Tribunal determined the tender notice for the bus shelter refurbishment provided to AW by Ms West was not a copy of any purported actual notice.</li> <li>The Case Tribunal decided that, on the balance of probabilities, the Respondent had attempted to mislead Audit Wales in certain respects in relation to the bus shelter refurbishment tender notice.</li> <li>The Case Tribunal decided that, on the balance of probabilities, the Respondent did attempt to mislead AW in relation to whether the ARGS was approved by Council after the amendments were made to it during the June 2019</li> </ol>	<p><u>Relevant Code of Conduct paragraphs:</u></p> <p>Paragraph 6(1)(a) states that "You must- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute:</p> <p>Paragraph 7(a) states that "You must not- (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><u>Decision:</u></p> <p>The Case Tribunal found by unanimous decision that the <b>Respondent should be disqualified</b></p>

Name	Summary of Facts	Decision Summary	Findings
Page 62	<p>bus shelters and an amended annual return and governance statement ('ARGS'), the Respondent attempted to mislead AW. The PSOW alleged that he did so to cover up poor governance at the Relevant Authority and to lessen criticism by Audit Wales about his own conduct. The PSOW alleged that the Respondent did so for his own benefit to create an advantage or to avoid a disadvantage for himself by lessening the impact of the AW investigation findings on his own reputation as Chair of the Relevant Authority. The PSOW considered that the Respondent's conduct was therefore suggestive of a breach of paragraph 7(a) of the Code of Conduct.</p> <p>2. Members of the public and press attended a meeting of the Relevant Authority on 3 November 2021 in which the AW Report was considered. The PSOW alleged that the strength of public opinion and publicity following the meeting indicated that the Respondent may have brought his Council and/or his office as a Councillor into disrepute. The PSOW considered that the</p>	<p>Council meeting.</p> <p><u>Case Tribunal's determination as to alleged breach of paragraphs 6(1)(a) and 7(a) of the Code of Conduct:</u></p> <p>The first question addressed by the Case Tribunal was whether the findings that the Respondent attempted to mislead AW as to the bus shelter tender and the ARGS amounted to conduct which was capable of bringing the Authority into disrepute. The second question was whether the Respondent had attempted to use his position improperly to avoid a disadvantage to himself. The Case Tribunal determined on a unanimous basis that the Respondent's conduct amounted to a breach of both Paragraphs 6(1)(a) and 7(a) of the Code of Conduct.</p> <p><u>Case Tribunal's determination as to Sanction.</u></p> <p>The Case Tribunal went on to consider the question of Sanction. In doing so, it considered all the facts and evidence. It also had regard to the APW's current Sanctions Guidance. It noted the purposes of Sanction which had been highlighted in the PSOW's submissions. It also had regard to the overriding purpose to "uphold the standards of conduct in public life and maintain confidence in local democracy." The Case Tribunal also conducted the five-stage approach advocated in the Guidance.</p> <p>→ <u>Mitigating Factors</u></p> <ul style="list-style-type: none"> <li>• A fairly short length of service and inexperience in the role of Chairman.</li> <li>• A previous record of good service. The Registrar notified the Case Tribunal that there had been no previously reported instances of breach of the Code of Conduct in relation to the Respondent.</li> <li>• Whilst there was more than one example of provision of misleading replies and information, the misconduct all related to the same AW investigation process.</li> <li>• The Respondent had co-operated with the PSOW's</li> </ul>	<p><b>for 15 months from being or becoming a Member of the Relevant Authority or any other relevant authority within the meaning of the Local Government Act 2000.</b></p> <p><u>Points of learning:</u></p> <p>The Decision Record notes that the Respondent says: "<i>I suppose, in hindsight, seeking advice would have been a good process.</i>"</p> <p>Members are encouraged to seek advice and attend training, as needed.</p>

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Page 63	Respondent's actions were therefore also suggestive of breach of paragraph 6(1)(a) of the Code of Conduct.	<p>investigation officer in attending interview, and in responding to PSOW questions.</p> <p>→ <u>Aggravating factors</u></p> <ul style="list-style-type: none"> <li>• The Respondent was in a senior position of responsibility and trust at the relevant time.</li> <li>• Whilst the provision of misleading information arose from the same AW investigation process, the misleading responses did indicate a pattern of behaviour, where numerous opportunities had been given to the Respondent to provide an accurate account.</li> <li>• Provision of misleading information suggested an element of deception.</li> <li>• There appeared to be a lack of understanding or acceptance of the misleading conduct and its consequences.</li> <li>• The conduct was either deliberate or reckless and showed little or no concern for the Code.</li> <li>• The Respondent continued to refuse to accept the facts despite clear evidence to the contrary. He also showed very little regret for his actions, maintaining the view throughout that he had done nothing wrong in providing alternative accounts of events to cover for financial and procurement errors.</li> </ul>	
<p><b>4.</b></p> <p><u>APW/015/2</u> <u>022-</u> <u>023/CT:</u> <u>Former</u> <u>Councillor</u> <u>Chris Evans</u></p>	<p>The PSOW's report and reference to the APW dated 20 March 2023 outlined the allegation to be adjudicated upon by the Case Tribunal as follows.</p> <p>It was alleged that the Respondent had brought his office and the Council into disrepute when he pleaded guilty and was convicted of the criminal offence of soliciting. The PSOW noted the nature of the</p>	<p><u>Case Tribunal's determination as to alleged breach of paragraph 6(1)(a) of the Code of Conduct.</u></p> <p>The Case Tribunal considered that the nature of the criminal conviction under the Sexual Offences Act 2003, together with the significant publicity surrounding it, which referred to both the Council and the Respondent's role as an elected member, reflected poorly on himself and his role and brought both his office and the Council into disrepute. The Case Tribunal therefore found by unanimous decision that the Respondent had breached Paragraph 6(1)(a) of the Code.</p> <p>→ <u>Mitigating Factors</u></p>	<p><u>Relevant Code of Conduct paragraph:</u></p> <p>Paragraph 6(1)(a) states that "You must- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute:</p> <p><u>Decision:</u></p>

Name	Summary of Facts	Decision Summary	Findings
Page 64	<p>Respondent's criminal offence, which was contrary to the Sexual Offences Act 2003, and the significant publicity surrounding the conviction, which referred to both the Council and the Respondent's role as an elected member. The PSOW said this suggested that the Respondent's actions may have brought his office and the Council into disrepute and that the Respondent's conduct may amount to a breach of paragraph 6(1)(a) of the Relevant Council's Code of Conduct.</p>	<ul style="list-style-type: none"> <li>• a previous record of good service over a long period of time. The behaviour had been described by the Respondent's representative as a moment of madness or a lapse of judgement.</li> <li>• the evidenced misconduct was a one-off or isolated incident.</li> <li>• the Respondent's confirmation that he had donated his Council allowance to local good causes following conviction and sentence.</li> </ul> <p>→ <u>Aggravating factors</u></p> <ul style="list-style-type: none"> <li>• The long service and position of responsibility in the community should also have alerted the Respondent to his responsibilities and the need for accountability.</li> <li>• A lack of acceptance of responsibility for the consequences of his actions or contrition regarding the misconduct and its inevitable consequences. The Respondent had failed to grasp the impact of his actions, his criminal conviction and subsequent reporting would have on his own role and that of the Council. It was his view that the question of how the matter impacted on the Council and his role was totally and utterly out of his control.</li> <li>• Reckless conduct with little or no concern for the Code and the ethical standards regime in Wales, despite having received detailed training upon it in 2018 and which emphasised the 'Need to restore public confidence and high ethical standards in public office'.</li> <li>• The absence of any regret or apology for the consequences of his actions as regards his elected role and the Relevant Authority.</li> </ul>	<p>The Case Tribunal found by unanimous decision that the Respondent should be <b>disqualified for 9 months</b> from being or becoming a member of the Relevant Authority or any other relevant authority within the meaning of the Local Government Act 2000.</p> <p><u>Points of learning:</u> Certain criminal convictions will lead to a Member being automatically disqualified under the <u>Local Government Act 1972, as amended.</u></p>

<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Dispensation(s)</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To advise the Standards Committee of the outcome of any dispensation application received since the last Standards Committee Meeting on 14.06.2023</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwy@ynysmon.llyw.cymru">mwy@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbx@ynysmon.llyw.cymru">lbx@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. INTRODUCTION

Where a county councillor/town/community councillor has a prejudicial interest in a matter to be considered by their authority, the code of conduct requires that the interest be declared/registered and that the member leaves the meeting and not participate/influence the decision/s.

The code of conduct provides inbuilt “dispensations” in certain limited circumstances which are listed in [paragraph 12\(2\) of the Code](#).

Additionally, if paragraph 12(2) of the Code does not help, then the Standards Committee has discretion to grant a dispensation to a member, in specific circumstances, as listed in statutory regulations.

If granted, a dispensation will overreach the prejudicial element of the interest (that is the bias or perceived bias) and will enable the member to participate in the matter; perhaps with a limited or restricted input, and for a specified timescale.

## 2. BACKGROUND

To assist members in using the process for dispensations whenever it may be suitable, and as effectively as possible, the Standards Committee has published an Advice and Guidance Note for both County Council members and Town and Community Council members. These briefing notes have been distributed as part of the information included in the recent Standards Committee Newsletters.

Given that dispensations are often required at the minimum amount of notice legally possible, the Standards Committee has established an arrangement whereby a Panel of three members may be called to deal with any application received between

meetings of the full Committee. Applications received from County Councillors may be heard by any three independent / County Council members (with the independent members to be in the majority) and applications from Town/Community Councillors are to be heard by independent members and Town/Community Council members (independent members to be in the majority).

### **3. APPLICATIONS MADE SINCE THE LAST STANDARDS COMMITTEE MEETING ON 14.06.2023**

#### **3.1 Dispensation Panel Hearing on 3 October 2023.**

3.1.1 [A Dispensation Panel Hearing was held on 3 October 2023](#) to consider an application made by a Community Councillor.

3.1.2 The report presented to the Panel at this hearing was discussed with the exclusion of the press and public. The public interest test, agreed by the Panel, can be seen [here](#).

3.1.3 Attached at **Enclosure 1** are the draft minutes from the Dispensation Panel Hearing.

3.1.4 Having agreed that the Community Councillor had a personal and prejudicial interest in relation to the business to be discussed by the Community Council, the Standards Committee Panel decided to grant a limited dispensation to the Community Councillor, permitting him to:

- write to officers and the Community Council about the issue;
- speak to officers of the Community Council about the issue, without any conditions;
- speak at Community Council meetings and answer any questions about the issue;
- remain in the room during any debate and/or voting on the issue; and
- if relevant, participate in all public meetings and meetings of any outside bodies in his capacity as Chair of Bryngwran Community Council.

3.1.5 The Councillor is not permitted to vote.

3.1.6 The dispensation was granted based on statutory grounds (d), (e), (f) and (i) from the English legislation, which are noted as grounds (ch), (d), (f) and (ff) in the Welsh version of the legislation.

3.1.7 The dispensation ends on the expiry of the Councillor's current term on the Community Council, subject to the Councillor remaining in the role of Chair, including if he is re-elected to the role of Chair during this period.

### **4. RECOMMENDATION**

4.1 For the Committee to note the dispensation granted and the grounds and circumstances in which it was granted.

4.2 For the members of the Panel only (John R Jones, Rhys Davies and Margaret Thomas) to ratify/amend the draft minutes at **Enclosure 1**.



**DISPENSATION PANEL (OF THE STANDARDS COMMITTEE)**

**Minutes of the meeting held on 3 October, 2023**

- PRESENT :**                    **Independent Members**  
Mr John R Jones (Chair)  
Mr T Rhys Davies (Vice-Chair)
- Representing the Town/Community Councils**  
Community Council - Margaret Thomas
- ALSO PRESENT:**        Community Council - Iorwerth Roberts
- IN ATTENDANCE:**      Solicitor (Corporate Governance) (MY),  
                                      Committee Officer (MEH)
- APOLOGIES :**                None

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The Chair welcomed all those present to the meeting of the Dispensation Panel.

**1. DECLARATION OF INTEREST**

None received.

**2. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** to adopt the following:-

**“Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.”**

**3. APPLICATION FOR DISPENSATION**

The Solicitor (Corporate Governance) reported that an application for dispensation was made by Councillor Iorwerth Roberts of Bryngwran Community Council to allow him to take part, in his capacity as Chair of the Community Council, in relation to a contentious issue to be discussed by the Community Council.

Following hearing the background to the application for dispensation by the applicant, the Panel retired to private session to determine whether or not to

grant a dispensation; and if granting a dispensation, to consider (i) on what ground(s) the dispensation is granted and (ii) whether there are any limitations/constraints to be imposed.

**It was RESOLVED that a partial dispensation be granted to Councillor Iorwerth Roberts, in his capacity as Chair of Bryngwran Community Council, in respect of those interests referred to in the application. The partial dispensation permits the Councillor to:-**

- **Write to Officers and the Community Council as regards to the matter;**
- **Speak to Officers of the Community Council about the matter, without any conditions;**
- **Speak at Community Council meetings and answer any questions about the issue;**
- **Remain in the room during any debate and/or vote on the issue;**
- **if relevant, participate in all public meetings and meetings of any outside bodies in his capacity as Chair of Bryngwran Community Council.**

**The partial dispensation does not permit the Councillor to vote on the matter.**

The dispensation is granted on the statutory grounds that the nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the Council's business; the interest is common to the Member and a significant proportion of the general public; the participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise (as Chair of Bryngwran Community Council); and it appears to the Standards Committee to be in the interest of the inhabitants of the area of the Council that the disability should be removed.

**Action:**

- That the Monitoring Officer writes to Councillor Roberts confirming that the Standards Committee Panel has granted a partial dispensation permitting him to write, speak, but not vote on all matters relating to this matter.
- Councillor Roberts must declare a prejudicial interest when attending the Community Council and all other relevant meetings, and state that he has been granted a partial dispensation by the Standards Committee to participate, but not vote.

The meeting concluded at 11.05 a.m.

**MR JOHN R JONES  
CHAIR**



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<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Local Resolution Protocol in the Town and Community Councils</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To publish the Standards Committee’s final version of its Local Resolution Protocol for use by the Town and Community Councils</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwycs@ynysmon.llyw.cymru">mwycs@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business)/Monitoring Officer <a href="mailto:lbxc@ynysmon.llyw.cymru">lbxc@ynysmon.llyw.cymru</a> 01248 752586</b>

**1. INTRODUCTION AND BACKGROUND**

1.1 A draft Local Resolution Protocol (LRP) for use by the Town and Community Councils (TCC) was considered by the Standards Committee at its June 2023 meeting. Whilst the LRP was agreed in principle, the Committee wanted further work to be done before the final version LRP was published.

1.2 The LRP was further discussed at an informal meeting of the Standards Committee in July 2023, where amendments were agreed.

1.3 The final version LRP was sent to the Town and Community Councils, under cover of the Standards Committee’s Newsletter for TCCs, in October 2023. A copy of the LRP is included in **Enclosure 1**.

**2. THE PROTOCOL**

2.1 The TCC LRP in **Enclosure 1** details that the Standards Committee expects the One Voice Wales LRP to be used by TCC members and Clerks, should there be behavioural or conduct concerns. However, in limited circumstances, the Standards Committee will become involved, via the Standards Committee’s Chair and only in circumstances where the Standards Committee’s Chair considers it would be beneficial, that resources/capacity permit and that the matter(s) of concern are within the terms of reference of the Standards Committee, specifically that they relate to matters of conduct. A request must come from the Chair or a Clerk of the TCC or following a TCC resolution.

2.2 The LRP has already been shared with the TCCs as part of the Standards Committee Newsletter. The Standards Committee will need to consider how it intends to remind TCCs of this LRP in the future.

2.3 No requests have been made under the TCC LRP to date.

2.4 Arrangements are being made for the five independent members and the two TCC representatives on the Standards Committee to undertake Mediation training so as to assist them in relation to all their LRP duties (should it relate to the County Council elected members or the TCC members). This training is scheduled for January 2024 and members have been informed of the arrangements.

### **3. RECOMMENDATION**

3.1 For the Standards Committee to note the report.

3.2 For the five independent members and the two TCC representatives on the Standards Committee to attend the Mediation training in January 2024.

DRAFT



**Local Resolution Protocol**  
**for the Town and**  
**Community Councils**

1. The Standards Committee encourages all Town and Community Councils to adopt a Local Resolution Protocol [LRP] and suggests that Councils utilise the LRP published by One Voice Wales. A copy is available here.
2. In circumstances where the One Voice Wales LRP is not suitable or is unworkable, e.g. due to the matter involving the Town or Community Council Chair / Vice-Chair, a request for informal assistance can be made to the Chair of the Standards Committee.  
A request must be made by the:
  - 2.1 Chair of the Town or Community Council;
  - 2.2 Clerk of the Town or Community Council; or
  - 2.3 Town or Community Council itself following a resolution.
3. The Standards Committee's Chair will consider each matter based upon its own facts and will only become involved in circumstances where the Chair considers that:
  - 3.1 The Standards Committee's involvement could be beneficial;
  - 3.2 The Standards Committee has the resources and /or the capacity to assist; and
  - 3.3 The matter of concern falls within the remit of the Standards Committee's terms of reference, and in particular relates to issues of conduct / behaviour. The Standards Committee will not become involved in governance issues within Town and Community Council.

The Chair has the absolute discretion to decide if the Standards Committee will become involved in the matter or not.

The decision of the Standards Committee's Chair is final.

4. Any process followed by the Standards Committee's Chair will be voluntary for all parties. It will be an informal process with limited paperwork.

*Agreed by the Standards Committee – June 2023*



CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Update on the National Standards Committee Forum for Wales</b>
<b>PURPOSE OF THE REPORT:</b>	<b>As above</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwycs@ynysmon.llyw.cymru">mwycs@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbxcs@ynysmon.llyw.cymru">lbxcs@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. INTRODUCTION

- 1.1 A National Standards Committee Forum has been set up in Wales, as a result of the recommendation made by the Penn Review on the Ethical Regime in Wales.
- 1.2 In accordance with the Forum's terms of reference, only the Chair of each Standards Committee attends the Forum meetings.
- 1.3 The Monitoring Officers from the North Wales authorities attend on a rota basis in order to provide professional advice.

## 2. FORUM MEETINGS

- 2.1 Two meetings have been held to date; on 27 January 2023 and 30 June 2023.
- 2.2 The Forum meeting on 27 January 2023 was discussed at the last Standards Committee meeting in June.
- 2.3 Notes of the June 2023 Forum meeting were shared with the Standards Committee members and discussed at a Standards Committee informal meeting in July 2023.
- 2.4 Following this discussion, the Standards Committee decided to write to the Forum in relation to two matters. A copy of the correspondence sent to the Forum's administrator is included at **Enclosure 1**.
- 2.5 The next Forum meeting is scheduled on 29 January 2024. Mr John R Jones, as Chair of this Standards Committee, will be attending.

### **3. THE FORUM'S DOCUMENTATION**

3.1 The Forum has agreed that, in relation to Forum notes - *“the notes may be circulated to Standards Committees, provided no individual complainant or councillor complained of could be identified. This will be kept under review at/after each meeting.”*

### **4. RECOMMENDATION**

4.1 For the Committee to note the contents of this report.

## **ENCLOSURE 1**

**Ar gyfer: Fforwm Pwyllgorau Safonau Cenedlaethol / For the attention of: National Standards Committee Forum**

I submit a request on behalf of the Isle of Anglesey County Council's Standards Committee for the next meeting of the Forum (January 2024) please.

1. There was a good discussion at the last Forum meeting in June 2023 regarding supporting Town and Community Councils with conduct matters. The majority of Town and Community Councils in this area are members of One Voice Wales and we assume that the pattern is repeated nationally. Considering this, and that One Voice Wales offers comprehensive support to the Town and Community Councils, would it be possible to arrange for a representative from One Voice Wales to attend the next Forum meeting?

The representative is asked to present:

- a. General information about the offer made by One Voice Wales to the Town and Community Councils they support; and
- b. Specific details about behaviour / Code of Conduct matters; such as:
  1. What documentation / resources has One Voice Wales for TCCs in relation to behaviour?
  2. What are One Voice Wales' processes for sharing these resources? Is it only done on request and in what format?
  3. Does One Voice Wales offer training on behaviour / code of conduct for members? If so, how is this offered? How is this provided i.e. classroom / online? How often are sessions held? What is the cost?
  4. One Voice Wales has a local resolution protocol that is encouraged by the Ombudsman for use in the TCCs. What support is offered to the TCCs/ Clerk / TCC members on this process? Is there mediation training available?
  5. Any other form of support to TCCs on conduct matters by One Voice Wales offers.

The intention would be to cascade this information with the local Community Councils, whilst also raising awareness with the Standards Committee.

2. This matter arises following recent discussions with Group Leaders in relation to their new duties under the 2021 Act.

WLGA is arranging training for Group Leaders.

- a. What is the timetable for this Training?
- b. Would it be possible for the Standards Committee to have access to this Training (or the resources) for the Group Leaders too, so that they are aware of what the Group Leaders have been advised?

With thanks for considering the request.

Yours sincerely

John R Jones  
Chair – Isle of Anglesey Standards Committee

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<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Town and Community Councils' Training Plans</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To present to the Standards Committee the responses received from the Town and Community Councils to its request for confirmation that Training Plans have been adopted</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwy@ynysmon.llyw.cymru">mwy@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbxc@ynysmon.llyw.cymru">lbxc@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. BACKGROUND

1.1 Under the provisions of the Local Government and Elections (Wales) Act 2021, every Town and Community Council is required to produce an annual training plan for both Councillors and staff. Under this new legislative provision, the first Training Plan was required to be published by each Town and Community Council within 6 months of the Local Government Election on 5 May 2022.

1.2 As part of its work in ensuring high levels of behaviour and conduct by members of the Town and Community Councils, the Standards Committee is interested in the training being offered and the uptake of such training by those members.

## 2. PREVIOUS REQUEST MADE BY THE STANDARDS COMMITTEE

2.1 In its Newsletter to the Town and Community Councils in March 2023, the Standards Committee requested that the Town and Community Councils provided a copy of their current Training Plans to the Committee. A copy of each Town and Community Council's Training Plan was requested by 31 May 2023. The Newsletter explained that the responses from the Town and Community Councils would be discussed at the Standards Committee's meeting in June 2023.

2.2 The responses received from the Town and Community Councils were discussed at the [Standards Committee's meeting in June 2023](#) (item 13). The Standards Committee was disappointed that only five of the forty Town and Community Councils had responded.

### **3. FURTHER REQUEST MADE BY THE STANDARDS COMMITTEE**

3.1 The Standards Committee decided at its June meeting to correspond further with the Town and Community Councils in relation to this matter.

3.2 A further request was made in the Standards Committee's Newsletter for the Town and Community Councils for them to confirm they had adopted a Training Plan – but there was no need for them to forward a copy of the same to the Committee.

3.3 Further correspondence was sent to the Town and Community Councils on 13 November with a request for responses by 30 November 2023.

3.4 **Enclosure 1** details the responses that have been received from the Town and Community Councils. The five responses previously received are included; the new responses received are shown in green. A total of 25 responses, out of a possible 40, have now been received.

### **4. RECOMMENDATION**

4.1 The Standards Committee is asked to note the information detailed with regard to the Town and Community Councils in **Enclosure 1**.

	<b>Cyngor Tref a Chymuned / Town and Community Council</b>	<b>Dyddiad derbyn yr ymateb gan y CTCT/ Date response received from TCC</b>
1	Cyngor Cymdeithas <b>Aberffraw</b> Community Council	
2	Cyngor Tref <b>Amlwch</b> Town Council	14.11.2023
3	Cyngor Tref <b>Biwmares / Beaumaris</b> Town Council	
4	Cyngor Cymdeithas <b>Bodedern</b> Community Council	
5	Cyngor Cymdeithas <b>Bodffordd</b> Community Council	
6	Cyngor Cymdeithas <b>Bodorgan</b> Community Council	13.11.2023
7	Cyngor Cymdeithas <b>Bryngwran</b> Community Council	23.05.2023
8	Cyngor Tref <b>Caergybi / Holyhead</b> Town Council	10.10.2023
9	Cyngor Bro <b>Cwm Cadnant</b> Community Council	13.11.2023
10	Cyngor Bro <b>Cylch y Garn</b> Community Council	
11	Cyngor Cymuned <b>Llanbadrig</b> Community Council	14.11.2023
12	Cyngor Cymdeithas <b>Llanddaniel-Fab</b> Community Council	18.11.2023
13	Cyngor Cymdeithas <b>Llanddona</b> Community Council	
14	Cyngor Cymdeithas <b>Llanddyfnan</b> Community Council	23.05.2023
15	Cyngor Cymdeithas <b>Llaneilian</b> Community Council	14.11.2023
16	Cyngor Cymuned <b>Llanerchymedd</b> Community Council	13.11.2023
17	Cyngor Cymuned <b>Llaneugrad</b> Community Council	
18	Cyngor Cymdeithas <b>Llanfachraeth</b> Community Council	
19	Cyngor Cymdeithas <b>Llanfaelog</b> Community Council	30.11.2023
20	Cyngor Cymdeithas <b>Llanfaethlu</b> Community Council	
21	Cyngor Cymuned <b>Llanfair Mathafarn Eithaf</b> Community Council	
22	Cyngor Cymdeithas <b>Llanfair yn Neubwll</b> Community Council	30.11.2023
23	Cyngor Cymuned <b>Llanfairpwll</b> Community Council	
24	Cyngor Cymdeithas <b>Llanfihangelesceifiog</b> Community Council	13.11.2023
25	Cyngor Tref <b>Llangefni</b> Town Council	15.11.2023
26	Cyngor Cymdeithas <b>Llangoed a Phenmon</b> Community Council	13.11.2023
27	Cyngor Cymdeithas <b>Llangristiolus</b> Community Council	23.05.2023
28	Cyngor Cymdeithas <b>Llanidan</b> Community Council	
29	Cyngor Cymdeithas <b>Mechell</b> Community Council	13.11.2023 I'w drafod yn cyfarfod nesaf / To be discussed at next meeting
30	Cyngor Cymuned <b>Moelfre</b> Community Council	10.10.2023
31	Cyngor Cymuned <b>Penmynydd a Star</b> Community Council	26.10.2023
32	Cyngor Cymdeithas <b>Pentraeth</b> Community Council	04.04.2023
33	Cyngor Tref <b>Porthaethwy / Menai Bridge</b> Town Council	14.11.2023
34	Cyngor Cymdeithas <b>Rhoscolyn</b> Community Council	30.11.2023
35	Cyngor Cymuned <b>Rhosybol</b> Community Council	
36	Cyngor <b>Rhosyr</b> Council	
37	Cyngor Bro <b>Trearddur</b> Community Council	30.11.2023
38	Cyngor Cymdeithas <b>Tref Alaw</b> Community Council	
39	Cyngor Bro <b>Trewalchmai</b> Community Council	23.05.2023
40	Cyngor Cymuned <b>Y Fali / Valley</b> Community Council	05.10.2023

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<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Summary of responses to the Welsh Government’s consultation on the recommendations of the Independent Review of the Ethical Standards Framework in Wales (Richard Penn report).</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To present to the Standards Committee the summary of responses to the consultation carried out by Welsh Government as published in November 2023.</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwyys@ynysmon.llyw.cymru">mwyys@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lboxcs@ynysmon.llyw.cymru">lboxcs@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. BACKGROUND

- 1.1 In March 2021, the then Minister for Housing and Local Government commissioned an independent review of the ethical standards framework for Local Government in Wales established by the Local Government Act 2000. The Framework includes County and County Borough Councils, Corporate Joint Committees, National Park Authorities, Fire and Rescue Authorities and Town and Community Councils. It also considered the changes that were being introduced, and that affected the Framework, under the Local Government and Elections (Wales) Act 2021.
- 1.2 The independent review was undertaken by Richard Penn, a former local authority chief executive and former chair of the Independent Remuneration Panel for Wales.
- 1.3 The full “[Independent Review of the Ethical Standards Framework in Wales](#)” by Richard Penn (independent Consultant) was published some four months later, in July 2021, and concluded that the current Framework is ‘fit for purpose’ and works well in practice. The report made recommendations.

## 2. WELSH GOVERNMENT’S CONSULTATION

- 2.1 Welsh Government carried out a consultation exercise, based on the recommendations of the Independent Review of the Ethical Standards Framework in Wales (Richard Penn report), between 24 March and 23 June 2023.

2.2 The Standards Committee met informally on 12 May 2023 to discuss the Consultation document. The Committee's response to the Consultation questions was recorded and incorporated into a draft Response.

2.3 The Chair of the Standards Committee met with the Group Leaders on 8 June to present and discuss the Standards Committee's draft Response to the Consultation. The Standards Committee's Chair provided a verbal update of the Group Leaders' suggestions at the Standards Committee [meeting in June 2023](#) (agenda item 12).

2.4 The draft response prepared on behalf of the Standards Committee (included as Enclosure 2 to the June 2023 report) was discussed at the Committee's meeting in June. In light of the Group Leaders' suggestions, the Standards Committee agreed to amend this draft response. The response sent by the Standards Committee's Chair, on behalf of the Council, includes the comments made by the Group Leaders as part of the consultation response; the matters relate specifically to questions 14 and 15 in the consultation.

2.5 A copy of the Standards Committee's final response form, as sent to Welsh Government on 22 June 2023, is included as **Enclosure 1** to this report. The deadlines for responses was 23 June.

### **3. SUMMARY OF RESPONSES TO THE CONSULTATION EXERCISE**

3.1 In November 2023, Welsh Government published a Summary of responses to the consultation on the recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report). The document can be seen [here](#).

3.2 The document is shared for information with the Standards Committee as no action is required.

### **4. RECOMMENDATION**

4.1 For the Standards Committee to note the contents of the Welsh Government's Summary of responses to the consultation on the recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report).

4.2 The Director of Function (Council Business) / Monitoring Officer will keep the Standards Committee informed of any further documentation or information received in relation to the Welsh Government's Consultation on the Penn Review.

## Consultation response form: WG47012

Your name: John R Jones, Chair of the Standards Committee

Organisation (if applicable): Cyngor Sir Ynys Môn / Isle of Anglesey County Council

email/telephone number: [JohnJones@ynysmon.llyw.cymru](mailto:JohnJones@ynysmon.llyw.cymru)

Your address: Council Offices, Llangefni, Ynys Môn LL77 7TW

### Consultation Questions

We are not seeking specific responses on all the Recommendations. This is because taking into account discussions held with stakeholders and key partners Welsh Ministers' responses to the Recommendations include a number of suggestions for legislative change, highlights some actions which have subsequently been addressed without the need for legislation since the Report was published, some suggestions for non-legislative action and further suggestions for improvement which have been identified in discussion with stakeholders since the Report's publication.

However, there is a general question at the end of the consultation questions where you can add your comments on the Recommendations that do not have a specific question below, or where you wish to make any other comments on the consultation document.

### Recommendation 4

Q1. Do you agree the relevant regulations relating to the Ethical Standards Framework should be amended to align with the definitions relating to protected characteristics in the Equality Act 2010, and that we should amend the definition of equality and respect in section 7 of The Conduct of Members (Principles) (Wales) Order 2001 ([legislation.gov.uk](http://legislation.gov.uk))?

Yes

**Comment:** This appears logical and reasonable; it also ensures a consistency of approach across Wales.

### Recommendation 10

Q2. Should the Adjudication Panel Wales (APW) be able to issue Restricted Reporting Orders?

Yes

**Comment:** We agree that the APW be able to issue Restricted Reporting Orders during a hearing, and its associated proceedings.

However, following the announcement / publication of the APW's decision in a case, we would suggest that Restricted Reporting Orders only be made in specific and exceptional circumstances.

We distinguish APW hearings from those of Employment Tribunals (as referred to in the Consultation). In employment matters, the issue is usually between specified parties while, in APW cases, there is a strong public interest element as the cases relate to those who are holding public office in a representative capacity.

The APW's right to issue Restricted Reporting Orders must work within the principle that cases involving councillors (which could result in the disqualification of a councillor from holding public office) require the highest possible level of transparency.

Q3. Should there be express legal provision to enable the APW to protect the anonymity of witnesses?

Yes

**Comment:** No further comment.

Q4. Do you support the proposed changes to the permission to appeal procedure outlined in this recommendation. If not, what alternatives would you suggest?

Yes

**Comment:** We support the changes but:-

(A) Clarity is needed as to the definition of "days". Is this working days?

(B) 7 days (whether it be working days or not) is not sufficient time for an Appellant to provide the requisite documentation/information. Most Appellants will be acting in person and will be unfamiliar with such proceedings. The implications of the appeal could be significant for them and therefore a reasonable timeframe would need to be adopted; and

(C) We are concerned about the proposal not to place any deadline on the APW, particularly as all other parties will have deadlines to meet (eg Appellant 7 days, PSOW 14 days). It is only fair that the APW is also held to account by having to follow a timetable. This would assist parties to manage their expectations as this would be a matter of significance to the Appellant, the Complainant, and other witnesses. The timescale should not be indefinite. Long delays are not in the public interest and would bring the process into disrepute.

Q5. Should there be an express power for the APW to summon witnesses to appeal tribunals?

Yes

**Comment:** Whilst we would agree with the principle of the APW having an express power to summon witnesses to appeal tribunals, we do question how effective such a power would be unless there were consequential sanctions for a breach. We would wish to know what the sanctions might be.

Q6. Should there be any changes in the procedure for referring appeals decisions back to standards committees?

No

**Comment:** We would not support such a change as the current arrangement works effectively and it is useful for the Standards Committee to receive the APW's recommendation, even if it decides not to follow it. To refer a matter back to the primary decision maker for reconsideration, with recommendations and even instructions, is an established judicial practice.

Q7. Do you agree there should be an express provision to enable part or all of tribunal hearings to be held in private?

Yes

**Comment:** We consider that there should be a presumption that all hearings be held in public, but that in certain prescribed circumstances, it would be fair and reasonable for parts/all of a tribunal hearing to be held in private. The Standards Committee, like the Council, is able to exclude the press and public in limited circumstances e.g. where personal information or commercially sensitive information is disclosed and it is appropriate that the APW have the power to conduct part/all of a hearing in private where circumstances require.

Q8. Do you agree that the requirement to provide not less than seven days' notice of the postponement of a hearing should be retained?

Yes

**Comment:** We suggest that the maximum possible notice of postponement of a hearing should be given and that seven days' notice (we would again ask for clarity on whether this definition included only working days) is noted as a minimum.

Q9. Should there be a wider range of sanctions available to the APW, and if so, what should they be?

Yes

**Comment:** We would support the APW having a varied and flexible approach to the sanctions available to it and believe that options such as restricting a member's access to resources of the authority, restricting a member's access to premises of the authority (in their elected capacity) or placing conditions such that a suspension will be shorter if the member apologises in writing / receives training / takes part in conciliation, would be useful.

We also consider that a partial suspension would be useful e.g. for failing to disclose a personal interest in a planning matter, allowing the member to continue with their local duties but they would be suspended from sitting on the Planning Committee for three months etc. In those circumstances, their electorate would not be disenfranchised. A similar approach could be taken to senior salaried roles, where local member duties continue but a member is suspended from undertaking a leadership role and receiving that element of their allowance.

Q10a. Do you support the proposed amendments to the process for interim case tribunals outlined in this recommendation? If not, could you please explain.

Yes

**Comment** This would be helpful in avoiding councils, in some circumstances, in having to apply for injunctions to exclude members in certain circumstances.

It is also assumed that an interim suspension order would follow the same logic as that for employees when suspended from their employment and thus remuneration/allowances would continue in full.

Q10b. If you do support the changes to the process for interim case tribunals, do you agree that an intermediate arrangement should be put in place i.e., by shortening and streamlining the process for interim case tribunals in The Adjudications by Case Tribunals and Interim Case Tribunals (Wales) Regulations 2001?

No

If yes, do you have any suggestions as to how this process could be streamlined within the regulations?

**Comment:** Putting resource into developing an interim arrangement now could distract from the efforts to ensure a long-term change, and we believe that limited resources would be put to better use by concentrating efforts on that long-term strategy.

Q11. Do you have any further views on the recommendations made in relation to the operation of the APW?

No

## Recommendation 12

Q12. Do you have any suggestions as to how work might be taken forward to raise awareness of the Ethical Standards Framework, in particular for people with protected characteristics as described in the Equality Act 2010?

**Comment:** Co-ordinated central action would be useful in delivering this aim. To that end, it is suggested that this may be something which the National Forum of Standards Committee Chairs could discuss and agree a consistent approach.

However, while raising awareness of the ethical framework is generally positive, we are concerned about managing public expectations. While there is often evidence of breach, the PSOW applies a high public interest threshold and local resolution arrangements only apply to elected members and not complaints from the public. So, to “advertise” or “promote” the framework could result in many more complaints which will ultimately be rejected. We wonder whether this is wise?

## Other related matters outside of the Review Report

Q13. Advertising for independent members of standards committees: Do you agree the requirement to advertise vacancies for independent members on standards committees in newspapers should be removed?

Yes

**Comment:** We consider that where such vacancies are advertised should be a matter of local choice and not a legislative requirement.

In our previous experience, newspaper advertising has proved beneficial. However, we have also used other advertising too including website and social media.

We would support a practice that ensures the greatest possible pool of candidates are reached, of varying demographics, where inclusivity is of paramount consideration.

Our Standards Committee Selection Panel is about to fill a casual vacancy. The recommendation will be to include newspaper advertising because of the older demographic of the area served by the Council and to avoid any possibility of digital exclusion.

Q14a. Former council employees sitting as independent members on standards committees: Do you agree that the lifelong ban on former council employees being independent members of their previous employer’s standards committee should be removed?

Yes

Q14b. If yes, what do you think would be a suitable period of grace between employment and appointment to a standards committee, and should this be the same for all council employees, or longer for those who previously holding statutory or politically restricted posts?

The Standards Committee considers that most former Council employees should be able to sit as an independent member after 12 months of their employment ending.

However, in accordance with the Standards Committee's opinion, an individual who held a politically restricted post should wait 2 years following the termination of their employment before sitting as an independent member.

There is no consensus opinion amongst the Group Leaders on this matter, with some agreeing with the opinion of the Standards Committee and others of the opinion that officers that held a politically restricted post should wait a minimum of 3 years following the termination of their employment before sitting as an independent member.

Q15. Former councillors sitting as independent members on standards committees:

Do you agree that the lifelong ban on serving as an independent member on the standards committee of the council to which a councillor was elected should be removed? If yes, what do you think would be a suitable period of grace?

Yes and No

**Comment:** The Standards Committee considers that a former Councillor might sit as an independent member after 2 years of leaving elected office .

There was a difference of opinion amongst the political Group Leaders. Some felt that former Councillors had beneficial skills and therefore agreed with the Standards Committee's view; whilst others believed that the lifelong ban on former Councillors should not be removed as they were concerned about motivation.

In relation to the responses to questions 14 and 15 to extend the pool of persons who could sit as independent members on the Standards Committee, the comment was also made that there should be a range of backgrounds and skills amongst the independent members of a Standards Committee i.e. not all independent members should be former councillors or former officers.

Q16. Standards committees' summoning witnesses and sanctions: Should standards committees have the power to summon witnesses?

No

**Comment:** We do not consider that summoning an unwilling witness would assist a case; we would seek to hear from witnesses who are willing to contribute to the proceedings and will offer information of their own accord. In any such event,



providing such a power, but without any means of enforcement, would merely bring the exercise of the power into disrepute.

Q17. Do you agree that the sanctions a standards committee can impose should be changed or added to?

Yes

If yes, what sanctions would you suggest?

Much as with the provision to extend the APW's sanctions [discussed under question 9 above], we would welcome added flexibility to the type of sanctions available to the Standards Committee.

As a pro-active Standards Committee, we believe that education is key. This also applies to those who have breached the Code of Conduct. We would like to have a more refined set of sanctions available that would support this overall aim. Wherever it is reasonable to do so, in the public interest, we would seek to support and encourage good practice rather than "punish".

We would support the APW having a varied and flexible approach to the sanctions available to it and believe that options such as restricting a member's access to resources of the authority, restricting a member's access to premises of the authority (in their elected capacity) or placing conditions such that a suspension will be shorter if the member apologises in writing / receives training / takes part in conciliation, would be useful.

We also consider that a partial suspension would be useful e.g. for failing to disclose a personal interest in a planning matter, allowing the member to continue with their local duties but they would be suspended from sitting on the Planning Committee for three months etc. In those circumstances, their electorate would not be disenfranchised. A similar approach could be taken to senior salaried roles, where local member duties continue but a member is suspended from undertaking a leadership role and receiving that element of their allowance.

### **Welsh language**

We would like to know your views on the effects that the above changes to the Framework and Model Code of Conduct 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.

Q18. What effects do you think there would be?

Q19. How could positive effects be increased, or negative effects be mitigated?

Q20. Please also explain how you believe the proposed amendments 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 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.

We note that the Penn report states that it is “essential the Framework reflects significant legislation made since its establishment, in particular the Equality Act 2010, the Well-being of Future Generations (Wales) Act 2015 and the Local Government and Elections (Wales) Act 2021”. It does not refer to the legal regime of the Welsh Language (Wales) Measure 2011, which gives official status to the language and places a duty on public bodies to ensure that:

- Welsh is not treated less favourably than English; and
- that persons in Wales should be able to live their lives in Welsh if they wish.

Any changes should comply with Welsh language standards, be mindful of local authorities’ Welsh language policies and respect the freedom of elected members and others to use the language if they wish.

Q21. Do you have any other comments you wish to make on the matters raised in this consultation, including for those Report Recommendations where no specific question has been posed?

Yes

**Comment:** Training on the Code of Conduct is essential. Whilst the Code of Conduct for this Council includes a provision that members will complete training on the Code within 6 months of taking up office, there is no requirement in the Model Code, and no such requirement on town and community councillors. We are of the view that the Model Code should include this provision.

Training for community council clerks is also something that should be considered. A well-informed clerk, who understands both the Code of Conduct and the rules of procedure, is essential in a high functioning community council. The PSOW’s office has repeatedly reported that the majority of cases received relate to town and community councillors. Perhaps compulsory training might assist in reducing that number. We have arranged four training sessions for town and community councillors, and their clerks, but the uptake has been very low. Perhaps, national, digital training materials which town and community councils might view in their own meetings/view remotely, might be useful.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick

here:

Thank you for taking time to respond to this consultation. A summary of responses will be published in due course.

<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Annual Report for the Standards Committee</b>
<b>PURPOSE OF THE REPORT:</b>	<b>For the Standards Committee to note the contents</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwycs@ynysmon.llyw.cymru">mwycs@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbxcs@ynysmon.llyw.cymru">lbxcs@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. BACKGROUND

1.1 There is a statutory requirement for the Standards Committee to present an annual report, which meets the statutory requirements, as included in the Statutory Guidance published by Welsh Government, as soon as reasonably practicable after the end of each financial year.

## 2. ANNUAL REPORT FOR 2022-2023

2.1 The Standards Committee's Annual Report for 2022/2023, for the period running from 1 April 2022 to 31 March 2023, was presented, in draft, at the [Standards Committee's June 2023 meeting \(item 11\)](#).

2.2 The Standards Committee members met informally in July 2023 to discuss the process for Group Leaders to provide information in relation to their new duties. The draft Annual Report was amended to include the information ascertained during this process.

2.3 The Committee's final report was presented to a [meeting of full Council on 12 September 2023](#) (item 12).

## 3. ANNUAL REPORT FOR 2023-2024

3.1 One element of the Annual Report, that was done for the first time in the 2022/2023, is that it must include the Committee's assessment of Group Leaders' compliance with their new duties under the Local Government and Elections (Wales) Act 2021. The Standards Committee met in November 2023 in order to discuss the process followed for the 2022/2023 reporting period and to consider the process for the current reporting period.

3.2 It was decided at the November meeting that changes would be proposed to the Group Leaders' Form for reporting to the Standards Committee. Arrangements are being made

for the Chair and Vice Chair to attend at a Group Leaders' meeting to present the amended draft template report, included as **Enclosure 1** to this report, and to obtain the Group Leaders' views. The Standards Committee members will be advised as to the result of those discussions.

3.3 As part of the Standards Committee's work with the Group Leaders in relation to their new duty, the Chair and Vice Chair will also discuss with the Group Leaders possible training opportunities. Welsh Government's statutory guidance details that Standards Committees must provide or arrange training to Group Leaders on their new duty.

3.4 A draft annual report for 2023-2024, which incorporates the findings from the above process, will be presented at the Standards Committee meeting in June 2024.

#### **4. RECOMMENDATION**

4.1 For the Standards Committee to note the contents of this report.

## The Standards Committee's Annual Report and the new Group Leaders' duty



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

1. Under the Local Government and Elections (Wales) Act 2021, political Group Leaders now have duties in relation to standards of conduct. A leader of a political group must (a) take reasonable steps to promote and maintain high standards of conduct by the members of the group and (b) cooperate with the Council's Standards Committee in the exercise of its functions.
2. Group Leaders who fail to comply with the duty maybe regarded as bringing their office into disrepute, in breach of the Code of Conduct for Members.
3. In addition, the 2021 Act places a duty on Standards Committees to make an annual report to their council as soon as reasonably practicable after the end of each financial year (1 April-31 March). The report must be considered by the relevant council before the end of 3 months beginning with the day on which the council receives it.
4. The Standards Committee's annual report must include an assessment of the extent to which Group Leaders have complied with their duties (paragraph 1 above). The Standards Committee requires information from the Group Leaders in order to do this.
5. Having regard to the requirements in the 2021 Act, a template report has been drafted to assist Group Leaders and remind them of the matters to be covered in their reports to the Standards Committee. This template is included in **Appendix 1**.
6. The template does not ask, and should not include, details of individual cases. The report focuses on the type of action which has been taken in relation to each matter.
7. Group Leaders are asked to produce these reports once a year; however, if issues of importance arise during the year, Group Leaders should consult with the Monitoring Officer, who will inform the Chair of the Standards Committee.
8. Completed forms are to be forwarded by Group Leaders to the Monitoring Officer **by 30 April** in each year. The Monitoring Officer will report to the Standards Committee.
9. The independent members of the Standards Committee will arrange to meet with each Group Leader in private to discuss their reports **during May**.
10. The Standards Committee will use appropriate information from the Group Leaders' reports to inform its annual report to Council. The Committee's annual report will contain a short summary of the steps taken to fulfil the duty, its opinion on whether what has been done is sufficient and any future pieces of work that might be undertaken etc.
11. The Standards Committee will discuss its draft annual report to Council at its formal committee meeting in June. During this meeting the Standards Committee will agree on its findings arising from the Group Leaders' reports and will also confirm in that public forum the identity of any Group Leader who has failed to submit a completed report.
12. The Committee's annual report will be presented to full Council at the next available full Council meeting after the Standards Committee's June meeting.
13. If relevant, unaffiliated members (sitting outside a group) will also need to be briefed in the same way as Group Leaders so as to ensure high standard of conduct are maintained by all members, though they would not be expected to produce a report in this way.

**Report by Group Leaders (GL) to the Standards Committee in relation to their GL duty:**

<b>Report by:</b>	(name of GL)	<b>Political Group:</b>	(name of Group)
<b>Period for which report applies ('the Period'):</b>	1 April 20__ to 30 March 20__	<b>Number of members in Group:</b>	

**Steps taken by the GL to promote compliance with the Code of Conduct:**

*Appendix 2 includes the type of matters the Standards Committee expects the Group Leaders to pay attention to and the threshold that is used by the Committee to consider if you have taken steps in relation to your duty as Group Leader. Please consider these matters and the 10 behavioural principals in public life that are in Appendix 3 when preparing your response.*

**→ Personal commitment**

Use your own words to complete this section. See Appendix 2 for more information.

-

**→ Encouraging Members**

Use your own words to complete this section. See Appendix 2 for more information.

-

**→ Working with the Standards Committee and other Group Leaders**

Use your own words to complete this section. See Appendix 2 for more information.

-

**Please attach any relevant information you have of the steps that you have taken regarding the above matters.**

**Training on the Code of Conduct during the Period:**

**Number of members that have received training on the Code of Conduct:**

**Mandatory Training Modules (excluding the Code of Conduct) during the Period:**

See list of Mandatory Training in **Appendix 4 2**

<b>Number of mandatory training modules to be completed by all Group members:</b>		<b>Number of completed modules:</b>	
<b>Number of members in the Group that have completed all required mandatory training modules:</b>			

**Number of members that have received specific training on the Code of Conduct specifically:**

**Regular Group Meetings during the Period:**

**Number of Group meetings held for all Group members:**

**Annual Discussion between members and their Group Leader during the Period:**

**Number of members who have been offered an annual discussion with the GL:**

**Number of members who accept the above offer with the GL:**

**Number of members who have attended an annual discussion meeting with the GL:**

**Annual Reports, ~~for the Period~~ that are considered as good practice by the Committee, for the Period:**

**Number of members who have submitted a completed annual report:**

**Standing Register of Personal Interests:**

**Number of members who have reviewed their Standing Register of Interests:**

**Complaints:**

<b>Complaint received from:</b> (insert numbers)	<b>Stage which the complaint reached:</b>		
	<b>Informal</b>	<b><u>Local Resolution Protocol</u></b>	<b>PSOW</b>
member of the public			
officer			
member of the same political group			
member of a different political group / not in a political group			

**Support meetings:**

**Number of members who have been offered support meetings by the GL:**

**Number of members who have accepted the offer of a support meeting by the GL:**

**Steps taken by GL to promote compliance with the Code of Conduct:**

**This section is to be completed in your own words. Please see **Appendix 3** for more information.**

**Consideration for this year compared to last year:**

**A copy of the form that was received by you last year has been attached.**

**Below, please explain what matters have **improved** this year?**

-

**A copy of the form that was received by you last year has been attached.**

**Below, please explain what matters you think **need further attention** during the next year?**

-

***Please send your report to the Monitoring Officer by emailing [LynnBall@ynysmon.llyw.cymru](mailto:LynnBall@ynysmon.llyw.cymru)***

**Signed by GL:** \_\_\_\_\_

**Date:** \_\_\_\_\_

This section of the report is to be completed in your own words.

There is ***no need to include all the information listed below***. The matters which follow are included as examples of the type of information that you may wish to consider including as part of your response and based on the [Statutory Guidance published by Welsh Government on the Local Government and Elections \(Wales\) Act 2021](#).

Personal commitment:

- demonstrated personal commitment by attending relevant development or training around equalities and standards, including the Code of Conduct;
- setting an example by demonstrating the principles of conduct in public life ~~(see Appendix 4)~~; including specifically politeness and respect;
- used your influence to promote a positive culture;
- promoted a culture within the group which supports high standards of conduct and integrity;
- addressed issues as soon as they arose;
- promoted civility and respect within group communications and meetings and in formal meetings of the Council;
- worked to implement any recommendations from the Standards Committee about improving standards;

Encouraging group members:

- encouraged group members to attend relevant development or training, particularly around equalities and standards; including the Code of Conduct;
- ensured nominees to a committee had received the recommended training for that committee;

Co-operation with others:

- promoted informal resolution procedures, and worked with the Standards Committee and Monitoring Officer to achieve local resolution;
- worked with the standards committee to recognise inappropriate behavioural patterns, give them consideration, and deal with these matters e.g. asking for, or suggesting appropriate training, asking to delete inappropriate message from social media pages or asking them to consider apologising.
- attended a meeting of the Council's Standards Committee if requested to discuss Code of Conduct issues;
- attended meetings with the Monitoring Officer and/or other Group Leaders as necessary to discuss matters of conduct;
- worked together with other Group Leaders to collectively support high standards of conduct within the Council;

Other matters that could be relevant:

- You've revised the Ombudsman's Guidance on the Code of Conduct during the year. You've encouraged members of your Group to do the same.
- You've considered the Standards Committee's Newsletters during the year. You've encouraged members of your Group to do the same.

You're asked to attach relevant evidence. In compliance with the [Statutory Guidance by Welsh Government](#), evidence can include minutes from meetings, copies of correspondence, a review on members training on matters regarding equality and the Code of Conduct, and steps taken to deal with any gap-s in that training.



- Selflessness
- Honesty
- Integrity and Propriety
- Duty to uphold the law
- Stewardship
- Objectivity in Decision making
- Equality and respect
- Openness
- Accountability
- Leadership

## Mandatory Training Modules

Generally (excluding Code of Conduct – dealt with under separate heading):-

- Code of Conduct \*
- Cyber Security \*
- Safeguarding #
- Data processing (GDPR) #
- Equalities #
- Information Technology \*

\* = required within 6 months of a member being elected

# = required within 12 months of a member being elected

In addition to:

- For all Chairs and Vice-Chairs of Council and its Committees:
  - o Chairing Meetings for Chairs and Vice-chairs  
Required on being elected as Chair / Vice-Chair and every two years if re-elected.
  
- The relevant training required for a member of a particular Committee including:
  - o Planning Committee
  - o Licensing Committee
  - o Governance and Audit Committee
  - o Appointments Committee

Members must complete and repeat the required mandatory training in accordance with details published by the Council.

<b>CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL</b>	
<b>COMMITTEE:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>REPORT TITLE:</b>	<b>Indemnities Policy</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To report to the Standards Committee on the Democratic Services' review of the Council's Indemnities Policy</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwyics@ynysmon.llyw.cymru">mwyics@ynysmon.llyw.cymru</a></b>
<b>LINK OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbxcs@ynysmon.llyw.cymru">lbxcs@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. INTRODUCTION

1.1 The Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006 ('the Order') permits local authorities to offer indemnities (and insurance) to members and officers when discharging the duties of their respective roles. The powers granted by the Order were adopted by this Council in 2011 when it resolved to offer indemnities to members and officers according to a policy ('the Policy') adopted at the same time. In 2013 the Policy was amended to include a recommendation by the Welsh Government that any indemnity granted under the Order to an elected member to defend a claim of breach of the Code of Conduct should be limited to a maximum of twenty thousand pounds.

1.2 On 29 November 2023, a [report was presented to the Democratic Services Committee](#) with a request that the Committee reviewed and endorsed the current existing Policy. A copy of the current Policy is attached to that report.

1.3 The report details that most matters that could be covered by indemnities are already covered by insurance that the Council has in place. However, the one area where there is no insurance cover, and which does fall within the scope of the Order and the Policy, is the power to offer an indemnity for the costs of an elected member to defend any claim brought against them for breach of the Council's Code of Conduct

1.4 The established Indemnities Sub-Committee would be responsible for considering any application made by a member under the Policy.

## 2. THE ROLE OF THE STANDARDS COMMITTEE

2.1 The Standards Committee may be required to determine a complaint referred to the Committee by the Public Service Ombudsman for Wales (PSOW) under Part 3 Local Government Act 2000 (the Act). This may arise as the result of either:

- (a) The PSOW ceasing an investigation and referring the matter to the Monitoring Officer under section 70(4) of the Act and the Monitoring Officer then investigating the matter and reporting the conclusion of his/her investigation to the Committee,  
or
- (b) The PSOW undertaking an investigation and then referring the matters which are the subject of the investigation to the Monitoring Officer under section 71(2) of the Act for reporting to the Standards Committee.

2.2 A member that is facing allegations of a breach of the Code of Conduct may require legal advice and assistance. Such a member should consider if they are eligible to make an application under the Policy. Such applications are to be determined by the Indemnities Sub-Committee in accordance with the Policy.

2.3 In cases where an elected member is found to have breached the Code and is subject to a penalty of a suspension or disqualification, then the law requires that any indemnity granted by the Indemnities Sub-Committee must be repaid by the member. Where the penalty imposed is less severe than a suspension then the requirement on the member to repay depends on a decision by the Council's Standards Committee.

### **3. UPDATE FROM THE DEMOCRATIC SERVICES COMMITTEE**

3.1 The Democratic Services agreed with the recommendation made in the report.

3.2 It also asked that the cap of £20,000 be reviewed upon the next regular review of the Policy, in light of the passage of time and rising inflation since that cap was first introduced.

### **4. RECOMMENDATION**

4.1 For the Standards Committee to note the contents of the Indemnities Policy and the role they may be required to undertake in relation to indemnities that have been granted to members that are subsequently found to be in breach of the Code of Conduct for members.

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
<b>MEETING:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>13 December 2023</b>
<b>TITLE OF REPORT:</b>	<b>A Review by the Standards Committee of a sample of the elected members' Registers of Interests</b>
<b>PURPOSE OF THE REPORT:</b>	<b>To advise the Committee on the process to be followed</b>
<b>REPORT BY:</b>	<b>Mared Wyn Yaxley Solicitor – Corporate Governance <a href="mailto:mwyics@ynysmon.llyw.cymru">mwyics@ynysmon.llyw.cymru</a></b>
<b>CONTACT OFFICER:</b>	<b>Lynn Ball Director of Function (Council Business) / Monitoring Officer <a href="mailto:lbxics@ynysmon.llyw.cymru">lbxics@ynysmon.llyw.cymru</a> 01248 752586</b>

## 1. INTRODUCTION AND BACKGROUND

- 1.1 As part of its work programme for 2023-2024, the Standards Committee has decided to conduct a review of a sample of the elected members' registers of interests, to ensure compliance with the [Council's Code of Conduct for Members](#).
- 1.2 The reviews are conducted by the Committee's 5 independent members.
- 1.3 The Standards Committee sent correspondence to all elected members of the Council on 27 October 2023 to advise them of the Committee's intention. A copy is attached as **Enclosure 1**.
- 1.4 The Standards Committee Chair has also advised Group Leaders of this intention when he met with them in early October.

## 2. THE CURRENT POSITION

- 2.1 The process to be followed for the reviews, and how to select the sample, was discussed at an informal Standards Committee meeting on 15 November 2023.

### 2.2 The sample:

- 2.2.1 It was decided that the sample will include 20 Members. Each independent member of the Committee will review 4 members' details.
- 2.2.2 The sample will be selected on a political balance ratio, as follows:

Party name (" <a href="#">Your Councillors by party</a> "):	Total number of group members:	On the basis of 20 reviews, total number of members to be reviewed:
<b>Plaid Cymru / The Party of Wales</b>	<b>21</b>	<b>12</b>
<b>Annibynnwyr Môn</b>	<b>7</b>	<b>4</b>

<b>Y Grŵp Annibynnol</b>	<b>4</b>	<b>2 (rounded down from 2.2)</b>
<b>Welsh Labour / Llafur Cymru</b>	<b>3</b>	<b>2 (rounded up from 1.7)</b>
<b>Total</b>	<b>35</b>	<b>20</b>

2.2.3 Each Group Leaders' Registers will be reviewed. The other member(s) of the Group whose Register is to be reviewed is selected at random.

## **2.3 The process:**

2.3.1 At the previous request of the Standards Committee members, an Advice Note was presented to the Standards Committee at its informal meeting on 15 November 2023. The Advice Note was approved by the Committee. A copy of the Advice Note is included as **Enclosure 2** to this report. Each reviewer will follow the process in the Advice Note as they conduct their reviews so as to ensure consistency of approach by each reviewer.

## **3. THE NEXT STEPS**

3.1 The process for selecting the elected members for the review has been done using a random selector tool. The names of those members selected for the review will not be disclosed publicly by the Standards Committee.

3.2 Each independent member of the Standards Committee will be informed of the names of those members that they will need to conduct a review upon.

3.3 The Standards Committee will meet informally prior to conducting the reviews to discuss the process to be held. The process will generally follow the Advice Note.

3.4 The reviews are to be conducted as individual exercises i.e. every member on the Standards Committee will receive the names of those Members that they are to review and they will conduct these, independently, and as a desktop exercise.

3.5 Further correspondence will be sent to all elected members to advise them of the Standards Committee's intention in relation to the reviews. A copy of the Advice Note to be followed by the Standards Committee members will also be sent to the elected members, for information.

3.6 Each reviewer's findings are to be submitted as suggested in section C of the Advice Note. It is proposed that a separate document be prepared detailing the summary of findings (in table format) for each elected member.

3.7 At the end of the exercise, a general report (with no names being identified) will be shared with all the Members in the hope that this will be a means of sharing good practice and recognising matters which commonly need to be addressed. It will also be an opportunity for the Standards Committee to propose its ideas for improvements.

## **4. RECOMMENDATION**

4.1 The Standards Committee is asked to note the contents of this report and its enclosures.

**From:** Cyfraith/Law <cyfraith@ynysmon.llyw.cymru>

**Sent:** 27 October 2023 16:10

**To:** Geraint A. Bebb <GeraintAplfanBebb@ynysmon.llyw.cymru>; Non Dafydd <NonDafydd@ynysmon.llyw.cymru>; Paul Ellis <PaulEllis@ynysmon.llyw.cymru>; Jeff M. Evans <JeffEvans@ynysmon.llyw.cymru>; Neville Evans <NevilleEvans@ynysmon.llyw.cymru>; Douglas M. Fowle <DouglasMFowle@ynysmon.llyw.cymru>; Glyn Haynes <GlynHaynes@ynysmon.llyw.cymru>; Trefor Lloyd Hughes <TreforHughes@ynysmon.llyw.cymru>; Aled M. Jones <AledJones@ynysmon.llyw.cymru>; Carwyn Elias Jones <CarwynEliasJones@ynysmon.llyw.cymru>; Dyfed W. Jones <DyfedJones@ynysmon.llyw.cymru>; Gwilym Jones <GwilymJones@ynysmon.llyw.cymru>; John I. Jones <JohnIJones@ynysmon.llyw.cymru>; Robert Llewelyn Jones <RobertJones@ynysmon.llyw.cymru>; Jackie Lewis <JackieLewis@ynysmon.llyw.cymru>; Llinos Medi <LlinosMedi@ynysmon.llyw.cymru>; Euryr Morris <EuryrMorris@ynysmon.llyw.cymru>; Pip O'Neill <PipO'Neill@ynysmon.llyw.cymru>; Derek Owen <DerekOwen@ynysmon.llyw.cymru>; Llio A. Owen <LlioAOwen@ynysmon.llyw.cymru>; Gary Pritchard <garypritchard@ynysmon.llyw.cymru>; Dylan Rees <DylanRees@ynysmon.llyw.cymru>; Alun Roberts <AlunRoberts3@ynysmon.llyw.cymru>; Dafydd Roberts <DafyddRoberts4@ynysmon.llyw.cymru>; Keith R. Roberts <KeithRoberts@ynysmon.llyw.cymru>; Margaret M. Roberts <MargaretRoberts2@ynysmon.llyw.cymru>; Nicola Roberts <NicolaRoberts@ynysmon.llyw.cymru>; Ken Taylor <KenTaylor@ynysmon.llyw.cymru>; Dafydd Rhys Thomas <DafyddRhysThomas@ynysmon.llyw.cymru>; Alwen P. Watkin <AlwenPWatkin@ynysmon.llyw.cymru>; Ieuan Williams <IeuanWilliams@ynysmon.llyw.cymru>; Robin W. Williams <RobinWilliams@ynysmon.llyw.cymru>; Sonia Williams <SoniaWilliams2@ynysmon.llyw.cymru>; Liz Wood <LizWood@ynysmon.llyw.cymru>; Arfon Wyn <ArfonWyn@ynysmon.llyw.cymru>; John R. Jones <JohnJones@ynysmon.llyw.cymru>; Dyfan Sion <DyfanSion@ynysmon.llyw.cymru>; Hyfforddiant / Training <Hyfforddiant@ynysmon.llyw.cymru>

**Cc:** John R. Jones <JohnJones@ynysmon.llyw.cymru>

**Subject:** Adolygiad o'r Cofrestrau Datgan Diddordeb gan y Pwyllgor Safonau / Review of the Registers of Interests by the Standards Committee

Annwyl Aelodau,

Fel y gwyddoch, mae'n fwiad gan y Pwyllgor Safonau gynnal adolygiad o Gofrestrau Diddordebau Aelodau Etholedig y Cyngor Sir eleni. Rhoddwyd rhag-rybudd am hyn wrth drafod Rhaglen Waith y Pwyllgor ar gyfer 2023/2024 fel rhan o'r Adroddiad Blynyddol 2022/2023; rwyf hefyd wedi atgoffa Arweinyddion y Grwpiau o'r bwriad hwn yn fy nghyfarfod hefo nhw ar ddechrau'r mis.

Cyn cynnal yr adolygiad, rhoddir cyfle i Aelodau edrych ar eu manylion yn y Cofrestrau a'u gwirio er mwyn sicrhau eu bod yn gyflawn ac yn gywir. Byddwch yn gwerthfawrogi bod y Cod yn mynnu bod rhaid rhoi gwybod am unrhyw newid i ddiddordebau sydd wedi eu cofrestru o fewn 28 diwrnod i chi ddod yn ymwybodol o'r newid, beth bynnag.

Mae 3 Cofrestr ar gael i'w gweld ar-lein ar gyfer pob Cynghorydd, sef

- Cofrestr Sefydlog ar gyfer datganiadau diddordeb yn cynnwys manylion cyflogaeth ac aelodaeth o grwpiau neu fudiadau;
- Cofrestr datganiadau mewn cyfarfodydd, a
- Cofrestr Rhoddion a Lletygarwch.

Os am weld eich Cofrestrau chi, dilynnwch y ddolen [hon](#) ac yna dewis eich tudalen bywgraffiad chi o'r rhestr o Gynghorwr ar wefan y Cyngor. Unwaith byddwch ar eich tudalen bersonol ar y wefan, mae'r Cofrestrau yn ymddangos o dan y pennawd "Mwy o wybodaeth am y cynghorydd yma".

## ATODIAD / ENCLOSURE 1

Byddwn yn ddiolchgar petaech yn gwirio'r hyn rydych wedi ei gofnodi yn y Cofrestrau a'u diweddaru os yn briodol.

- Mae'n hanfodol fod yr holl ddiweddariadau i'r Gofrestr Sefydlog a'r Gofrestr Rhoddion a Lletygarwch yn cael eu diweddaru drwy'r system ModGov; gallwch gael mynediad [yma](#). Mae gwybodaeth ynghylch sut i lenwi ac addasu eich Cofrestrau ar gael yn y [Canllaw](#) yma.
- Bydd angen gwneud unrhyw ddiweddariadau i'r Gofrestr o ddatganiadau diddordeb mewn cyfarfodydd drwy'r Adain Bwyllgorau (system bapur ydi hon).

Er gwybodaeth gefndirol bellach, gallwch ystyried y [Nodyn Briffio ar Ddiddordebau Personol a Rhagfarnol](#) (a rannwyd efo Aelodau yn flaenorol).

Yn ogystal â'r 3 Cofrestr, bydd y Pwyllgor Safonau hefyd yn adolygu:

- Cofnod hyfforddiant Aelodau;
- Bywgraffiadau'r Aelodau ar y wefan;
- Adroddiadau Blynyddol Aelodau; ac
- Aelodaeth yr Aelodau o gyrff allanol gan gynnwys eu presenoldeb mewn cyfarfodydd a'r broses ar gyfer bwydo nŵl.

Bwriad y Pwyllgor Safonau ydi cynnal yr adolygiadau yma fel ymarfer unigol h.y. bydd pob aelod ar y Pwyllgor Safonau yn derbyn enwau'r Aelodau bydd disgwyl iddyn nhw eu hadolygu. Ni fydd Cofrestrau pob Aelod yn cael eu hadolygu; y bwriad yw cynnal adolygiad o sampl ymysg y 35 Aelod Etholedig cyfredol. Bydd aelodau'r Pwyllgor Safonau yn cynnal yr adolygiadau ar eu cyfrifiaduron yn unigol. Ar ddiwedd yr ymarferiad, bydd adroddiad cyffredinol (heb enwau yn cael eu nodi) yn cael ei rhannu hefo'r holl Aelodau yn y gobaith bydd hyn yn ffordd o rannu arfer dda rhwng Aelodau a chynnig syniadau am welliannau.

Byddaf mewn cysylltiad pellach er mwyn cadarnhau pryd fydd yr Adolygiadau yn cychwyn. Y bwriad ar hyn o bryd yw dechrau ar y gwaith ganol / ddiwedd mis Tachwedd.

Cofion,

John R Jones  
Cadeirydd y Pwyllgor Safonau

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Dear Member,

As you know, it is the intention of the Standards Committee to conduct a review of the Registers of Interests for County Council Elected Members this year. Notice of this was given when discussing the Committee's Work Programme for 2023/2024 as part of its Annual Report for 2022/2023; I have also reminded Group Leaders of this intention when I met with them at the beginning of the month.

Before the review is conducted, Members are given the opportunity to look at their details in the Registers and check them in order to ensure that they are complete and accurate. You will appreciate that the Code requires you to update any change to your registered interests within 28 days of you becoming aware of the change, in any event.

There are 3 Registers available online for each Member, namely

- The Standing Register for declaring interests including employment details and the membership of any groups or organisations;



- The Register of declarations at meeting and
- The Gifts and Hospitality Register.

In order to view your Registers, follow [this link](#) and then select your biography page from the list of Councillors on the Council's website. Once you are on your personal page on the website, the Registers appear under the heading of "More information about this councillor".

I would be grateful if you could check your records in the Registers and update them if necessary.

- It is essential that all updates to the Standing Register and the Register of Gifts and Hospitality are made through the ModGov system; you can get access [here](#). Directions for completing and updating your online Registers can be seen on this [Guidance](#).
- Any updates to the Register of declarations of interests made in meetings must be made through the Committees Section (this is a paper system).

For further background information, you can review the [Briefing Note on Personal and Prejudicial Interests](#) (which has already been shared with Members).

As well as the 3 Registers, the Standards Committee will also review:

- Members' training records;
- Members' biographies on the website;
- Members' Annual Reports; and
- Members' membership of outside bodies, including their attendance at meetings and the feedback process.

The Standards Committee intends to conduct these reviews as an individual exercise i.e. every member on the Standards Committee will receive the names of those Members that they are to review. Not all Members' Registers will be reviewed; the intention is to review a sample amongst the 35 current Elected Members. The members of the Standards Committee will conduct the review on their laptops individually. At the end of the exercise, a general report (no names will be identified) will be shared with all the Members in the hope that this will be a means of sharing good practice amongst Members and proposing ideas for improvements.

I will be in further contact so as to advise you of the start date for the Reviews. The intention at the moment is to begin the work towards the middle / end of November.

Regards,

John R Jones  
Chair of the Standards Committee



### Adain Gyfreithiol

Cyngor Sir Ynys Môn  
Swyddfeydd y Cyngor  
Llangefni  
Ynys Môn

### Legal Section

Isle of Anglesey County Council  
Council Offices  
Llangefni  
Isle of Anglesey

LL77 7TW  
[cyfraith@ynysmon.llyw.cymru](mailto:cyfraith@ynysmon.llyw.cymru)  
Ffôn: 01248752590

LL77 7TW  
[cyfraith@anglesey.gov.wales](mailto:cyfraith@anglesey.gov.wales)  
Tel: 01248 752590



Ysgrifennwch ataf yn  
Gymraeg neu Saesneg



Please write to me in  
Welsh or English

Croeso i chi ddelio gyda'r Cyngor yn Gymraeg neu'n Saesneg. Cewch yr un safon o wasaneth yn y ddwy iaith.

You are welcome to deal with the Council in both languages. You will receive the same standard of service in both languages.

**STANDARDS COMMITTEE: REVIEW OF THE REGISTERS OF INTERESTS OF ELECTED AND CO-OPTED MEMBERS – METHODOLOGY ADVICE NOTE**

You have been asked to carry out a review of the Registers of Interests for elected and co-opted Members. This note has been produced in order to assist you in that process by detailing the documents which need to be reviewed, the type of information which you will need to gather from looking at those documents and the method for reporting your findings.

**A. DOCUMENTS TO BE REVIEWED**

The documents to be reviewed during this exercise are:-

**1. The Standing Register of Interests**

- The law and the Council's Code of Conduct require councillors and voting co-opted members to declare and record personal interests.
- The Standing Register of Interests for each Member is available online on each [Member's biography page](#).
- Whilst reviewing the Standing Register, you will also need to consider the list of membership on outside bodies, as [recorded by the Council for each Member](#), and the [Member's biography page](#) so as to cross-reference these with the information included by the Member on their Standing Register

**2. The Register of Declarations of Interests in Meetings**

- This Register comprises of paper forms which are completed by each Member who declares either a personal or a personal and prejudicial interest regarding an item discussed at a meeting. You can request the full paper copies of the relevant Member's 'Declarations in Meetings Forms' by contacting the Committee section (Democratic Services).
- Information included on those forms is copied on to the relevant [Member's biography page](#) and included under the heading "More information about this councillor" by clicking on "Declarations at meetings". You will need to review this section for each Member.
- You will then need to cross-reference the information included in the declaration with the Minutes for the relevant meeting. The Minutes of all meetings can be found [here](#).

**3. The Register of Gifts and Hospitality**

- The [Register of Gifts and Hospitality](#) for each Member is available for public examination online.
- The Standards Committee has prepared and circulated a [briefing note](#) to Members on frequently asked questions regarding gifts and hospitality which you should read in order to assist you with the review.

**4. Members' Training Records**

- The record of corporate training completed by Members is kept and produced by the Human Resources section.
- Members are also required to complete an online record of all Training events attended. This information is on the relevant Member's biography page and included under the heading "More information about this councillor" by clicking on "Training". You will need to review that section for each Member.

**5. Annual Reports**

- Annual reports are prepared by elected Members only.

- There is no requirement on any Member to complete an Annual Report; however, if a Member submits an Annual Report, there is a requirement for the County Council to publish it.
- A link to each Member's Annual Report is included on that [Member's biography page](#) under the heading "Additional information" by clicking on "Members Annual Reports". You will need to review that section for each Member.

## B. WHAT NEEDS TO BE REVIEWED?

### 1. The Standing Register

- 1.1 This Register needs to be completed within 28 days of election and then updated (online) as and when changes occur. An annual letter is sent to all Members to remind them of the requirement in the Code of Conduct which expects Members to update this Register within 28 days of any material change to the relevant interests.  
→ Check when the Register was last updated (the detail is included on the Register itself).
- 1.2 Members must ensure that sufficient information is included regarding Part 1 – Financial Interests.  
There is no requirement for Members to include their home postal address in their Register of Interests; generic information about the property is sufficient.  
→ Check that this section has been completed satisfactorily. Is anything unclear?
- 1.3 Members must also ensure that adequate information is included in Part 2 – Other Interests. The name of the body / organisation needs to be noted in full (no abbreviations) and the column on the right (noting the status of the individual on that body) must also be completed.  
→ Check that this section has been completed satisfactorily. Is anything unclear? Have abbreviations been used?
- 1.4 Members need to ensure that they put a line through irrelevant boxes or that they write "none", "no", "not applicable".  
→ Check that no box is left empty – it either needs substantive information or confirmation that no information needs to be included in that section.
- 1.5 The list of membership of outside bodies, as recorded by the Council for each Member, (the link to this list is included in A1 above) should be the same as what has been included by the Member on their Standing Register.  
→ Check if there are any anomalies between the list which is being provided by the Council and the list which the Member has included on the Register.
- 1.6 The relevant information which appears on the Member's Register of Interests should be the same as that included on the Member's biography page.  
→ Is there any information on the [Member's biography page](#) which does not correspond with the information included in their Standing Register?
- 1.7 The process for completing and amending the Standing Register of Interests involves each Member inputting details from within their MyDemocracy homepage. Instructions on how this can be done are included by way of a guide "How to update your register of interests form" available [here](#).  
The boxes included on the Register are dictated by the Code of Conduct as the matters that Members must include on their Pre-Registration document.  
→ Is this process clear? Have you any suggestions on how to improve the process?

→ Is the Guidance easy to understand? Have you any suggestions on how to improve the Guidance?

## 2. **The Register of Declarations of Interests in Meetings**

2.1 In general, and as a matter of principle, the paper declaration forms (held by the Committee section (Democratic Services) after being completed by the Member) should be standalone in order that the public understand the interest and how it is relevant to the item on the agenda, the connection with that item, and whether the interest is a personal interest or a personal and prejudicial interest meaning that the Member had to leave the meeting as a result.

→ Check if the form has been completed in full and in a way that would make sense to anybody reading it (i.e. members of the public who have no information or specific expertise with regard to the Code of Conduct and its requirements)?

→ Is there sufficient information regarding the interest and how it is relevant to the Agenda item?

2.2 Is there any indication that Members are having difficulty differentiating between the declaration of personal interests (where they would be permitted to remain in the meeting) and the declaration of personal and prejudicial interests (where they are required to leave meetings)?

Or are Members declaring interests unnecessarily and being over-cautious?

→ Consider, based on the facts which have been declared by the Member / the detail included in the Agenda, Reports and Minutes, if the declaration was personal or personal and prejudicial. Does your opinion resemble what the Member expressed?

2.3 Review the Minutes for the meeting in which the declaration was made to ascertain if those Minutes confirm the information included on the paper form.

→ Check that the Minutes confirm (a) a declaration of interest was made, (b) whether that interest was personal or personal and prejudicial, and (c) if prejudicial, that the Member left the meeting for that item.

2.4 → Are there any examples when Members have declared interests in meetings but have then forgotten to complete the declaration of interests in meetings form?

2.5 → Do you wish to suggest any changes to the form for the declaration of interests in meetings in order to assist Members or to improve clarity and/or transparency for the public?

2.6 The process for registering declarations made at meetings is a paper process. Each Member must complete a paper form confirming the oral declaration made by them at the meeting; the form includes prompts to ensure each Member includes the details as required under the Code of Conduct. The Member must submit the paper form to an officer within the Committee section (Democratic Services). The officer from the Committee section inputs the information submitted by the Member on the online Register. → Is this process clear? Have you any suggestions on how to improve the process?

→ Is the Guidance easy to understand? Have you any suggestions on how to improve the Guidance?

## 3. **The Register of Gifts and Hospitality**

3.1 Declarations must be made within 28 days of the receipt of any gift or hospitality which is higher than the £20 limit. You are asked to review the registrations in order to determine

whether they conform with the Code's requirement / the information contained in the briefing note (referred to in A3 above).

→ Check whether the Member has included sufficient information regarding the item?

→ Has the Member registered the gift/hospitality received in a timely manner?

→ Can you suggest any further improvements or advice which needs to be provided to the Members in relation to gifts/hospitality?

3.2 The process for registering the receipt of any gift or hospitality involves each Member inputting details from within their MyDemocracy homepage.

→ Is this process clear? Have you any suggestions on how to improve the process?

#### 4. **Members' Training Records**

4.1 Review the paper record provided by HR and compare with the information on the Member's biography page.

→ Is the information between the two consistent?

4.2 → Consider how many training sessions has the Member attended in comparison with the number of sessions they have been invited to attend?

4.3 → Are there certain training sessions which the Member has failed to attend which causes particular concern?

#### 5. **Annual Reports**

5.1 → Has the Member produced an Annual Report for the relevant period?

5.2 → Is the information on the Annual Report complete? Does it conform with the information included for that Member elsewhere e.g. list of membership of outside bodies, training record etc.?

### C. REPORTING YOUR FINDINGS

1. It is suggested that you report your findings by way of a table with the following headings:

ADOLYGYDD	AELOD	COFRESTR SEFYDLOG DATGAN DIDDORDEBAU	DATGANIADAU MEWN CYFARFODYDD	RHODDION A LLETYGARWCH	HYFFORDDIANT	ADRODDIAD BLYNYDDOL
REVIEWER	MEMBER	STANDING REGISTER OF INTERESTS	DECLARATION OF INTERESTS IN MEETINGS	GIFTS AND HOSPITALITY	TRAINING	ANNUAL REPORT

2. The information which is included under each heading will be the 'answers' to those questions which have been asked in **B** above, whilst considering the documentation referred to in **A** above.

3. You may include any further information/comment which has not been mentioned or referred to in this Advisory Note. This Note has been prepared by way of guidance only and is not designed to limit your conduct in carrying out the Review.

4. If, following conducting the review, you require further information or details, please do not hesitate to contact the relevant Member directly.

Prepared by the Monitoring Officer  
September 2023