

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL

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| COMMITTEE: | Standards Committee |
| DATE: | 13 December 2023 |
| REPORT TITLE: | Adjudication Panel for Wales Decisions |
| PURPOSE OF THE REPORT: | To provide information about the matters considered by the Adjudication Panel for Wales and published since the last Committee meeting on 14 June 2023 |
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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 |
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| <p>1.</p> <p><u>APW/014/2022-023/CT: Councillor Steve Davies</u></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>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 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.</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> |

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| | <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>2.</p> <p><u>APW/013/2022-023/CT: Former Councillor Karen Laurie-Parry</u></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"> • Bronllys • Y Gaer • The Heart of Wales Property Service ('HOWPS'). <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>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"> • 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'. • 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. • 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". <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 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.</p> <p><u>Points of learning:</u></p> |

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| | | <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"> • 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; • That the conduct undoubtedly caused personal disadvantage to Mr Brinn in particular, whether it had been intended or not; • That the breaches of confidentiality had been abusive of the trust that had been placed in her as a Councillor; • That her behaviour was not a 'one off'. She had embarked upon a pattern of conduct over many months; • 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. <p>→ <u>Mitigating factors:</u></p> <ul style="list-style-type: none"> • The Respondent's personal circumstances, including the physical and mental ill-health; • Her past record of good service; | <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"> The fact that she cooperated with the Ombudsman in relation to the investigation; | |
| <p>3.</p> <p><u>APW/001/2023-024/CT: Former Councillor Donald Jenkins</u></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"> In relation to a certain tender notice for the refurbishment of | <p>There were four Disputed Material Facts outlined in the PSOW Report as follows: -</p> <ol style="list-style-type: none"> Did the Respondent create and display a tender notice in the community for the refurbishment of the bus shelters? 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? Did the Respondent attempt to mislead AW in relation to the bus shelter refurbishment tender notice? 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? <p>The Case Tribunal then considered each of the Disputed Material Facts in turn as follows.</p> <ol style="list-style-type: none"> 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. 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. 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. 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 | <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 Respondent should be disqualified</p> |

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| | <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> 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> 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"> • A fairly short length of service and inexperience in the role of Chairman. • 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. • Whilst there was more than one example of provision of misleading replies and information, the misconduct all related to the same AW investigation process. • The Respondent had co-operated with the PSOW's | <p>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.</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>" Members are encouraged to seek advice and attend training, as needed.</p> |

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| | 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"> • The Respondent was in a senior position of responsibility and trust at the relevant time. • 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. • Provision of misleading information suggested an element of deception. • There appeared to be a lack of understanding or acceptance of the misleading conduct and its consequences. • The conduct was either deliberate or reckless and showed little or no concern for the Code. • 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. | |
| <p>4.</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> |

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| | <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"> • 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. • the evidenced misconduct was a one-off or isolated incident. • the Respondent's confirmation that he had donated his Council allowance to local good causes following conviction and sentence. <p>→ <u>Aggravating factors</u></p> <ul style="list-style-type: none"> • The long service and position of responsibility in the community should also have alerted the Respondent to his responsibilities and the need for accountability. • 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. • 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'. • The absence of any regret or apology for the consequences of his actions as regards his elected role and the Relevant Authority. | <p>The Case Tribunal found by unanimous decision that the Respondent should be disqualified for 9 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.</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> |