

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
COMMITTEE:	Standards Committee
DATE:	6 February 2025
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 18 June 2024 until 31 December 2024.
REPORT BY:	Mared Wyn Yaxley Legal Services Manager mwyics@ynysmon.llyw.cymru
LINK OFFICER:	Lynn Ball Director of Function (Council Business) / Monitoring Officer lbxics@ynysmon.llyw.cymru

1. INTRODUCTION

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 18 June 2024 until 31 December 2024. 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 is detailed in **ENCLOSURE 1**.

Decisions made:

- APW/006/2023-024/CT: Former Councillor Steve Davies | The Adjudication Panel for Wales
- APW/007/2023-024/CT: Former Councillor Jeff Davies | The Adjudication Panel for Wales

3. RECOMMENDATION

To note the content of the case summaries.

ENCLOSURE:

1.	A summary of the cases published on the <u>Adjudication Panel for Wales (APW) website</u> for the period from June 2024 – December 2024.
----	--

ENCLOSURE 1

Summary of Cases before the Adjudication Panel for Wales – June 2024 – December 2024

Link to case	Name	Relevant Authority	Nature of allegation	Date	Tribunal decision	Points of interest arising:
APW/007/2023-024/CT: Former Councillor Jeff Davies The Adjudication Panel for Wales	Former Councillor Jeff Davies	New Quay Town Council	Breach of paragraph 6(1)(a) 6(1)(a) – Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.	Hearing date 3 July 2024 via remote attendance technology	Breach of paragraph 6(1)(a). Disqualified for 12 months: <i>“The Case Tribunal considered a period of disqualification to be necessary and proportionate to allow the Respondent a further period of reflection in the light of his continuing failure to recognise the severe impact which his</i>	The Case Tribunal noted that the Respondent had accepted that he had engaged in criminal behaviour by accepting a conditional caution. The Case Tribunal further noted a number of aggravating factors in this case, including that there was a lack of real understanding or acceptance by the Respondent for his misconduct and any consequences. Whilst he had demonstrated remorse in relation to his conduct on occasions, it was apparent that he lacked true insight into the seriousness of the criminal behaviour and the impact that his behaviour had upon an individual and the likely impact that his behaviour would have upon the Relevant Authority. His apologies to the victim did not appear to be entirely sincere, as he apologised

Link to case	Name	Relevant Authority	Nature of allegation	Date	Tribunal decision	Points of interest arising:
					<p><i>behaviour had on the recipient of his messages, and the wider impact this would have upon his role and Council which could reasonably have been foreseen"</i></p>	<p>on the phone for how the victim had felt rather than for the conduct itself.</p> <p>The Case Tribunal also considered that the Respondent had ignored advice, training and warnings as to conduct. The Case Tribunal noted that the Respondent had received training on the Code of Conduct shortly before he signed his formal undertaking to abide by the Code in July 2022 and had received general advice about conduct and the Code from the Monitoring Officer during August 2022 regarding a separate issue, and yet he persisted in sending a further email to the recipient in September 2022.</p> <p>The Case Tribunal considered that the Respondent had also demonstrated a pattern of behaviour in that he had decided to re-engage with the victim by sending the further e-mail in September 2022 referencing a rumour. He then</p>

Link to case	Name	Relevant Authority	Nature of allegation	Date	Tribunal decision	Points of interest arising:
						<p>contacted the victim's office and spoke to his father in February 2023, without apparent insight as to the likely impact upon the victim.</p> <p>In addition, the Case Tribunal was satisfied that the nature of the conduct itself was an aggravating feature. By sending messages of a sexually explicit nature, found to be harassing and perceived by those affected to be an attempt to blackmail the recipient, the Respondent had engaged in what could reasonably be regarded as a disturbing and threatening course of criminal conduct.</p>
APW/006/2023-024/CT: Former Councillor Steve Davies The Adjudication Panel for Wales	Former Councillor Steve Davies	Ceredigion County Council & Aberystwyth Town Council	Breach of paragraphs 4(b), 4(c), 6(1)(a) & 7(a) 4(b) – Members must show respect and	Determined by written representations at a meeting held on 22 August 2024 by way of	Breach of paragraph 4(b), 4(c) & 6(1)(a). No breach of paragraph 7(a).	Various descriptors of the Respondent's conduct had been used in the evidence; creepy, pestering and/or stalking. In the Case Tribunal's judgment the Respondent's behaviour was considered predatory. He appeared to prey upon those who he

Link to case	Name	Relevant Authority	Nature of allegation	Date	Tribunal decision	Points of interest arising:
			<p>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 themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.</p> <p>7(a) – Members must not in their official capacity</p>	remote video-conferencing.	Disqualified for 3 years.	<p>considered might not have been likely to have raised concerns; those who were lonely and/or housebound or those who were significantly younger than him.</p> <p>The Case Tribunal considered that the following aggravating factors were present;</p> <p>(1) The Respondent’s long experience as a councillor;</p> <p>(2) The fact that his behaviour was not a ‘one off’. He had engaged in a pattern of conduct over many months involving multiple individuals;</p> <p>(3) The conduct was not reckless or actions undertaken on the spur of the moment; it was deliberate, planned and designed to elicit contact and/or relationships;</p> <p>(4) There was upset caused to some individuals and more significant alarm and distress to others;</p>

Link to case	Name	Relevant Authority	Nature of allegation	Date	Tribunal decision	Points of interest arising:
			<p>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, or any other person, a disadvantage.</p>			<p>(5) There was an imbalance of power, both because of his position and, in some cases, the differences in age between him and those to whom he made advances (Incidents 3 and 7);</p> <p>(6) He displayed a lack of insight. During his interactions with the Monitoring and Safeguarding Officers and others and during interview, he seemed unable to appreciate how his conduct had been concerning and upsetting. Rather, he sought to trivialise it;</p> <p>(7) He failed to alter his course of conduct after having been asked to do so, not only by the victims or others connected with them (Incidents 1, 3 and 7), but also by the Monitoring Officer and Police (Incident 7);</p> <p>(8) His failure to attend training as promised.</p>

Link to case	Name	Relevant Authority	Nature of allegation	Date	Tribunal decision	Points of interest arising:
						<p>The Tribunal considered the following mitigating factors;</p> <ul style="list-style-type: none"> (1) His past record of good service, as confirmed by the PSOW and Ceredigion County Council; (2) The fact that he cooperated with the Ombudsman in relation to the investigation.