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## Medwen Jones

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**From:** Medwen Jones  
**Sent:** 26 February 2013 10:11  
**To:** RPJED@anglesey.gov.uk; Bethan Jones; Gwynne Jones; Arthur Owen; Gwen Carrington; Mike Barton; Anwen Davies; Carys Edwards; Carys Emyr Edwards; John Fidoe; Anwen M. Hughes; 'J Huw. Jones (JHJCE@anglesey.gov.uk)'; 'J Huw. Jones (JHJCE@anglesey.gov.uk)'; Gwyn Parry (GXPED@anglesey.gov.uk); Einir W. Thomas; John Rees. Thomas; Dewi R. Williams; Dylan Williams; Shan Lloyd. Williams; Jim Woodcock; Gill Lewis; Lynn Ball; Clare J. Williams; John Chorlton; Eufryn Davies; Lewis Davies; Jim Evans; Richard Dew; Cliff Everett; Fflur Hughes; Kenneth Hughes; Robert Ll Hughes; Trefor Lloyd Hughes; R Vaughan Hughes; William I Hughes; Aled M. Jones; Dylan Jones; Eric Jones; Gwilym Jones; Hywel Eifion Jones; O Glyn Jones; Raymon Jones; Robert Llewelyn Jones; Thomas H Jones; Clive McGregor; Rhian Medi; Bryan Owen; John Victor Owen; Richard Owen; Bob Parry; Goronwy Parry; ARWEL ROBERTS; Eric Roberts; Gareth Winston Roberts; Peter Rogers; Elwyn Schofield; Ieuan Williams; Selwyn williams; Alun W. Mummery; Vaughan Hughes  
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**Subject:** PROTOCOL HUNAN REOLEIDDIO / SELF REGULATION PROTOCOL  
**Attachments:** 165338 - PDF COPY CYM - Revised Protocol for Self Regulation - Suggested Principles.pdf; 165337 - PDF COPY ENG - Revised Protocol for Self Regulation - Suggested Principles.pdf

Fel yr ydych yn gwybod, mae'r Cyngor Sir wedi mabwysiadu Protocol Hunan Reoleiddio i ddatrys anghydfodau bychan sy'n ymwneud ag Aelodau, gyda golwg ar osgoi iddynt gael eu cyfeirio i'r Ombwdsmon.

Fel rhan o'i Raglen Waith ar gyfer 2012/13 mae'r Pwyllgor Safonau wedi adolygu'r Protocol cyfredol, ac wedi rhoi argymhellion ymlaen ar gyfer newid.

Mae'r newidiadau a awgrymir wedi eu hymgorffori mewn cyfres o egwyddorion cyffredinol, ac y mae copi ohonynt ynghlwm.

Mae'r rhain wedi derbyn cytundeb yr Arweinyddion Grwpiau ond cyn i'r Pwyllgor Safonau ddechrau drafftio protocol newydd, byddent yn falch o dderbyn eich barn a'ch sylwadau, yn cynnwys unrhyw gynigion eraill.

Os bydd gennych unrhyw sylwadau, byddwn yn ddiolchgar o'u derbyn, yn ysgrifenedig, erbyn diwedd mis Mawrth.

Llawer o ddiolch,

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As you know, the County Council adopted a Self Regulation Protocol to resolve minor disputes involving Members, with a view to avoiding escalation of complaints to the Ombudsman.

As part of its Work Programme for 2012/13 the Standards Committee has reviewed the current Protocol, and put forward recommendations for change.

The suggested changes are embodied in a set of general principles, a copy of which is attached.

These have the agreement of the Group Leaders but, before the Standards Committee embarks on drafting a revised Protocol, they would be grateful for your comments and observations, including any alternative proposals.

If you have any comments, I would be glad to receive them, in writing, by the end of March.

Many thanks

Lynn

Pennaeth Adnoddau Cyfreithiol a Gweinyddol/Swyddog Monitro

Head of Function Legal and Administration/Monitoring Officer

Cyngor Sir Ynys Môn / The Isle of Anglesey County Council

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## Isle of Anglesey County Council's Revised Protocol for Self Regulation

### Suggested Principles :

1. Change the name to Local Resolution Protocol
2. Limit the Protocol to dealing with paragraphs (4)(b) and (6)(1) (d) of the Code i.e. alleged failure to show respect and consideration for others and not to make vexatious, malicious or frivolous complaints against Members or Officers (copy extracts attached).
3. Purpose is swift mediation and reconciliation and not punishment.
4. Complaints may be made by any Member against any other Member or by any Officer against any Member.
5. A Member or Officer wishing to use the Protocol will put their complaint in writing to the Monitoring Officer, on a short, standard form.
6. Any complaint must be lodged within 7 working days from the date of the event, or 7 working days from the date when the event came to the knowledge of the complainant.
7. The Monitoring Officer will send a copy of the complaint to the Member who is the subject of the complaint.
8. The Member who is the subject of the complaint will have 7 working days within which to send a reply to the Monitoring Officer.
9. Upon receipt of any reply, or when the 7 working days for reply has elapsed, the Monitoring Officer will arrange an informal Panel of the Standards Committee, to consider the complaint, on the first convenient date available.
10. The Panel will consist of two Members of the Standards Committee (on a rotational basis, and will not include Community Councillors).
11. The Panel meeting will take place in private and any paperwork it receives, or generates, will remain confidential (subject to any legal duty to disclose eg to the Ombudsman; if the matter escalates).
12. The parties concerned will be invited to attend the Panel, and may bring any witnesses upon whom they intend to rely.
13. Group Leaders will be invited and may attend if they wish.
14. The Monitoring Officer, or her representative, will attend to advise the Panel.
15. After hearing from the parties, and any witnesses, the Panel will express a view and make recommendations for resolution. Such recommendations may include a request that action be taken by Group Leaders, including, in relation to unaffiliated Members.
16. The outcome of all Panels will be reported, in anonymised format, to quarterly meetings of the Standards Committee.

council which has functions in relation to the community council for which it is responsible under section 56(2) of the Local Government Act 2000.

## **Part 2 - General Provisions**

2. (1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a police authority or Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6. (1) You must —

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to the Public Services Ombudsman for Wales and to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. 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;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(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;



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

## Local Resolution Protocol Complaint Form

**To:** The Chief Executive

**From:**

**Date:**

**I/We confirm that all direct efforts to resolve the below mentioned complaint have failed.**

<b>What is the complaint</b>	
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<b>When and where did this occur</b>	
<b>Are there any other parties involved</b>	

<b>What do you see as the desired outcome</b>	
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Signature: \_\_\_\_\_

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