

MEETING	STANDARDS COMMITTEE
DATE	27 JANUARY 2014
SUBJECT	THE GWYNEDD STANDARD AND THE LOCAL RESOLUTION PROCEDURE
PURPOSE	TO RECEIVE A REPORT ON THE IMPLEMENTATION OF THE GWYNEDD STANDARD AND TO REVIEW THE LOCAL RESOLUTION PROCEDURE
AUTHOR	DILYS PHILLIPS, MONITORING OFFICER

1. The Gwynedd Standard (see attached as Appendix 1), was adopted by the Full Council on 21 October 2010 following the recommendation of the Standards Committee. Its purpose was to establish an acceptable standard of conduct between members and assist the Council to resolve minor complaints of misconduct, namely those complaints that were not serious enough to be referred to the Ombudsman as matters in breach of the Code of Conduct.
2. Alongside the Gwynedd Standard, a Local Resolution Procedure was adopted (see attached as Appendix 2). This managed any allegations that a member had breached the Member/Officer Protocol and it was amended so that it was relevant to complaints made under the Gwynedd Standard also.
3. By now, under the strong encouragement of the Public Services Ombudsman for Wales, along with the Welsh Government, the majority of councils, if not all, have adopted some form of a Local Resolution Procedure. It is timely for the Committee to readdress the procedure to see whether or not it remains suitable.
4. During the period between May 2012 and December 2013, 19 complaints were received against members of the County Council. Of these, four of them were suitable for consideration under the Local Resolution Procedure as they were complaints by a member about the conduct of another member that was in breach of the Gwynedd Standard.
5. One complaint remains open and is the subject of an investigation by myself under the Gwynedd Standard. One other complaint was transferred to the Ombudsman at the request of the complainant and the Ombudsman decided not to conduct an investigation. As a result, the complainant has decided that he/she does not wish to see any further action taken. I investigated a third complaint under the Gwynedd Standard and I concluded that there were no grounds to the complaint. I explained that to the complainant and although he/she was dissatisfied, the matter has not progressed any further.

6. In relation to the fourth complaint, I held a meeting where the complainant and the person who was the subject of the complaint were both present and they had an opportunity to discuss the dispute. Although no agreement was reached on the facts of the complaint, some agreement was obtained on the way forward and the complainant decided that he/she did not wish to see any further action taken.
7. Of the four complaints, it can be seen that none of them have progressed to Step 3 of the Procedure, namely a hearing before the Standards Committee. The Monitoring Officer is the officer who has dealt with the complaints by advising members, conducting investigations and/or holding reconciliation meetings. It was also seen that an element of research was required in order to establish whether or not there were any grounds to the complaint before progressing to hold a meeting, or even a hearing before the Standards Committee.
8. In light of this experience, it is suggested that the Committee revisits the Local Resolution Procedure in order to offer slightly more flexibility to the various steps, and to the following matters in particular:
 - Which officer provides advice on the complaint and/or investigates it.
 - The need to conduct an investigation to establish whether or not there are grounds to the complaint before progressing to the next step.
 - The individuals who should be present at a reconciliation meeting.

RECOMMENDATION

9. The Committee is asked to:
 - (a) note and accept the report;
 - (b) propose amendments to the Local Resolution Procedure as noted in paragraph 8 above.