

LOCAL HEARING OF THE STANDARDS COMMITTEE

Minutes of the meeting held on 16 May 2025

PRESENT:	Independent Members Mr Trefor Owen (Chair) Mr Brace Griffiths (Vice-Chair) Mr T Rhys Davies Mr John R Jones Mrs Gill Murgatroyd Representing the County Council Councillor Margaret Murley Roberts Councillor Dafydd Rhys Thomas
IN ATTENDANCE:	Legal Advisor (LB) Legal Services Manager (MY) Committee Support/Officer (SC)
APOLOGIES:	None
ALSO PRESENT:	Llinos Lake (Investigating Officer, PSOW) Annie Ginwalla (Deputy Legal Adviser/Code of Conduct Team Manager, PSOW)

1. INTRODUCTION

The Chair welcomed everyone to the meeting.

The Chair reported that the Standards Committee meeting will be conducted in accordance with the Council's Procedure for Local Standards Hearings. All participants have been provided with a copy of this Procedure, alongside the Agenda, Pre-Hearing Summary Report and Investigating Officer's Report in advance of the meeting. These documents have also been published and made available to the press and public.

The Chair introduced each member of the Standards Committee: -

- a. Mr Trefor Owen (Chair) – Independent Member
- b. Mr Brace Griffiths (Vice-Chair) – Independent Member
- c. Mr T Rhys Davies – Independent Member
- d. Mr John R Jones – Independent Member
- e. Mrs Gill Murgatroyd – Independent Member
- f. Councillor Margaret Murley Roberts – Elected Member of the County Council
- g. Councillor Dafydd Rhys Thomas – Elected Member of the County Council

In accordance with Article 9 of the Council's Constitution, the community council

members of the Standards Committee shall only participate in hearings before the Standards Committee when it is discharging those functions in relation to community councils and community council members. It was explained that as that is not applicable for this matter, the Committee's community council members shall not participate in this Hearing.

Councillor Ieuan Williams, the Member who is subject of this hearing was introduced, together with Annie Ginwalla, the Deputy Legal Adviser/Code of Conduct Team Manager on behalf of the Public Services Ombudsman for Wales (PSOW), and Llinos Lake, the PSOW's Investigating Officer.

The following Officers of the Council were present in the meeting: -

- a. Miss Lynn Ball, Director of Function (Council Business)/Monitoring Officer
- b. Mrs Mared Yaxley, Legal Services Manager/Deputy Monitoring Officer
- c. Mrs Shirley Cooke, Committee Support/Officer
- d. Translation Team

2. APOLOGIES FOR ABSENCE

No apologies were received.

3. DECLARATION OF INTEREST

Councillor Margaret Murley Roberts declared that she is a Councillor in the same ward as Councillor Ieuan Williams, but this did not constitute a personal interest.

Councillor Dafydd Rhys Thomas declared that he is a member of The Independent Group, of which Councillor Ieuan Williams is the Group Leader, and this did not constitute a personal interest. He stated that he has previously sought legal advice from the Monitoring Officer, who has confirmed that he can participate in this Hearing.

4. QUORUM

The Chair confirmed that the meeting was quorate.

5. PROCEDURE

The Chair reported that to determine the matters at hand today, the Standards Committee would be following the procedure set out in the Council's Procedure for Local Standards Hearings.

6. EXCLUSION OF THE PRESS AND PUBLIC

The Chair asked Councillor Williams, the Investigating Officer and the Council's Legal Advisor whether they wished to ask the Standards Committee to exclude the press and public from all or any part of the Hearing. The Chair stated that they would need to provide their reasons for doing so, to enable the Standards Committee to consider each request.

The Legal Advisor was asked whether she would like to make any request to the Committee to exclude the press and public from all or any part of the hearing? The Legal Advisor responded that whilst the majority of Councillor Williams' comments would be made publicly, she requested that the element of his statement relating to the effect this case has had on his personal wellbeing could be discussed with the press and public excluded. She stated that, in her opinion, to share this information publicly, would break the expectation of privacy under the Data Protection Act 2018.

The Legal Advisor proposed that this would lead to a reasonable balance between three different expectations, namely: -

- a. to hold the meeting publicly
- b. to protect the privacy of the individual; and,
- c. to ensure that the Committee is aware of the full picture, before concluding.

RESOLVED that the Standards Committee accepts the Legal Advisor's request.

Councillor Williams was asked whether he would like to make any request to the Committee to exclude the press and public from all or any part of the hearing? He responded that he sought the Standards Committee's approval to exclude the press and the public during discussion on privacy elements.

RESOLVED that the Standards Committee accepts Councillor Williams' request.

The Ombudsman's Investigating Officer was asked whether she would like to make any request to the Committee to exclude the press and public from all or any part of the hearing? She responded that usually, the Ombudsman supports the principle for hearings to be held in public, unless there is a valid reason for not doing so. She referred to the Legal Advisor and Councillor Williams' comments, and stated that she did not object to them under the circumstances.

RESOLVED that the Standards Committee accepts the Investigating Officer's request.

7. ALLEGATION OF A BREACH OF THE CODE OF CONDUCT

(a) PRESENTATION OF PRE-HEARING SUMMARY REPORT

The Legal Advisor presented her Pre-Hearing Summary Report. She stated that Councillor Ieuan Williams reported himself to the PSOW after commenting in an internal meeting of the Council on 12 June 2023, "bod angen saethu pob Tory" ("all Tories should be shot").

Following an investigation by the PSOW, the Investigator concluded that the elected member had breached two paragraphs of the Code of Conduct. The matter was referred by the PSOW to the Council's Monitoring Officer, with a direction that the matter be considered by the Standards Committee.

In line with the process, an initial meeting of the Standards Committee was held on 26 February 2025, where a decision was made to proceed with conducting a hearing, to

enable the Member to make representations in respect of the findings of the investigation.

The Legal Advisor reported that the Committee, on the balance of probabilities, would decide if the Member has breached the Code of Conduct for Members or not. Following the Member's comments and Investigating Officer's representations, should the Committee decide that the Code has been breached, they will need to decide if a sanction is appropriate, and if so, what form of sanction? Also, the Committee can make recommendations to the Councillor and/or the County Council.

The Legal Advisor noted that the Investigating Officer's Report is included in Appendix 2, together with her report. She stated that her report draws specific attention to the bullet points at the bottom of pages 2-3 of the Investigating Officer's Report. The main points of the complaint have been listed in paragraph 1 of the Investigating Officer's Report, namely, "*paragraph 4(b) – [members] must show respect and consideration for others*", and "*paragraph 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 Legal Advisor also highlighted relevant elements in the PSOW's Guidelines on the Code of Conduct in Appendix 8 of the Investigating Officer's Report. She stated that events relating to the case have been summarised in Paragraphs 11-19 of the report. Paragraphs 20–46 summarise evidence from witness statements of individuals who were present in the meeting. The Investigating Officer's findings are presented in Paragraphs 56-64, and state that the Investigator is of the opinion that Paragraphs 6(1)(a) has been breached. There was also no disagreement regarding the facts of the case, being a self-referral complaint by the Member, where it is apparent that the Code has been breached.

Following the initial decision of the Standards Committee to conduct today's hearing, the process was followed whereby the Member was asked to complete the pre-hearing forms (Appendix 3 of the report). In his response, the Member confirmed that he was not in disagreement with the facts in the Investigating Officer's Report and the Legal Advisor's Pre-Hearing Summary Report.

The Legal Advisor reported that if the Committee comes to a decision that the Code has been breached, there will be a need to decide on any sanction recommendations.

The options available to the Standards Committee are: -

- (a) That there is no need for any further steps;
- (b) Censure;
- (c) To partially suspend the member for a period up to 6 months;
- (d) To suspend the member for a period of up to 6 months.

The Legal Advisor reported that any sanction would take effect 21 days after the Member receives the written decision of the Standards Committee.

The Legal Advisor advised that prior to the Standards Committee considering the matter of sanction, Councillor Williams and the Investigating Officer would be given an opportunity to make representations, followed by any questions from each member of

the Standards Committee. The Committee would then leave the room to deliberate in private session to consider the evidence presented.

The Legal Advisor advised that the Committee consider evidence in the context of the Adjudication Panel for Wales's Guidelines, and any similar cases that have been published on the PSOW website. If the sanction includes a partial or full suspension, when will that start? Also are there any other recommendations from the Committee for the Member or the County Council?

Following the Standards Committees private session, they should return to announce their decisions and the main reasons for their decision, which will then be published.

Finally the Standards Committee would need to consider the following recommendations: -

- (a) That the Committee asks the Member to confirm that he has not conformed with the Code of Conduct.
- (b) That the Hearing is held in line with the Council's Procedure for Local Standards Hearings;
- (c) That the Committee come to a decision regarding the following: -
 - i) On the balance of probabilities, whether the Member has or has not failed to comply with the Code of Conduct, and
 - ii) If the Committee decides that the Code has been breached, is there a need for any sanction or recommendation, and if so, what should the sanction be?
 - iii) Any other recommendations.

RESOLVED to accept the recommendations in the report.

(b) ADMISSION OF NON-COMPLIANCE

The Chair asked Councillor Williams whether he admitted to failing to comply with the Code of Conduct? Councillor Williams accepted that he had breached the Code.

(c) DETERMINATION

The Chair addressed Councillor Williams and stated that considering his admission that he has failed to comply with the Code of Conduct in the manner described in the Investigating Officer's Report, and summarised in the Legal Advisor's Summary Report, the Standards Committee would take the Investigating Officer's Report as read.

This Committee therefore decided that Councillor Williams has failed to comply with the Code of Conduct in the manner described in the Investigating Officer's Report. The Chair explained that the Hearing would proceed directly to consider whether any action should be taken in respect of the Member's conduct.

8. IN THE EVENT OF A DETERMINATION THAT THE MEMBER HAS FAILED TO COMPLY WITH THE CODE OF CONDUCT

(a) CHAIR'S INDICATION OF THE ORDER OF SANCTION

The Chair reported that considering the determination that Councillor Williams has failed to comply with the Code of Conduct in the manner detailed in the Investigating Officer's Report, this Committee was required to consider: -

- a. Whether to impose a sanction;
- b. Having due regard to the Adjudication Panel for Wales's Sanctions Guidance (where a sanction is to be imposed) what sanction to impose;
- c. When any sanction must take effect; and
- d. Any recommendation which the Standards Committee would make to the Council.

The Chair reported that the Council's Procedure for Local Standards Hearings provides four decisions that are available to this Committee, and which may be appropriate in this matter, namely:

- a. That no action is required;
- b. Censure the Member;
- c. Partial suspension of the Member for a period up to a maximum of six months or the remainder of the Member's term of office, whichever is the shorter period;
- d. Suspension of the Member for a period up to a maximum of six months or the remainder of the Member's term of office, whichever is the shorter period.

The Chair reiterated the Standards Committee's earlier agreement to exclude the press and public from the specific element of discussion on sanctions.

The Chair suggested that Councillor Williams and the Ombudsman's Investigating Officer make their representations, in the first instance, and then exclude the press and public from the meeting to hear those further representations that are to be discussed in private.

(b) MEMBERS REPRESENTATIONS AS TO SANCTIONS

Councillor Williams was asked if he would like to make any representations on sanctions at this point? He replied that he did not at this point.

(c) INVESTIGATING OFFICER'S REPRESENTATIONS AS TO SANCTIONS

The Ombudsman's Investigating Officer was afforded an opportunity to present the Ombudsman's representations on sanctions, which she accepted.

The Ombudsman's Investigating Officer, Llinos Lake reported that based on the case of a breach of the Code that has been accepted by the Member and highlighted by this Committee today, it was now a matter for the Committee to decide whether there should be a sanction, and if so, what type of sanction that should be.

To assist the Committee in formulating its decision, she referred to the Adjudication Panel for Wales's Guidance on sanction. She offered to send a copy of the Guidance to the Standards Committee. Paragraph 18 of the Guidance outlines the reasoning behind the sanction process: -

- (a) To provide a disciplinary response to a case where an individual member has breached the Code;
- (b) To produce a public record of the misconduct and the appropriate sanction;
- (c) To ensure that the individual or anyone else does not behave in an improper manner in future;
- (d) To promote a culture of compliance across the relevant authorities, and to foster public confidence in local democracy.

The Investigating Officer reported that, considering the Adjudication Panel for Wales's Guidance in relation to the severity of the breach of the Code, it was clear that all of the breaches being considered were not trivial. The Guidance lists factors such as the nature and number of breaches, the actual outcomes and possible implications of the breach for any individual or individuals, the wider public and/or the entire Council, and to what extent the actions of the Member have brought disgrace upon his position, or the relevant authority, or how much potential there is for them to do so.

In considering these factors, the Ombudsman suggested that a sanction was appropriate under these circumstances. Furthermore, a decision not to take any further action would be inappropriate in this case, considering the negative impact on the Member's reputation, caused by his remarks.

The Investigating Officer further explained that to assist the Committee further, it should be noted that the Ombudsman has considered the mitigating circumstances in this case. She explained that Councillor Williams had a history of good service within the Authority; his misconduct was an isolated incident and an expression of anger or frustration; his remarks were not directed at an individual nor intended to cause harm; the witnesses did not consider that Councillor Williams meant the remarks literally, and Councillor Williams took immediate corrective action.

Councillor Williams immediately apologised to those present at the meeting; he stepped down as Deputy Leader and referred himself to the Ombudsman; he has co-operated with the Ombudsman and the Standards Committee and has accepted that his comment breached the Code; he has expressed regret for making the comment and acknowledges the need to be more careful in the future when expressing his opinion.

Moving on to aggravating factors, the Investigating Officer detailed that Councillor Williams was an experienced Member, having been a member of the Council since 2008; at the time of his comment, he held a senior position within the Council, and he had also been a member of the Standards Committee during his time as a Councillor. The inflammatory and offensive nature of the comment was also said to be relevant, as well as the impact of the comment, including its extensive reporting in the media. Therefore, the attention had brought disrepute on the Local Authority.

The Investigating Officer further reported that when considering imposing a sanction on Councillor Williams, the Committee should consider Article 10 of the Human Rights Act. It was suggested that, considering that the breaches were found to be serious, any sanction would be proportionate to protect the rights of others, and Councillor Williams's Article 10 rights too. When contemplating imposing a sanction, the Ombudsman referred to the case of Heesom. This Judgement states that there needs to be a balance between accountability for breaking the rules and the need to ensure

that the public has the right to local representation, whilst maintaining public confidence in elected members in this respect.

The Investigating Officer respectfully suggested that the Council has a number of other elected members that the public could approach, if Councillor Williams received a sanction, without any prejudice arising for those individuals, should Councillor Williams be unavailable for a period.

The Investigating Officer stated that it is usual practice for the Ombudsman to share decision notices of similar cases with the Standards Committee. She confirmed that decision notices were available but were not exact comparisons and showed a variety of decisions and different sanctions being used. She offered to share those decision with the Committee, before concluding her representations on sanctions. The Chair reported that the Monitoring Officer had already shared copies of similar cases with the Committee.

Following a suggestion that the Committee receive a copy of the Heesom case, it was **RESOLVED that the Monitoring Officer provide the Committee with a copy of the report.**

RESOLVED to exclude the press and public for Councillor Williams to speak in private session.

Councillor Williams shared his representations in relation to the effect of the case on his personal wellbeing with the Standards Committee.

[Once these representations had been shared, the meeting reconvened with the press and public present].

(d) STANDARDS COMMITTEE'S CONFIRMATION ON WHETHER IT HAS SUFFICIENT INFORMATION TO COME TO A VIEW ON SANCTION

The Chair sought confirmation from each member of the Standards Committee that they had sufficient information to enable them to reach an informed decision as to whether or not to impose a sanction, and (if appropriate) as to the form of the sanction.

RESOLVED that the Committee has sufficient information to reach an informed decision on sanction.

The Standards Committee retired to another room to consider in private and determine: -

- a. Whether to impose a sanction;
- b. Having due regard to the Adjudication Panel for Wales's Sanctions Guidance (where a sanction is to be imposed), what sanction to impose;
- c. When the sanction must take effect, and
- d. Any recommendation which the Standards Committee wishes to make to the Council.

[The Standards Committee returned to the main meeting room; The Chair confirmed all present and technical matters were in hand/working].

9. DETERMINATIONS AS TO SANCTION AND RECOMMENDATIONS

The Chair reported that the Standards Committee had reached a decision on each of the points they were required to determine. He confirmed that in its deliberations, the Standards Committee had given due regard to the Adjudication Panel for Wales's Sanctions Guidance, and ensured that its decision making had considered the underlying principles of:

- Fairness
- Public interest
- Proportionality
- Consistency
- Equality and impartiality; and
- Human Rights

The Standards Committee was also mindful of the purposes of sanctions when reaching its decision in this matter. As summarised in the Adjudication Panel for Wales' Sanctions Guidance, the purpose of the sanction imposed should:

- provide a disciplinary response to the Member's breach of the Code;
- place the misconduct and appropriate sanction on public record;
- deter future misconduct on the part of the individual and others;
- promote a culture of compliance across the relevant authorities;
- foster public confidence in local democracy.

Furthermore, the Standards Committee had considered the following when determining its position on sanction: -

- Assessed the seriousness of the breach and any consequences for individuals and/or the Council;
- Identified the broad type of sanction that the Committee considered most likely to be appropriate having regard to the breach;
- Considered any relevant mitigating or aggravating circumstances and how these might affect the level of sanction under consideration;
- Considered any further adjustment necessary to ensure the sanction achieved an appropriate effect in terms of fulfilling the purposes of the sanctions.

It was noted that it was also in the public interest to consider sanctions imposed by other Standards Committees for similar breaches. The Standards Committee confirmed that it had reflected on previous reported matters available through the PSOW's website when reaching its decision on sanctions.

Considering the specifics of this case as set out in the Investigating Officer's Report, in the context of the principles described above, the Standards Committee's decision was as follows: -

- A sanction should be imposed;
- The sanction that should be imposed was censure of the Member.
- The following recommendations were made to the Council: -
- Firstly, that the Chair of the Standards Committee discusses further formal support with Councillor Williams in relation to controlling emotions and managing a political role in the public eye.
- Secondly, that the Council ensures that all Members are clear about the Code of Conduct, and that it applies to private meetings as well as public meetings.

It was explained that the reasons for the above decisions would be outlined in the formal written decision that was to be provided to Councillor Williams in due course, and that would also be published by the Committee following this process. However, the principal reasons for the decisions reached today can be summarised as follows: -

The Committee believed that the seriousness of the case fell between the maximum point of no action and lower point of suspension and explained that the mitigating factors in this case were considerably higher than the aggravating factors.

The mitigating factors considered by the Committee were as follows: -

- Councillor Williams has a history of good conduct over a long period of time.
- The misconduct only occurred once.
- The Member himself had given notice of the breach.
- The Member acknowledges and is sorry for the misconduct and any consequences.
- The Member has apologised and did so early on to anybody affected by his actions.
- The Member has also participated in an attempt to try to correct the implications of the action and cooperated with the Investigating Officer and the Standards Committee.
- The Member accepts that he needs to change his conduct in the future, and he has complied with the Code following the incident.

The Chair reported that in terms of the next steps, the Council's Procedure for Local Standards Hearings would continue to be followed.

RESOLVED: -

- **That Councillor Williams will receive an email from the Legal Advisor confirming the decisions reached, and this will be followed up with the Committee's formal written decision notice. Councillor Williams will be provided with confirmation of the period he has to appeal the decision reached, in accordance with paragraph 11 of the Council's Procedure for Local Standards Hearings.**
- **Once the process has concluded, the formal written decision notice will be distributed and published.**

Finally, the Chair thanked all those present who had contributed to the conduct of the Hearing and concluded the meeting.

10. CLOSE

The meeting concluded at 1:55 pm

MR TREFOR OWEN
CHAIR