

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
COMMITTEE:	Standards Committee
DATE:	12 June 2025
REPORT TITLE:	Published findings by the Public Services Ombudsman for Wales for all Councils in Wales
PURPOSE OF THE REPORT:	To advise the Committee of all Wales findings published on its website by the Public Services Ombudsman for Wales for the period between 1 January 2025 and 31 May 2025.
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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 January 2025 to May 2025 in relation to Code of Conduct matters only [ENCLOSURE 1].

2. QUARTERLY NEWSLETTER

In addition to the information on the website, the PSOW also publishes quarterly newsletters. The sixth edition of the quarterly newsletter from the PSOW, November 2024 - March 2025 (dated 1 April 2025) 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:

- (1) That there is no evidence that there has been a breach of the authority's code of conduct;
- (2) That no action needs to be taken in respect of the matters that were subject to the investigation;
- (3) That the matter be referred to the authority's monitoring officer for consideration by the standards committee; or
- (4) 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 (3) or (4) 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**.

ENCLOSURE:

1.	A summary of the information published under the " <u>Our Findings</u> " heading on the <u>Public Services Ombudsman for Wales (PSOW)</u> website for the months of January 2025 to the end of May 2025 in relation to Code of Conduct matters only.
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ENCLOSURE 1

Date	Name of Council	Case Reference Number	Links to case on PSOW's website	Report Type – Subject	Report Type – Outcome	Commentary / Points to note:
15/01/2025	Llansteffan and Llanybri Community Council	202306358	<u>Disclosure and registration of interests</u> : <u>Llansteffan and Llanybri Community Council - Public Services Ombudsman for Wales</u>	Disclosure & registration of interest	No action necessary	<p>The Ombudsman received a complaint that a former Member had breached the Code of Conduct by failing to declare his personal and prejudicial interests in Council business relating to village green matters when he attended a Village Green Committee meeting and a Council meeting.</p> <p>The Ombudsman's view was that the former Member ought to have declared his interest in Village Green matters, left the meeting when the period for public participation ended and not further participated in discussions. The failure to do so was suggestive of a breach of paragraphs 11(1), 11(2)(b), 14(1)(a) and 14(1)(e) of the Code.</p> <p>When the Former Member attended the relevant Council meeting, his</p>

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						<p>interests remained the same. The failure to declare his interest and leave the room when Village Green matters were discussed suggested further breaches of paragraphs 11(1) and 14(1)(a) of the Code.</p> <p>The former Member's lack of experience and training, the absence of any personal gain, harm caused to another or intent to abuse his position to create an advantage for himself or disadvantage others were considered.</p> <p>It was further noted that the outcome of the meetings was unlikely to have been any different had he not been present at the relevant meetings.</p> <p>Shortly afterwards, the Standards Committee granted the former Member a dispensation to</p>

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						<p>participate in future Village Green matters.</p> <p>The former Member acknowledged their wrongdoing and apologised at interview with the Ombudsman. This, together with the fact that he was no longer a member of the Council, led the Ombudsman to determine that the breaches were not so serious that a referral to the Standards Committee was appropriate or required in the public interest.</p> <p>The Ombudsman decided that no action needed to be taken in respect of the matters investigated.</p>
27/02/2025	Flintshire County Council & Saltney Town Council	202307129 / 202307130	<u>Selflessness & Stewardship : Flintshire County Council - Public Services</u>	Selflessness & Stewardship	No action necessary	The Ombudsman received a complaint alleging that a Member had breached the Code of Conduct by abusing their position and using the resources of their authority improperly. They allegedly

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			<u>Ombudsman for Wales</u>			<p>requested the delivery of sandbags to their close family member's property during a severe flooding event.</p> <p>The investigation considered whether the evidence gathered was suggestive that paragraphs 7(a) and 7(b) of the Code had been breached and considered whether paragraphs 11 or 14 of the Code had also been breached.</p> <p>The evidence confirmed that the Member had not told Council officers that their reports of flooding or request for the delivery of sandbags related to their close family member's property. However, it also confirmed that the Member did not attempt to apply pressure to obtain preferential treatment for their requests outside of the Council's established emergency protocol. The Ombudsman's view was that</p>

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						<p>this did <u>not</u> suggest the Member had breached paragraphs 7(a) or 7(b) of the Code.</p> <p>By failing to declare their personal and prejudicial interest in matters which affected the Member's close family member's property, the Ombudsman concluded this was suggestive of some technical breaches of paragraphs 11(2)(a), 11(2)(b), 14(1)(d) and 14(1)(e) of the Code.</p> <p>Based on the evidence, the Ombudsman was not persuaded that the likely breaches of the Code in relation to interests also breached paragraphs 6(1)(a) which relates to disrepute or 7(a) (misuse of position).</p> <p>It was appreciated that this was a crisis situation and that had the Member declared a personal and</p>

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						<p>prejudicial interest when they contacted the Council, this would have alerted the Council officers to the fact that the requests related to their close family member, and likely have given the perception that they were trying to use their position improperly, and potentially breaching paragraphs 7(a) and/or 7(b) of the Code.</p> <p>On balance, it was determined that any interest breaches were not so serious as they had no detrimental impact on the Complainant or any inappropriate influence on the Council's actions that a referral to the Standards Committee was appropriate in the public interest.</p> <p>The Ombudsman decided that no action needed to be taken in respect of the matters investigated.</p>

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20/03/2025	Monmouthshire County Council	202401376	<u>Duty to uphold the law : Monmouthshire County Council - Public Services Ombudsman for Wales</u>	Duty to uphold the law	No action necessary	<p>The Ombudsman received a self-referred complaint from a member of the Council, explaining that the Member had failed to observe the Code of Conduct by disclosing potentially sensitive or restricted information during a Council meeting.</p> <p>The Ombudsman determined that investigation was appropriate and that the following paragraphs of the Code were considered:</p> <ul style="list-style-type: none"> • 5(a) – [members] must not 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.

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						<ul style="list-style-type: none"> 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 found that the Member's actions in referring to the information without express consent or authorisation to do so (and the resulting publicity arising from this) were suggestive of breaches of the paragraphs of the Code considered.</p> <p>However, the Ombudsman considered that further action, by way of referral to a Standards Committee or the Adjudication Panel for Wales, was not required in the public interest.</p> <p>Public interest factors taken into consideration included the self-reflection, remorse and acceptance</p>

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						<p>of the potential breaches by the Member. It was also noted that the Member took swift action in recognition of the disclosure which appears to have been based on an ill-judged assumption that the information was in the public domain at the time.</p> <p>The Ombudsman decided that no action needed to be taken in respect of the matters investigated</p>
10/04/2025	Tonyrefail Community Council	202400913	Promotion of equality & respect : Tonyrefail Community Council - Public Services Ombudsman for Wales	Promotion of equality & respect	Discontinued	<p>A member of the public alleged that during a telephone conversation, a Member made a “disability discriminating remark”.</p> <p>The Ombudsman started an investigation to consider paragraphs 4(a) (equality of opportunity), 4(b) (respect and consideration) and 6(1)(a) (disrepute) of the Code of Conduct.</p>

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						Considering the Complainant's wishes and the information obtained during the investigation, the Ombudsman decided that it was not in the public interest to continue the investigation. The investigation was discontinued.
15/04/2025	Bridgend County Borough Council	202402082	<u>Promotion of equality & respect : Bridgend County Borough Council - Public Services Ombudsman for Wales</u>	Promotion of equality & respect	Discontinued	<p>It was alleged that the Member, in making particular remarks to the press, following a decision which the Council's Standards Committee made about his professional conduct, failed to adhere to the Code of Conduct for members of Local Authorities.</p> <p>The Ombudsman discontinued their investigation, on the basis it was no longer proportionate or in the public interest to investigate further, in light of the subsequent recognition and remorse shown by the Member in related proceedings.</p>

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23/04/2025	Carmarthenshire County Council	202402415	<u>Promotion of equality & respect : Carmarthenshire County Council - Public Services Ombudsman for Wales</u>	Promotion of equality & respect	No action necessary	<p>The Ombudsman received a complaint that a Member had breached the Code of Conduct during a public election event when he made what was reported as a fascist salute directed toward one of the candidates. The matter was reported in the media and in online articles in the days that followed.</p> <p>An investigation considered whether the Member's conduct was capable of bringing the Council or the role of member into disrepute to be suggestive of a breach of the Code.</p> <p>Having considered the evidence gathered and explanations provided by the Member for his actions, the Ombudsman determined, on balance, that the Member's actions were serious in nature and had the ability to negatively impact the reputation of the Council and the role of member and were likely to</p>

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						<p>have brought both his office and his authority into disrepute.</p> <p>However, taking into account the Member's actions immediately after the event and wider circumstances including the public interest, the Ombudsman determined that no further action was necessary.</p> <p>The Ombudsman determined that no action needed to be taken in respect of the matters investigated.</p>
24/04/2025	Carmarthenshire County Council	202402627	<u>Promotion of equality & respect : Carmarthenshire County Council - Public Services Ombudsman for Wales</u>	Promotion of equality & respect	No evidence of breach	The Ombudsman received a complaint that a Member had breached the Code of conduct by publicly supporting behaviour of another Member who was alleged to have breached the Code at a public election event and by thereafter failing to deal with the conduct of that Member as a Group Leader.

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						<p>An investigation considered whether the Member's conduct was capable of bringing the Council or the role of member into disrepute.</p> <p>Having considered the evidence gathered and explanations provided by the Member for his actions, the Ombudsman was not persuaded that there was evidence to suggest that his actions had brought the Council or the role of Member into disrepute.</p> <p>The Ombudsman found no evidence of any failure to comply with the Code.</p>
02/05/2025	Llanharan Community Council	202402082	<u>Disclosure & registration of interest</u> : <u>Llanharan Community Council - Public Services</u>	Disclosure & registration of interest	No action necessary	The Complainant, a Clerk to the Council, was concerned that despite his advice, the Member had failed to declare personal and prejudicial interests in Council meetings when

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			<u>Ombudsman for Wales</u>			<p>discussing a specific Council project.</p> <p>The Ombudsman found evidence that was suggestive of failures to declare such interests in breach of the Code of Conduct for Members of Local Authorities.</p> <p>However, as the Member: appeared in the end to recognise her interests were problematic, albeit late in the day; had resigned from the Council; had not sought to hide her interests; did not gain personally, along with her explanations as to why she had not understood her interests were personal and prejudicial, no further action was taken. Advice was provided to the member.</p>
02/05/2025	Conwy Town Council	202401427	<u>Promotion of equality & respect : Conwy Town Council -</u>	Promotion of equality & respect	No evidence of breach	It was alleged that the Member made a remark to the Complainant and his husband, in a private setting in a local public house, which the

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			<u>Public Services Ombudsman for Wales</u>			<p>Complainant considered was discriminatory and not in keeping with the standards of conduct expected of local councillors.</p> <p>The Ombudsman found that a heated exchange had taken place between councillors and the Complainant and his husband. Because the incident took place outside of a Council setting the Code of Conduct did not generally apply.</p> <p>The Ombudsman did consider whether the Member's remarks could reasonably be viewed as bringing their office as member, or their authority, into disrepute, even though they were made in a context outside of their work for the Council.</p> <p>No evidence was found to suggest the Member's remark was discriminatory in nature, nor was</p>

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						there any evidence suggestive of any breach of the Code.
09/05/2025	Bridgend Town Council	202401510	<u>Disclosure & registration of interest : Bridgend Town Council - Public Services Ombudsman for Wales</u>	Disclosure & registration of interest	Discontinued	<p>It was alleged that a Member of the Council failed to declare personal and prejudicial interests during a council meeting.</p> <p>The Ombudsman started an investigation to consider paragraphs 7(a), 10(2)(c), 11(1), 12(1) and 14(1) of the Code of Conduct (“the Code”). Information was obtained from the Council. The Complainant was interviewed.</p> <p>In determining whether it would be in the public interest to continue with the investigation, the Ombudsman considered the relevant factors including whether it was likely that if any breach of the Code were to be found whether any sanction is likely to be imposed.</p>

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						<p>As the Member had already been disqualified from being or becoming a member of the Council for a set period, even if a breach of the Code were to be found, no greater sanction than the disqualification already in place would likely be imposed on the member for a breach of this nature. Therefore, on balance, the Ombudsman considered that it would be a disproportionate use of resources to continue the investigation.</p> <p>The investigation was discontinued.</p>
16/05/2025	Llandudno Town Council	202203847	<u>Promotion of equality and respect : Llandudno Town Council - Public Services Ombudsman for Wales</u>	Promotion of equality and respect	No action necessary	It was alleged that the Former Member of Llandudno Town Council had bullied and harassed the Complainant, a fellow colleague, and that he also failed to treat her with respect and had acted in a way which brought his office as member,

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						<p>and the local authority, into disrepute.</p> <p>The Ombudsman found that the Former Member had sent some unpleasant communications by letter, texts and on social media to/about the Complainant.</p> <p>The Ombudsman found that the Former Member's behaviour was suggestive of breaches of the Code.</p> <p>While such matters would ordinarily be referred to the Local Authority's Standards Committee to determine any breaches and sanction, on this occasion, given the particular personal circumstances of the Former Member, the Ombudsman decided it was not be in the public interest to pursue matters further.</p>