



# Complete Agenda

Democratic Service  
Swyddfa'r Cyngor  
CAERNARFON  
Gwynedd  
LL55 1SH

Meeting

**STANDARDS COMMITTEE**

Date and Time

**11.00 am, MONDAY, 5TH OCTOBER, 2015**

Location

**Ystafell Gwyrfai - Council Offices, Caernarfon, LL55 1SH**

Contact Point

**Eirian Roberts**

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(DISTRIBUTED 28/9/15)

# **STANDARDS COMMITTEE**

## **Membership**

### **Elected Members (3)**

Councillors

Lesley Day  
Eryl Jones-Williams  
Michael Sol Owen

### **Independent Members (with a vote) (5)**

Linda Byrne  
Margaret E. Jones  
Jacqueline Hughes  
David Wareing  
Einir Young

### **Community Committee Member (with a vote) (1)**

Councillor David Clay

# **A G E N D A**

## **1. APOLOGIES**

To receive any apologies for absence.

## **2. DECLARATION OF PERSONAL INTEREST**

To receive any declaration of personal interest.

## **3. URGENT ITEMS**

To note any items that are a matter of urgency in the view of the Chairman for consideration.

## **4. MINUTES**

1 - 4

The Chairman shall propose that the minutes of the previous meeting of this committee held on 29 June, 2015 be signed as a true record (attached).

## **5. THE COMMITTEE'S MEMBERSHIP**

To submit the verbal report of the Monitoring Officer.

## **6. APPLICATIONS FOR DISPENSATIONS**

5 - 10

To submit the report of the Monitoring Officer (attached).

## **7. GWYNEDD COUNCIL'S GOVERNANCE FRAMEWORK**

11 - 20

To submit the report of the Senior Manager Revenues and Risk (attached).

## **8. ALLEGATIONS AGAINST MEMBERS**

21 - 22

To submit the report of the Monitoring Officer (attached).

## **9. THE OMBUDSMAN'S ANNUAL REPORT**

23 - 43

To submit the report of the Monitoring Officer (attached).

## **10. OBSERVING MEETINGS**

To receive verbal feedback from the independent members following observation of Gwynedd Council/town and community council meetings.

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## **STANDARDS COMMITTEE, 29.06.15**

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**Present:-**

**Elected Members:-** Councillors Lesley Day and Michael Sol Owen.

**Independent Members:-** Ms Jacqueline Hughes, Miss Margaret Jones, Mr David Wareing and Dr Einir Young (Chair).

**Community Committee Member:-** Mr David Clay.

**Also in attendance:** Iwan Evans (Monitoring Officer), Siôn Huws (Senior Solicitor) and Eirian Roberts (Members Support and Scrutiny Officer).

**Apologies:-** Ms Linda Byrne and Councillor Eryl Jones-Williams.

Reference was made to Ms Linda Byrne's ill-health and the Chair noted that she intended to send a note to the family.

**1. DECLARATION OF PERSONAL INTEREST**

No declarations of interest were received from any members present.

**2. MINUTES**

The Chair signed the minutes of the previous meetings of this committee held on the following dates as a true record.

- (a) 13 April, 2015 (extraordinary meeting)
- (b) 20 April, 2015

**3. ANNUAL REPORT OF THE STANDARDS COMMITTEE 2014-15**

Submitted – the report of the Monitoring Officer enclosing a draft of the committee's annual report for the period from 1 April 2014 up to 31 March 2015. The Committee's observations and approval of the document were invited. It was noted that the former Chairman and the Monitoring Officer would add an introduction to the report prior to its publication.

The Senior Solicitor noted that it was intended to circulate the report to the clerks of the community councils.

**RESOLVED to approve the draft of the annual report and to submit it to the Council's meeting on 8 October and to seek to submit the annual reports to the Annual Meetings of the Council in future, or to the July meetings if this is not possible.**

**4. REVISED GUIDANCE ON THE CODE OF CONDUCT FOR MEMBERS BY THE PUBLIC SERVICE OMBUDSMAN FOR WALES**

Submitted – the report of the Monitoring Officer reporting that the Public Service Ombudsman for Wales had published the third version of his Guidance on the Code of Conduct for Members of Local Authorities in Wales and enclosing the guidance for Members of County Councils.

The Monitoring Officer noted that this version of the Guidance incorporated:-

- The revised two-stage test the Ombudsman would use when considering complaints of breaches of the Member Code of Conduct which now included a public interest threshold.
- Further guidance on the use of social media and political expression and flow charts designed to provide Members with assistance and clarity on the issue of interests.

He further noted:-

- That there was a need to circulate this guidance to all Gwynedd Council members and to the community council clerks and that it would also be beneficial to offer a training workshop for the members of this committee and all Council members to provide an update on the Code of Conduct in light of the changes.
- That training would be arranged for the town and community councils in the Autumn and in the meantime, it would be possible to develop a model for a local resolution procedure on their behalf, suggesting that it would be a way for them to resolve some simple matters themselves due to the public interest threshold.

It was emphasised that any support package provided for town and community councils would have to be a clear and simple summary and would have to refer to the fact that more details were provided in the full document.

**RESOLVED to note the revised guidance on the Code of Conduct for Members published by the Public Service Ombudsman for Wales.**

## **5. WORK PROGRAMME**

Submitted – the report of the Monitoring Officer enclosing the draft work programme for the committee after completing the self-assessment at the previous meeting.

The Monitoring Officer noted that a formal procedure for observing committees was being sought and it would be a good thing for the independent members to observe town/community council meetings in order to gain an understanding of how the councils operate.

### **RESOLVED**

**(a) To agree on the work programme as follows and to amend it / add to it as needed:-**

#### **5 October, 2015**

- **Ombudsman's Annual Report**
- **Corporate Governance Arrangements**
- **Allegations against Members**
- **Model Local Resolution Procedure for Community Councils**

#### **25 January, 2016**

- **Gifts and Hospitality Register**

- **Declaration of Interests Register**
- **Annual Report of the Adjudication Panel**
- **Allegations against Members**

**18 April, 2016**

- **Allegations against Members**
- **Self-assessment and Work Programme**
- **Training**

- (b) **That every independent member will observe one of Gwynedd Council's committees or a meeting of a town / community council between now and the end of September and will report back to the next meeting.**
- (c) **To send a list of the 2015/16 Gwynedd Council meetings calendar to the independent members.**

**6. ALLEGATIONS AGAINST MEMBERS**

Submitted for information –

- (a) The report of the Monitoring Officer on formal complaints made against members and updating the committee on the situation in relation to the direction of the committee that Councillor Christopher O'Neal should receive training from the Monitoring Officer on the Code of Conduct and the Council protocols that applied to councillors' conduct when in breach of the Code.
- (b) Issue 4 of the Code of Conduct Casebook.

Further to the report, the Senior Solicitor noted:-

- 2.1 Case No. 6141/201400682 – That the Ombudsman had now reached the conclusion that there ere was no evidence that the town councillor had misused his position for Financial gain, and that the Ombudsman had said that it was likely that the councillor had participated in a discussion on a matter where he had a 'prejudicial interest', he had applied the public interest test and had decided that he would not investigate the case.
- 2.2 Case No. 5847/201404989 & 5847/201404990 – That this case had been closed but that the Ombudsman had not confirmed this in writing as yet.

Further to the report, the Monitoring Officer noted:-

- That Councillor O'Neal had asked for a hearing in order to explain why he had not participated in the training.
- That the act gave the Standard committee the powers, should it reach a conclusion that a member had failed to comply with the authority's code of conduct, to make one of three decisions only, namely to take no steps, to censure the member or to suspend him from being a member of that authority for a period of no longer than six months.
- Therefore, there was no statutory power behind the committee's decision that Councillor O'Neal should receive training, and that is was only a recommendation.
- He did not believe that there was a public interest in continuing to attempt to arrange training for the member, neither could he justify the resources or the time it would take to hold another hearing.

**RESOLVED**

- (a) **To note the report on the formal complaints made against members for information.**
- (b) **To ask the Monitoring Officer to send a letter to Councillor Christopher O'Neal stating the committee's disappointment that he has not taken advantage of the training recommended for him.**

**7. WALES STANDARDS CONFERENCE 2015**

It was noted that there was an invite for up to three members of the committee to attend the Wales Standards Conference 2015 in Cardiff on 20 October with the Chairman and the Monitoring Officer.

**RESOLVED to try to send Councillor Lesley Day, Ms Jacqueline Hughes and Miss Margaret Jones to the conference with the Chairman and the Monitoring officer.**

The meeting commenced at 11.00am and concluded at 12.00pm

# Agenda Item 6

<b>Committee:</b>	<b>Standards Committee</b>
<b>Date:</b>	<b>5 October 2015</b>
<b>Title:</b>	<b>Applications for dispensations</b>
<b>Author:</b>	<b>Monitoring Officer</b>
<b>Action:</b>	<b>To decide upon the application</b>

## **Background**

1. I have received two applications for dispensations from members of Bethesda Community Council. Copies of the application forms submitted by Cllrs. Godfrey Northam and Walter Watkin Williams are appended to this report.

2. Both councillors have applied in relation to the same matter – discussions as to the possible transfer of community centres from the ownership of Gwynedd Council to the community council. Their interests under the code arise from their membership of the managing committees of these centres.

3. The Standards Committee may grant a dispensation if the situation comes within one (or more) of those listed in the relevant regulations. These situations are listed in the appended guidance notes. The Committee must first of all therefore decide whether any of the situations listed arise in these cases.

4. If it decides that any of the paragraphs are applicable, the Committee must then decide whether the members should be allowed to take part even though the Code of Conduct provides that they should not. In doing so it must take into account the public interest. The Ombudsman's Guidelines on the code of Conduct notes the following in relation to granting dispensations

*“The standards committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority.”*

## **Recommendation**

4. The Committee is requested to consider and decide upon the following:

- (a) Application by Councillor Godfrey Northam
- (b) Application by Councillor Walter Watkin Williams



# Application to the Standards Committee for a Dispensation

**YOUR APPLICATION WILL NOT BE CONSIDERED UNLESS EVERY PART OF THIS FORM IS COMPLETED**

## 1. PERSONAL DETAILS

1.1 Your name Godfrey Northam

1.2 Your council Bethesda Community Council

1.3 Your address and contact telephone no.

## 2. DETAILS OF YOUR INTEREST

2.1 What is the item in question?

Transfer of Gwynedd Council assets to the community or the community council..

2.2 How does your interest in the item arise?

I am chair of the Canolfan Rachub Committee and a member of the Canolfan Cefnfaes Committee.

## 3. DETAILS OF YOUR APPLICATION

3.1 Are you applying for a dispensation to (a) speak and vote or, (b) to speak only?

To speak only

3.2 Are you requesting:

(a) a dispensation for a particular meeting? If so please provide details below:

During the transfer period, which starts soon

or

(b) a general dispensation so that you can take part whenever the matters arises?

*Please return to the Monitoring Officer, Gwynedd Council, Caernarfon, LL55 1SH.*

*If you have any questions regarding this form, contact the Senior Solicitor (Corporate):  
Tel. 01286 679168 e-mail - sionH@gwynedd.gov.uk*

4. Regulations prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by a scrutiny committee and my interest is not pecuniary	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	<input checked="" type="checkbox"/>

5. Please explain below why you believe the Standards Committee should grant your application.

There are 13 members on the Council and 4 of us have to declare an interest, which is a high proportion

*(please continue on a separate sheet if necessary)*

Signed \_\_\_\_\_ Dated \_\_\_\_\_

*Please return to the Monitoring Officer, Gwynedd Council, Caernarfon, LL55 1SH.*

*If you have any questions regarding this form, contact the Senior Solicitor (Corporate):  
Tel. 01286 679168 e-mail - sionH@gwynedd.gov.uk*

# Application to the Standards Committee for a Dispensation

**YOUR APPLICATION WILL NOT BE CONSIDERED UNLESS EVERY PART OF THIS FORM IS COMPLETED**

## 1. PERSONAL DETAILS

1.1 Your name Walter Watkin Williams

1.2 Your council Bethesda Community Council

1.3 Your address and contact telephone no.

## 2. DETAILS OF YOUR INTEREST

2.1 What is the item in question?

Canolfan Cefnfaes.

2.2 How does your interest in the item arise?

I am a member of the Canolfan Cefnfaes Committee.

## 3. DETAILS OF YOUR APPLICATION

3.1 Are you applying for a dispensation to (a) speak and vote or, (b) to speak only?

To speak and vote.

3.2 Are you requesting:

(a) a dispensation for a particular meeting? If so please provide details below:

or

(b) a general dispensation so that you can take part whenever the matters arises?

The matter may arise in more than one meeting of the Council.

*Please return to the Monitoring Officer, Gwynedd Council, Caernarfon, LL55 1SH.*

*If you have any questions regarding this form, contact the Senior Solicitor (Corporate):  
Tel. 01286 679168 e-mail - sionH@gwynedd.gov.uk*

4. Regulations prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by a scrutiny committee and my interest is not pecuniary	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	<input checked="" type="checkbox"/>

5. Please explain below why you believe the Standards Committee should grant your application.

**I believe that the fact that I am a member of the managing committee of Canolfan Cefnfaes does not adversely affect my role on Bethesda Community Council**

*(please continue on a separate sheet if necessary)*

Signed \_\_\_\_\_ Dated \_\_\_\_\_

*Please return to the Monitoring Officer, Gwynedd Council, Caernarfon, LL55 1SH.*

*If you have any questions regarding this form, contact the Senior Solicitor (Corporate):  
Tel. 01286 679168 e-mail - sionH@gwynedd.gov.uk*

## Guidance Notes

1. This is the form for submitting an application for a dispensation, i.e. permission to take part in a discussion even though you have a 'prejudicial interest' under the Code of Conduct. Further information regarding interests can be found in the Code of Conduct itself, the Ombudsman's Guidance and the Gwynedd Council 'Interests' leaflet.

### **2. Circumstances in which dispensations may be granted**

The Standards Committee may grant a dispensation if the application comes within one or more of the circumstances listed in *The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001*:

“(a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;

(b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;

(c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

(d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;

(e) the interest is common to the member and a significant proportion of the general public;

(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;

(g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;

(h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or

(i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.”

*Please return to the Monitoring Officer, Gwynedd Council, Caernarfon, LL55 1SH.*

*If you have any questions regarding this form, contact the Senior Solicitor (Corporate):  
Tel. 01286 679168 e-mail - [sionH@gwynedd.gov.uk](mailto:sionH@gwynedd.gov.uk)*

# Agenda Item 7

<b>Committee</b>	<b>Standards Committee</b>
<b>Date:</b>	<b>5 October 2015</b>
<b>Title</b>	<b>Gwynedd Council's Governance Framework</b>
<b>Author</b>	<b>Dewi Morgan, Senior Manager Revenues and Risk</b>
<b>Action:</b>	<b>To offer suggestions and approve the report</b>

## 1. PURPOSE OF THE REPORT

1.1 The purpose of this report is to explain Gwynedd Council's Governance Framework to the Standards Committee. It is intended to explain to the Committee:

- How the Governance Framework has been developed
- The procedure for reviewing the framework and for reporting on its results and
- The role of the Standards Committee within the framework.

## 2. GWYNEDD COUNCIL'S GOVERNANCE FRAMEWORK

2.1 The Governance Framework comprises the systems and processes, and culture and values, by which the authority is directed and controlled and its activities through which it accounts to, engages with and leads the community. It enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

2.2 The Council's current Governance Framework consists of 31 individual elements. Together, these elements combine to create a whole that assists the Council to transfer its resources into public value.

2.3 The Standards Committee is one of these 31 elements.

2.4 The Governance Framework was developed using the current Local Code of Governance, which was adopted by the Council Board in April 2011, as a foundation. In the period since April 2011, the Governance Arrangements Assessment Group, the Audit Committee, the Management Group, Corporate Management Team and the Council's Cabinet have considered the policies, strategies, procedures and processes that support the six core principle within the Local Code of Governance and has refined these by adding, merging or removing elements to create the current Governance Framework.

## 3. LOCAL CODE OF GOVERNANCE

3.1 The Local Code of Governance is itself also one of the 31 elements in the Governance Framework.

3.2 The "Good Governance Standard for Public Services" was developed by the Independent Commission on Good Governance in Public Services in 2004. The standard was adapted specifically for the use of local government by CIPFA and Solace in 2007.

3.3 The standard comprises of six core principles, together with a number of supporting principles for each one. The standard sets out the requirements for meeting each principle and also what should be reflected in the local code of governance.

3.4 Since they had been developed nationally for the use of local government, and reflect what is required of a body with good governance standards, the Council adopted the six core principles and the supporting principles of the national standards.

3.5 **The Local Code of Governance has been included in Appendix 1.**

#### **4. GOVERNANCE ARRANGEMENTS ASSESSMENT GROUP**

4.1 The Governance Arrangements Assessment Group monitors matters of governance continuously in a disciplined manner, raising a wider awareness of them and promoting a wider ownership of the Annual Governance Statement. The Group comprises the Chief Executive, the Monitoring Officer, the Corporate Commission Service Senior Manager (Corporate Support Department), the Delivering and Supporting Change Service Senior Manager (Corporate Support Department) and the Senior Manager Revenues and Risk (Finance Department).

4.2 The Group has used the Local Code of Governance to identify the 31 elements that form Gwynedd Council's Governance Framework and special consideration is given to the effect that each one of these is expected to have when adding public value for the people of Gwynedd. Prior to assessing the effectiveness of these elements, an Impact score was noted for each of the elements to reflect how comparatively large the effect of each one of them will be (in the Group's opinion) as they add public value. These scores vary from 1 (very little impact) to 10 (very large impact). These scores have been assessed, challenged and confirmed by the Council's Audit Committee, Corporate Management Team, Cabinet and Management Group.

4.3 None of the elements have scored less than 5 – if they had, it would be questionable if they deserved a prominent place within the Governance Framework at all.

#### **5. SELF-ASSESSMENT OF THE EFFECTIVENESS OF THE GOVERNANCE FRAMEWORK**

5.1 Various legislation means that the Council must review its governance arrangements at least once a year, and publish an Annual Governance Statement:

- The Accounts and Audit (Wales) Regulations 2014, which state:

**The relevant body must ensure that there is a sound system of internal control which facilitates the effective exercise of that body's functions and which includes arrangements for the management of risk, and adequate and effective financial management.**

**The relevant body must conduct a review at least once in a year of the effectiveness of its system of internal control. The findings of the review must be considered by the members of the body meeting as a whole or by a committee.**

**Following the review, the body or committee must approve a statement on internal control prepared in accordance with proper practices. The relevant body must ensure that the statement accompanies any statement of accounts which it is obliged to prepare.**

- CIPFA's Code of Practice on Local Authority Accounting in the United Kingdom (the "SORP")
- CIPFA / SOLACE Framework *Delivering Good Governance in Local Government* and subsequent addenda. The latest addendum was published in December 2012.

5.2 The Governance Arrangements Assessment Group meets regularly to assess the Council's governance arrangements, addressing issues that have come to its attention that affects its perception of the governance framework. It is noted in 4.2 above that the Group has scored the relative **Impact** of each element of the Governance Framework on a scale of 1 to 10. When conducting a self-assessment of the framework, the elements are also given an **Effectiveness** score. These scores range from 1 (very ineffective) to 10 (highly effective).

- 5.3 The evidence that is considered when undertaking the assessment of the effectiveness of the governance framework includes assessments by members and principal officers in developing the 'Gwynedd Way' system, the work of Internal Audit, and consideration of the results of the work of external auditors and regulators, including the Wales Audit Office, Estyn and the Care and Social Services Inspectorate Wales (CSSIW).
- 5.4 The result of this assessment is challenged by the Corporate Management Team and the Management Group.
- 5.5 The use of Impact and Effectiveness scores allow the use of a matrix containing the individual elements in order to demonstrate the effectiveness of the framework in its entirety. In doing so, it is possible to identify those elements that need to be prioritised, namely:

**The elements that can have the greatest impact on our ability to act on behalf of the people of Gwynedd, but which are the least effective at the moment**

- 5.6 **The latest matrix is included in Appendix 2.**
- 5.7 The **Annual Governance Statement** summarises the outcome of the governance self-assessment in a statement that tells the people of Gwynedd what our governance framework is, and how well it works.
- 5.8 The Audit Committee has a key function as the Council adopts its annual statement. When signing the Governance Statement, the Chief Executive and Council Leader confirm:

"We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Audit Committee, and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas already addressed and those to be specifically addressed with new actions planned are outlined below".

- 5.9 Therefore, in its last meeting before the end of June each year, the Audit Committee is asked to:
- Challenge the Senior Manager Revenue and Risk on the self-assessment of the 31 elements in the Council's Governance Framework, and in particular the "Impact" and "Effectiveness" scores that have been identified, and the narrative that explains the justification for the score.
  - Consider the action plan contained in the Annual Governance Statement.
  - Approve the Statement, and recommend that the Council Leader and Chief Executive sign it.



## 6. ROLE OF THE STANDARDS COMMITTEE

6.1 The Local Code of Governance states that the procedural rules and the annual report of the Standards Committee supports Gwynedd Council in adhering to Core Principle 3 of the Code, which is promoting the authority's values and demonstrating the values of good governance by upholding high standards of conduct and behaviour.

6.2 In its latest assessment of the Impact and Effectiveness of the elements of the Governance Framework, as approved by the Audit Committee on 30 June 2015, the following was noted with regards to the Standards Committee:

**Impact Score 6:** *The Standards Committee holds members accountable for their behaviour. In that regard, it is helpful in ensuring that Council members act primarily for the benefit of People of Gwynedd.*

**Effectiveness Score 7:** *The Standards Committee is in place and operates with agreed Terms of Reference. Minutes of the Committee show that it examines specific cases as it undertakes its work. The Committee itself has also conducted a self assessment.*

*Further assessment by the Governance Arrangements Assessment Group suggests that the efficiency score of 5 given in 2014 appears to be harsh, and assessment shows improvement. It was noted that the Committee fulfils its policing role well, but there is room for improving its activities of promoting good standards.*

6.3 Gwynedd Council has established the Standards Committee in order to safeguard standards of conduct within the Council and propriety in all the Council's transactions, and has adopted the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 to manage the functions of the Committee. This contributes significantly to the Council's ability to ensure that members of the Council put the public interest at the forefront, rather than being self-serving.

6.4 The Annual Report of the Standards Committee is an example of evidence of how well the Committee achieves its objectives. The fact that the annual report is being prepared, and that the minutes of the Committee's meeting on 29 June 2015 shows that discussions have been held on the timing of the presentation of the report to the full Council, is evidence of the consideration given by the Committee itself to its role and how best to achieve that. This contributes to robust governance arrangements within the Authority.

6.5 There is an opportunity for the Standards Committee to challenge the scores in 6.2, and to provide evidence to suggest why they should be changed. This will allow the Monitoring Officer and Senior Manager Revenues and Risk to report back to the next meeting of the Governance Arrangements Assessment Group.

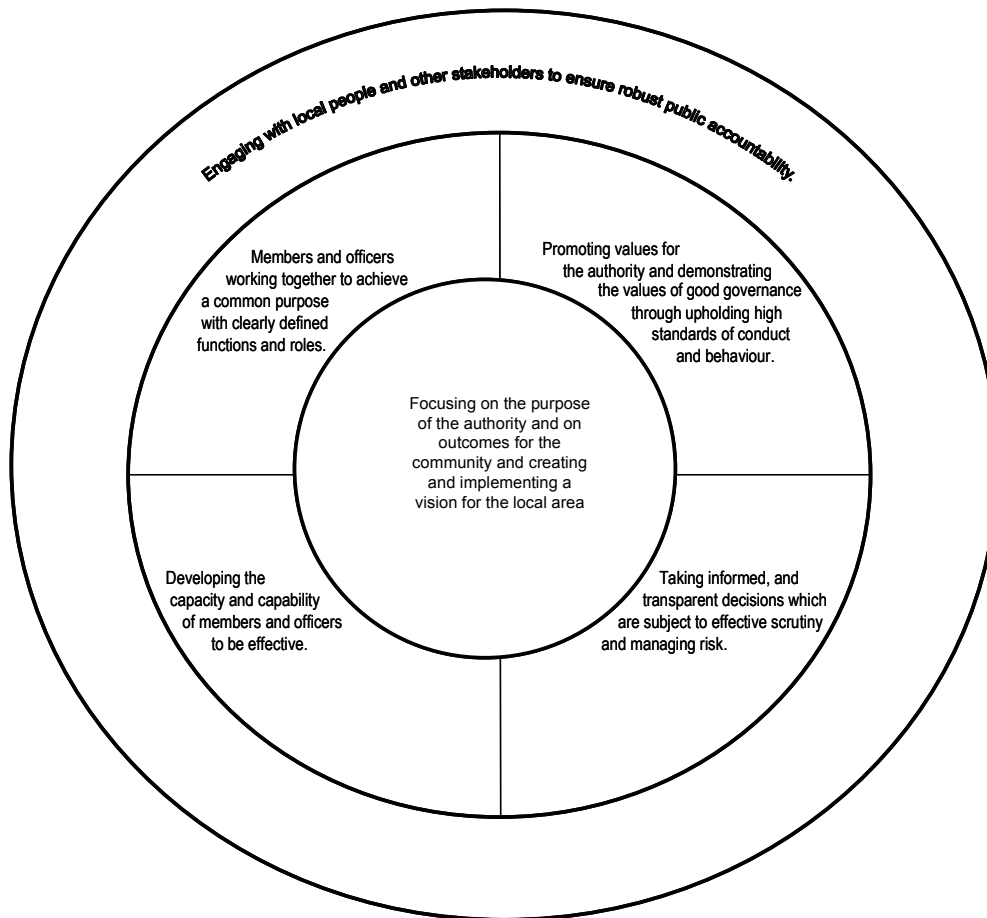
## 7. RECOMMENDATION

7.1 The Standards Committee is asked to consider this report, to comment on its content and approved the report.

# GWYNEDD COUNCIL

## LOCAL CODE OF GOVERNANCE

Gwynedd Council is committed to providing services and making decisions in the best way possible. In order to achieve this, the Council has adopted the six core principles of "Achieving Good Governance in Local Government". (Cipfa/Solace 2007)



Each of the six core principle has a number of supporting principles.

The meaning of “good governance” is to ensure that the policy, systems, procedures and structures framework, which together, manage the way in which the Council administers its business, comply with these six core principles.

Good governance means that the Council’s values and culture accord with these principles.

Good governance means doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

The Council acknowledges that good governance leads to good management, good performance, good public engagement and, ultimately good outcomes for citizens and service users.

During 2010, the Council held a self-assessment of its governance arrangements by assessing them against five themes:

- achievements and results
- leadership and governance
- engagement with customers, communities and partners
- managing resources and performance
- procedure and people

The results of the self-assessment identified areas of strength along with issues to be addressed in an action plan. The evidence gathered in the self-assessment forms the basis of the Local Code of Governance.

The purpose of this Local Code of Governance is to summarise, in one document, the principles that the Council adheres to when governing, along with a description of the policies, strategies and procedures that show how the Council intends to achieve them. It will be a live document and will be added to as other policies and strategies are developed following the self-assessment.

This Code will be reviewed annually as the Annual Governance Statement is produced.

**Core principle 1:** Focusing on the purpose of the authority and on outcomes for the community, creating and implementing a vision for the local area (including citizens and service users)

*Supporting principles:*

- Exercising strategic leadership by developing and clearly communicating the authority's purpose and vision and its intended outcomes for citizens and service users.
- Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning.
- Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money.

The supporting policies, strategies, procedures and processes are:

- The Council Values
- The Council's Three Year Plan
- The Community Strategy
- Statement of the Accounts
- The Financial Strategy
- The complaints procedure
- The 'Achievement' system
- The Local Code of Governance
- The Auditor's Annual Letter

**Core principle 2:** Members and officers working together to achieve a common purpose with clearly defined functions and roles.

*Supporting principles:*

- Ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function.
- Ensuring that a constructive working relationship exists between authority members and officers and that the responsibilities of authority members and officers are carried out to a high standard.
- Ensuring relationships between the authority and the public are clear so that each knows what to expect of the other.

The supporting policies, strategies, procedures and processes are:

- Scheme for delegation to committees
- Scheme for delegation to the portfolio leaders
- Scheme for delegation to officers
- Decision Notices
- Description of members' roles and responsibilities
- Protocols for implementing statutory officer functions
- The Protocol for Member-Officer Relations
- Members' Allowance Scheme

**Core principle 3: Promoting the authority's values and demonstrating the values of good governance by upholding high standards of conduct and behaviour.**

*Supporting principles:*

- Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance.
- Ensuring that organisational values are put into practice and are effective.

The supporting policies, strategies, procedures and processes are:

- Members' Code of Conduct
- Officers' Code of Conduct
- The Gwynedd Standard
- Standards Committee Procedural Rules
- Anti-fraud and Corruption Policy
- The Council's Procedural Rules
- Financial Procedural Rules
- Contracts Procedural Rules
- The appraisal procedure
- Internal Audit Plan
- Gifts and Hospitality Policy - officers
- Gifts and Hospitality Policy - members
- Officer's Interests Policy
- The Standards Committee Annual Report

**Core principle 4: Taking informed and transparent decisions which are subject to effective scrutiny and managing risks.**

*Supporting principles:*

- Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny.
- Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs
- Ensuring that an effective risk management system is in place.
- Using their legal powers to the full benefit of the citizens and communities in their area.

The supporting policies, strategies, procedures and processes are:

- The Risk Management Strategy
- Overview and Scrutiny Procedural Rules
- Access to Committee Information Procedural Rules
- Overview and Scrutiny Strategy
- Members' Training Programme (Scrutiny).
- Officers' Training Programme (Constitutional Arrangements).
- Remit of the Audit Committee
- The Complaints Procedure
- Decision Notices
- Committee minutes
- Whistle Blowing Code of Practice
- Guidance for Chairpersons' Booklet
- The Scrutiny Strategy
- Corporate Risks Register

**Core principle 5: Developing the capacity and capability of members and officers to be effective.**

*Supporting principles:*

- Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles.
- Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group.
- Encouraging new talent for membership of the authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal.

The supporting policies, strategies, procedures and processes are:

- New Members Induction Programme.
- Member Training Strategy
- Members' Personal Development Plan
- Officer Training and Development Plan
- The appraisal procedure
- The Succession Plan.
- The recruitment procedure
- Member Support and Development Charter
- Management Competency Framework.

**Core principle 6: Engaging with local people and other stakeholders to ensure robust public accountability.**

*Supporting principles:*

- Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships.
- Taking an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly by authority, in partnership or by commissioning.
- Making best use of human resources by taking an active and planned approach to meet responsibility to staff.

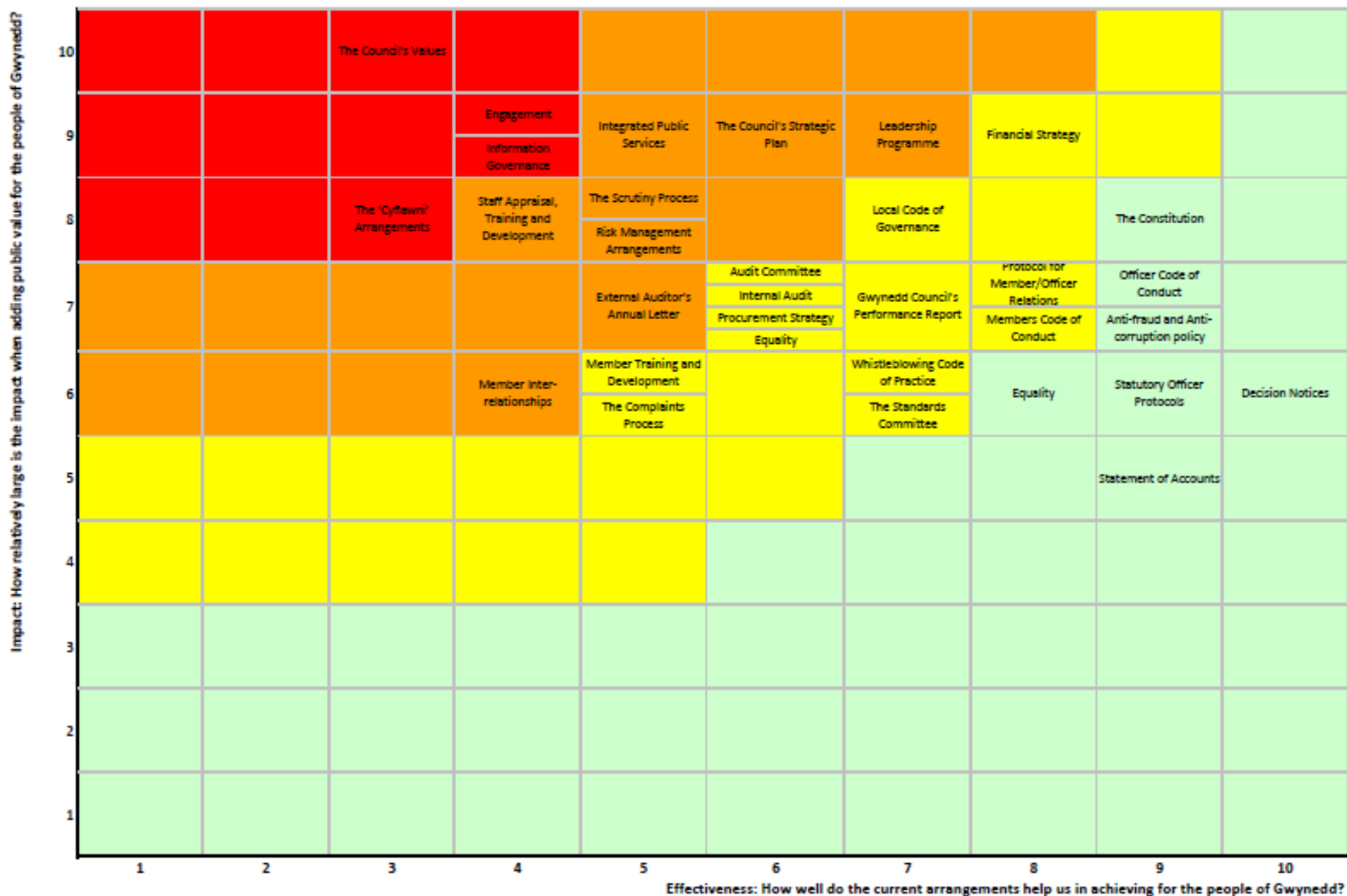
The supporting policies, strategies, procedures and processes are:

- Scrutiny Annual Report
- Access to Committee Information Procedural Rules
- Planning Code of Practice
- The Annual Report on the Council's Achievement
- Gwynedd Together, the Community Strategy

**APPENDIX 2: SIGNIFICANT GOVERNANCE ISSUES**

In setting the Impact and Effectiveness scores in the diagram below, the issues to be addressed as a matter of priority are displayed, namely those areas that have the greatest impact, but are least effective at the moment

AN ASSESSMENT OF THE KEY ELEMENTS OF THE SYSTEMS AND PROCESSES THAT FORM GWYNEDD COUNCIL'S GOVERNANCE



<b>Committee :</b>	<b>STANDARDS COMMITTEE</b>
<b>Date:</b>	<b>5 October 2015</b>
<b>Title</b>	<b>Allegations against members</b>
<b>Author:</b>	<b>Monitoring Officer</b>
<b>Action:</b>	<b>For Information</b>

## 1. Background

The purpose of this report is to present information to the Committee regarding formal complaints made against members. The report is based on information received from the Ombudsman and the case references are his.

## 2. Complaints

### 2.1 Case No. 4654/201502178

Date received: 10/07/15

#### Complaint

A complaint against a county councillor by a member of the public that he had mounted a local campaign in relation to a particular issue and had misled council officers in relation to local circumstances.

#### Decision

No investigation – the complainant had not provided sufficient evidence to substantiate the complaint.

### 2.2 Case No. 9367/201503011, 201503014, 201503020, 201503025

Date received: 26/08/15

#### Complaint

Complaints by four individuals arising from the same incident. Complaints that a county councillor had made serious and false allegations about individuals who had been taking part in a protest.

#### Decision

No investigation – the member had the right to freedom of expression and that right was enhanced when the comments made are political in nature. As an elected member he was entitled to the freedom to share his political views



relating to the event in question.

**2.3 Case No. 201503255**

Date received: 02/09/15

**Complaint**

Complaint following a telephone conversation between the complainant and a community councillor.

**Decision**

Considering whether to investigate

**3. Recommendation**

The Committee is asked to note the information.

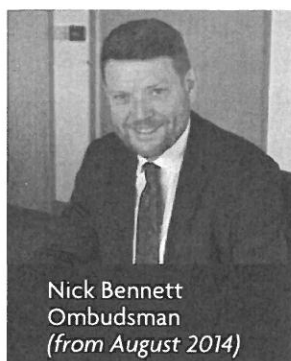
<b>Committee</b>	<b>Standards Committee</b>
<b>Date :</b>	<b>5 October 2015</b>
<b>Title</b>	<b>The Ombudsman's Annual Report 2014/15</b>
<b>Author</b>	<b>Monitoring Officer</b>
<b>Action :</b>	<b>Note for Information</b>

### **Background**

1. The Public Services Ombudsman for Wales has published his annual report for the year 2014-2015.
2. A copy of those parts of the report relevant to code of conduct complaints is attached to this report as an **Appendix**. The report can be found on the Ombudsman's website ([www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk))

### **Recommendation**

3. The Committee is asked to note the report.



I am delighted to introduce this report for the year 2014/15. It is the ninth Annual Report of the Public Services Ombudsman for Wales (PSOW) since the inception of the office in April 2006. The year 2014/15 was of course a year of transition. I took up my appointment as Ombudsman in August 2014, succeeding Professor Margaret Griffiths who was the Acting Ombudsman to July 2014, having been in that role from December 2013. I wish to pay tribute to Professor Griffiths for so ably taking on the interim role as Ombudsman as well as for her assistance and support to me during the transition phase. I valued this highly.

## Innovation

On taking up my role, one of the first things that struck me was the stark reality that the volume of increases in enquiries and complaints made to this office reported in previous Annual Report was continuing into 2014/15. Significant was the fact that during July 2014, the month before I took up my post, the office received both the highest number of enquiries and the highest number of complaints since the office came into existence in April 2006. At the end of the year the picture was that, compared with 2013/14 there had been a 7% increase in all contacts (that is, enquiries, public body complaints, and complaints about the conduct of members of local authorities).

Taking a look back over the past five years, complaints about NHS bodies (which includes health boards, GPs, Dentists) have risen by 126%. Whilst not painting such a dramatic picture, it should not go unremarked that complaints about county/county borough councils are also on the rise. Again comparing the position to five years ago, there has been a 10% increase. Greater detail on the complaints made to my office during 2014/15 can be found at section 3 of this report.

This upward trend in contacts to my office has been a matter of concern to me. Whilst admirable work has been undertaken in recent years to streamline the office's complaints handling processes, I have been eager that we should seek to identify areas for further efficiency gains. I therefore instigated an innovation project, which took place over the space of some three months. This engaged all staff. The work resulted in over 30 agreed action points. The majority of these related to internal changes, with a key focus being on reinforcing and gathering greater momentum in relation to becoming a 'paperless office'. We have taken the view that this approach will enable us to gain further efficiencies in relation

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to the practicalities of dealing with casework documents. However, there will also be implications for bodies within jurisdiction too and I was able to announce in February the fact that we would be changing our approach so that we would request records in electronic format only, but that associated with this I would be reducing the timescales allowed for bodies in jurisdiction to provide me with the records requested. It is also intended to increase use of Skype/videoconferencing to conduct interviews across Wales.

## **Turning the Curve**

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In addition to the changes emanating from the innovation work, I am firmly of the view that we should engage more directly with county/county borough councils and health boards with the aim of promoting improvements in their approaches to complaint handling. These two sectors account for 83% of the complaints that I receive. Essentially the service I provide is reactive. That is, I have to respond to the enquiries and complaints that arrive at my office. However, I am keen that more people's grievances are properly addressed and resolved at local level, providing earlier resolution for complainants and in turn reducing the level of complaints arriving at my door. The current upward trajectory of complaints to my office cannot be sustained indefinitely without additional resource and I am anxious that we should act proactively to turn the curve.

Furthermore, I am of the view that we also need to do more in relation to having a greater wider impact in relation to improving public service delivery and contributing to public policy in Wales, beyond seeking improvement in the place where the problem occurred. I believe that beyond the 'common good' resulting from this, it will also ultimately lead to fewer complaints coming to the office. As part of this programme, I will be placing greater emphasis on my office's own data gathering in relation to the complaints we receive in the office, so that we can derive more detailed statistical data and hence intelligence in relation to the trends and patterns of these.

I have also given considerable thought as to how my staffing resource should be structured in order to enable me to achieve those things that I see as my priorities. Having arrived at my conclusions, I presented my proposals to my staff during March 2015. I will be seeking to implement those changes in the early part of 2015/16.

## **Assembly Inquiry into the Powers of the Public Services Ombudsman for Wales**

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Another aspect that I gave early attention to upon taking up my role as Ombudsman was to consider whether the PSOW Act required review, particularly since it is now ten years old. I took the advantage as part of my 'induction' as Ombudsman to ascertain what best practice looked like amongst colleague ombudsmen, particularly within the UK but also further afield. Having considered what I found, I arrived at the view that whilst the PSOW Act remained well regarded within the ombudsman community, there was a danger that Wales would be left behind as regards developments taking place in other nations and countries. Furthermore, I believe it is important to future proof the Act to enable me, and my successors, to be able to respond to the challenges we know Wales will face with the future ageing society.

Building on the work of the previous Ombudsman, Peter Tyndall, I therefore put forward a number of proposals to the National Assembly for Wales in relation to areas where I believed that the current Act could be extended and strengthened. I was exceptionally pleased that the Assembly's Finance Committee agreed to undertake an inquiry into the possibility of extending the powers of the Public Services Ombudsman for Wales. I was delighted that so many stakeholder organisations took the time and trouble to provide evidence. This ranged from bodies in jurisdiction and their representative organisations, the Commissioners in Wales, as well as colleague Ombudsmen in other parts of the United Kingdom and academic experts in the field. At the time of writing, we await the Finance Committee's decision as to whether to recommend the introduction of a Bill in relation to the PSOW's powers.

### Thanks

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Finally, I wish to thank the staff of my office. Upheaval is never easy, but their professionalism and dedication is of the highest order.



Nick Bennett  
Ombudsman

## 2. My Role as the Public Services Ombudsman for Wales

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As Ombudsman, I have two specific roles. The first is to consider complaints about public service providers in Wales; the second role is to consider complaints that members of local authorities have broken the Code of Conduct. I am independent of all government bodies and the service that I provide is free of charge.

### Complaints about public service providers

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Under the PSOW Act 2005, I consider complaints about bodies which, generally, are those that provide public services where responsibility for their provision has been devolved to Wales. The types of bodies I can look into include:

- local government (both county and community councils);
- the National Health Service (including GPs and dentists);
- registered social landlords (housing associations);
- and the Welsh Government, together with its sponsored bodies.

Since 1 November 2014, I am also able to consider complaints about privately arranged or funded social care and palliative care services.

When considering complaints, I look to see whether people have been treated unfairly or inconsiderately, or have received a bad service through some fault on the part of the service provider. Attention will also be given to whether the service provider has acted in accordance with the law and its own policies. If a complaint is upheld I will recommend appropriate redress. The main approach taken when recommending redress is, where possible, to put the complainant (or the person who has suffered the injustice) back to the position they would have been in if the problem had not occurred. Furthermore, if from the investigation I see evidence of a systemic weakness, then recommendations will be made with the aim of reducing the likelihood of others being similarly affected in future.

### Code of Conduct Complaints

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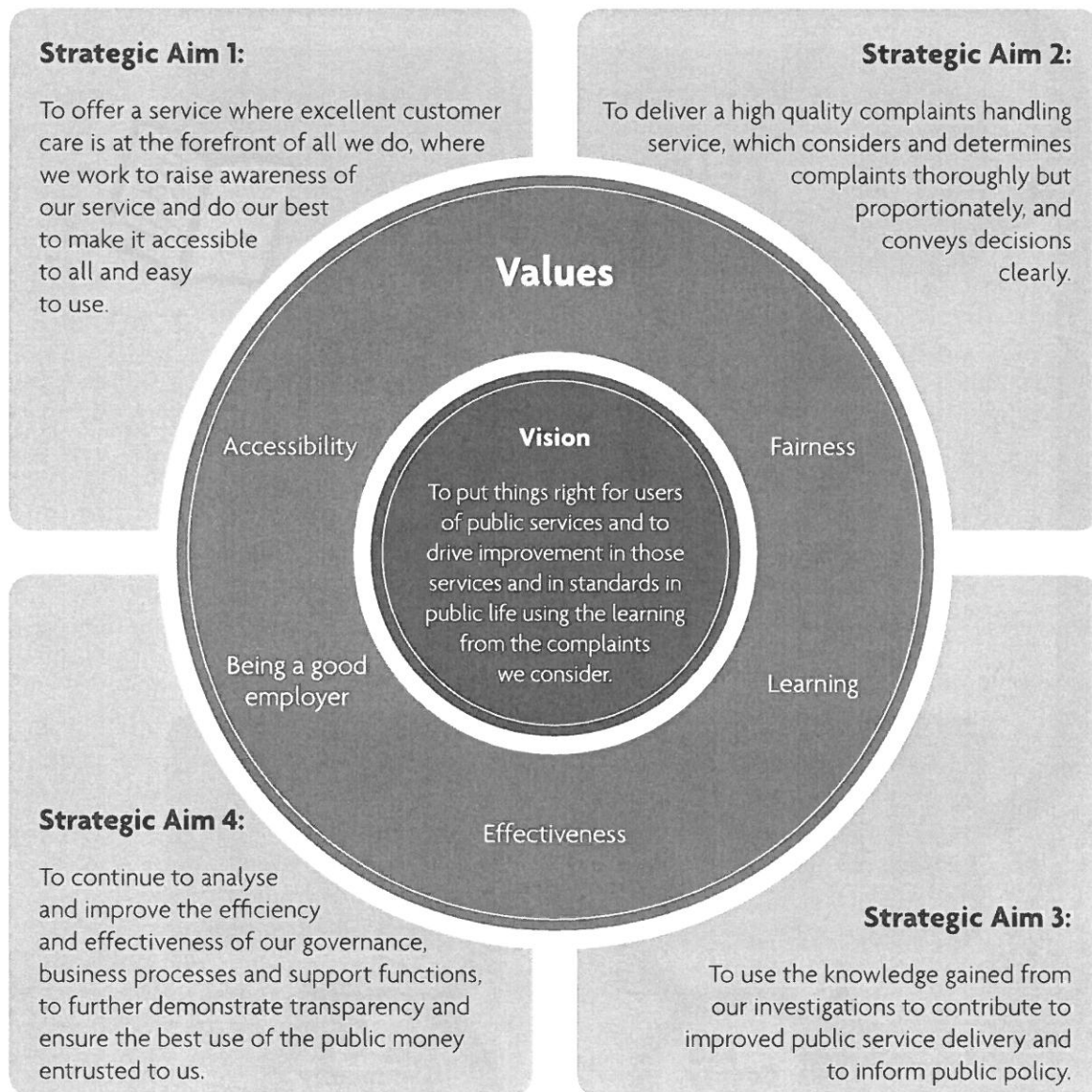
Under the provisions of Part III of the Local Government Act 2000 and also relevant Orders made by the National Assembly for Wales under that Act, I consider complaints that members of local authorities have breached their authority's Code of Conduct. I can consider complaints about the behaviour of members of:

- county and county borough councils
- community councils
- fire authorities
- national park authorities and
- police and crime panels.

All these authorities have a code of conduct which sets out in detail how members must follow recognised principles of behaviour in public life.

If a county councillor wishes to make a complaint about another county councillor within their own authority, then I expect them to first of all make their complaint to that authority’s Monitoring Officer, as it may be possible to resolve the matter locally without my involvement.

## Vision, Values and Strategic Aims





### 3. The Complaints Service



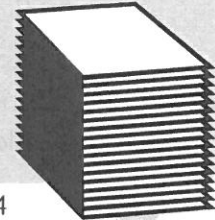
**3,470**  
Enquiries

7% increase on 2013/14

Total Complaints

**2,296**

6% increase on 2013/14



#### Complaints about a Public Body

**2,065** Complaints

7% increase on 2013/14

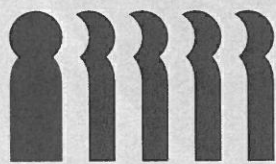


**938**  
County  
Council  
Complaints  
5% increase



**769**  
NHS body  
Complaints  
1% increase

These account  
for **83%** of all  
Public Body  
complaints



#### Code of Conduct

**231** Complaints

1% increase on 2013/14



**125**  
County  
Councillors  
Complaints  
13% increase



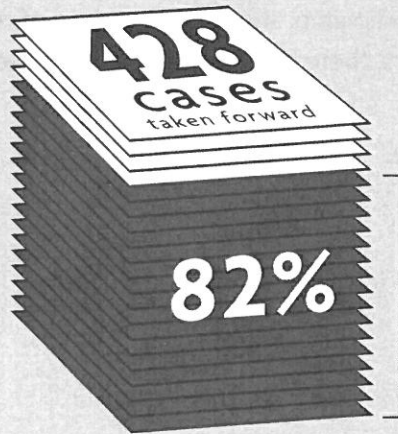
**106**  
Community  
Councillors  
Complaints  
8% decrease

These account  
for **100%** of all  
Code of Conduct  
complaints



## Public Body complaints outcomes 2014/15

Total cases closed: **2,015**



**349**  
complaints upheld  
/partly upheld

**12** of these were  
**public interest**

## Code of Conduct complaints outcomes 2014/15

Total Code of Conduct  
cases closed: **239**



**17** No evidence of a breach  
of the Code of Conduct

**8** No action  
needed

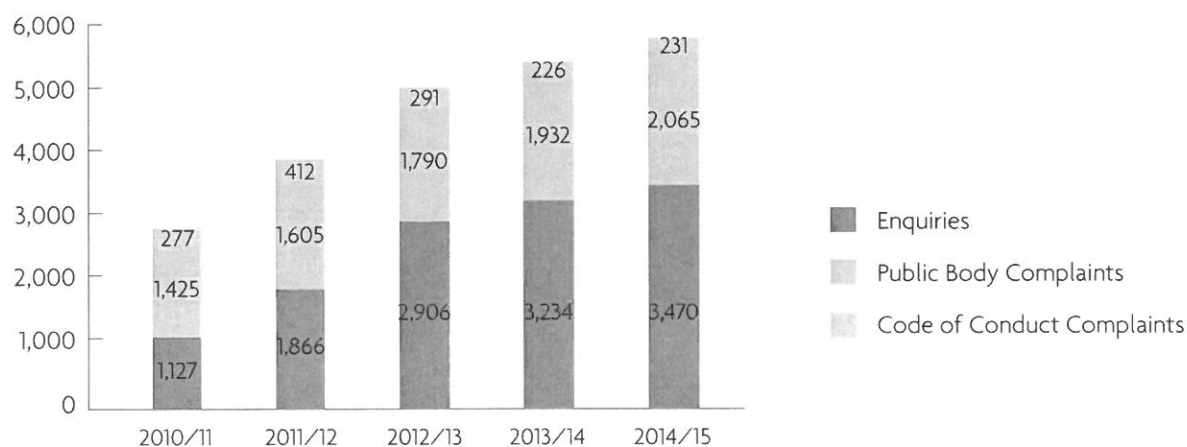
**1** Referred to the  
Adjudication Panel  
for Wales

**8** Referred to  
a standards  
committee

## Caseload overview

Annual Reports of previous years have drawn attention to the volume of increases in enquiries and complaints to this office. The year 2014/15 saw that trend continue. There was a 7% increase in all contacts (that is, enquiries, public body complaints, and complaints about the conduct of members of local authorities) and casting an eye over the past five years, there has been a 104% increase.

### Total Enquiries and Complaints received by year



## Enquiries

The office dealt with 3,470 enquiries during 2014/15, compared with 3,234 the previous year an increase of 7%.

Enquiries are contacts made by potential complainants asking about the service provided, which do not, in the end, result in a formal complaint being made to me. At this point of first contact, we will act in various ways, such as:

- advise people how to make a complaint to me where people have not already complained to the relevant public body, we will advise them appropriately, sending their complaint directly to that body on their behalf if that is their wish
- where the matter is outside my jurisdiction, direct the enquirer to the appropriate organisation able to help them.
- where appropriate, the Complaints Advice Team also seeks to resolve a problem at enquiry stage without taking the matter forward to the stage of a formal complaint.

We are pleased that despite the continued increase in enquiries to this office we have been able to provide a prompt service at the frontline. We set ourselves the target of answering our main line reception calls within 30 seconds in 95% of cases. There were 6,307 main line calls to the office during 2014/15 and 99% of these were answered within this timescale, which clearly is better than the target we set ourselves.

## Public Body Complaints

The number of complaints received about public bodies continues to increase. We received 2,065 such complaints in 2015/16 compared with 1,932 in 2013/14 (a 7% increase).

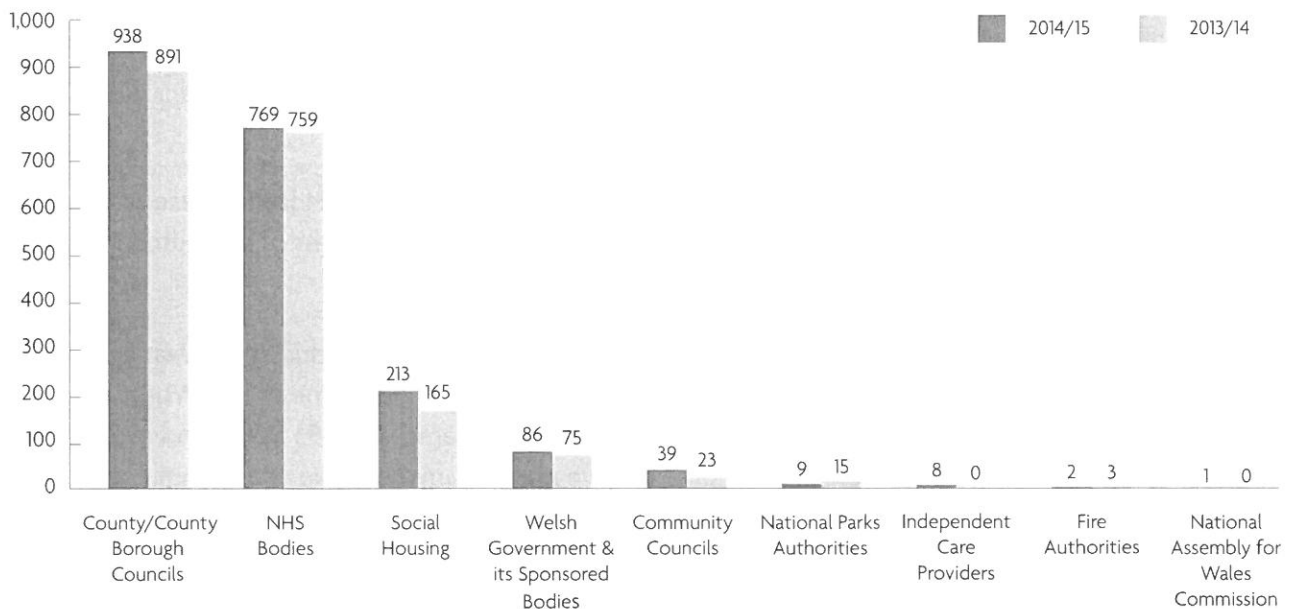
### Sectoral breakdown of complaints

County councils have always generated the most complaints to this office. This is not surprising given the wide range of services they provide. For a number of years complaints received about county councils had held at a fairly constant level, the past two years have seen an increase. In particular, there was a notable 5% increase in complaints over the position for 2013/14.

Health body complaints continued the upward trend of recent years. There was a 1% increase over the past year (769 complaints compared with 759 in 2013/14).

The chart below shows the distribution of the complaints received by sector.

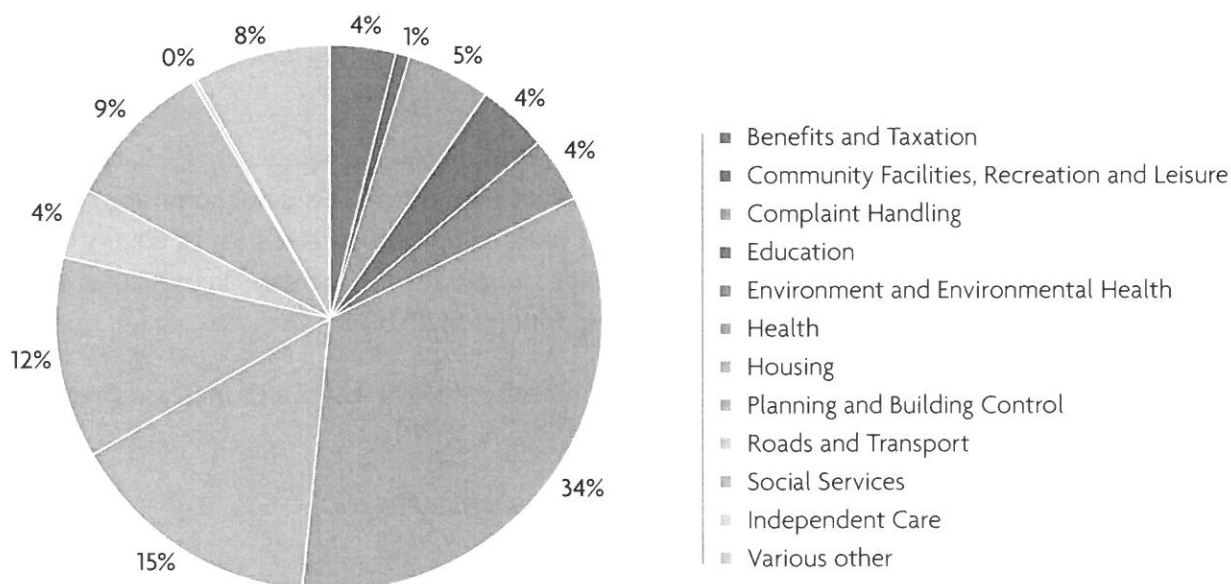
#### Complaints by public body sector



#### Complaints about public bodies by subject

As can be seen from the chart below, health complaints account for 34% of the caseload compared with 36% in 2013/14. This small decrease in ratio terms is due to an increase in other types of complaints received rather than a fall in the number of health complaints received (as confirmed by the details above). As has been the case in recent years, housing (15%) and planning (12%) are the service areas which account for the greatest number of complaints received after health complaints.

### Complaints by subject 2014/15



[Note: Complaints are categorised by the main subject area of a complaint. However, complaints can also comprise other areas of dissatisfaction - for example, a 'Health' complaint may also contain a grievance about 'Complaint Handling'.]

### Outcomes of complaints considered

We closed 2,015 complaints during 2014/15, compared with 1,926 during 2013/14 (an increase of 5%). A summary of the outcomes is set out in the table below and detailed breakdowns of the outcomes by public service provider can be found at Annex B.

I am extremely pleased that we have managed to achieve this level of closure during the year and that we are continuing to keep pace with the increased number of complaints to the office. Whilst the number of cases on hand at the end of 2014/15 stood at 446, compared with 393 at the end of 2013/14, I remain satisfied that this is a reasonable caseload to have open at any one time and do not consider this to be a backlog.

Complaint about a Public Body	2014/15	2013/14
Closed after initial consideration*	1,564	1,402
Complaint withdrawn	23	47
Complaint settled voluntarily (includes "quick fix" of 127 cases)	164	214
Investigation discontinued	8	18
Investigation: complaint not upheld	71	63
Investigation: complaint upheld in whole or in part	173	173
Investigation: complaint upheld in whole or in part – public interest report	12	9
<b>Total Outcomes – Complaints</b>	<b>2,015</b>	<b>1,926</b>

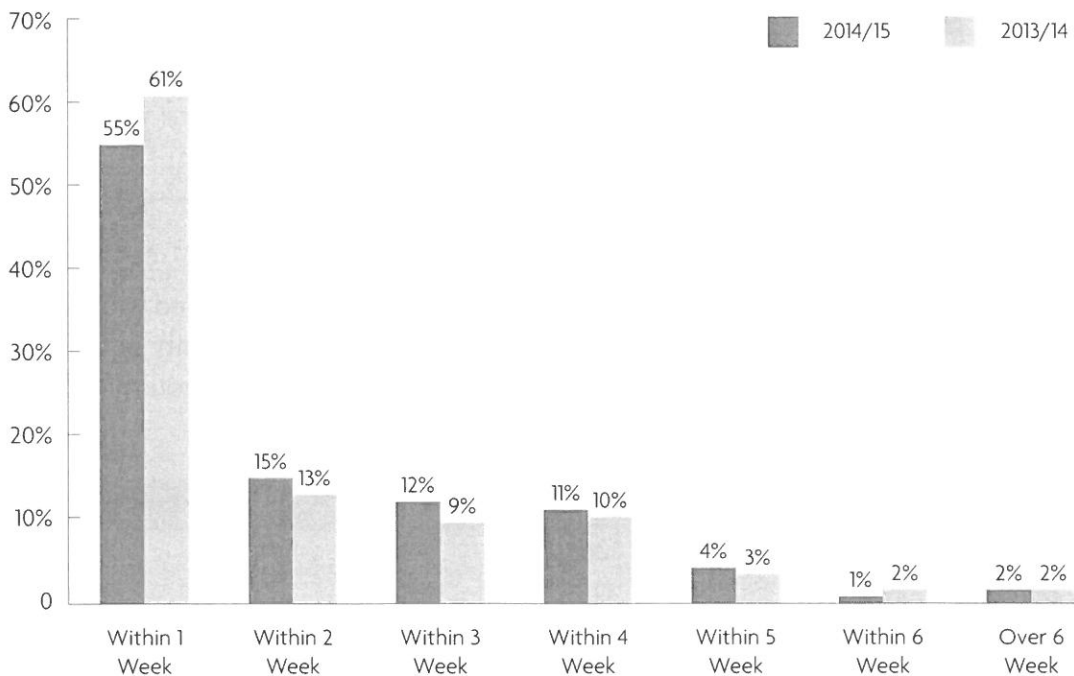
[\* Cases closed after initial consideration include complaints that relate to one of the following circumstances:

- outside of my jurisdiction
- premature (that is, the complainant had not first complained to the public service provider, giving them an opportunity to put matters right)
- did not provide any evidence of maladministration or service failure
- did not provide any evidence of hardship or injustice suffered by the complainant
- showed that little further would be achieved by pursuing the matter (for example, a public body may have already acknowledged providing a poor service and apologised).]

## Decision times

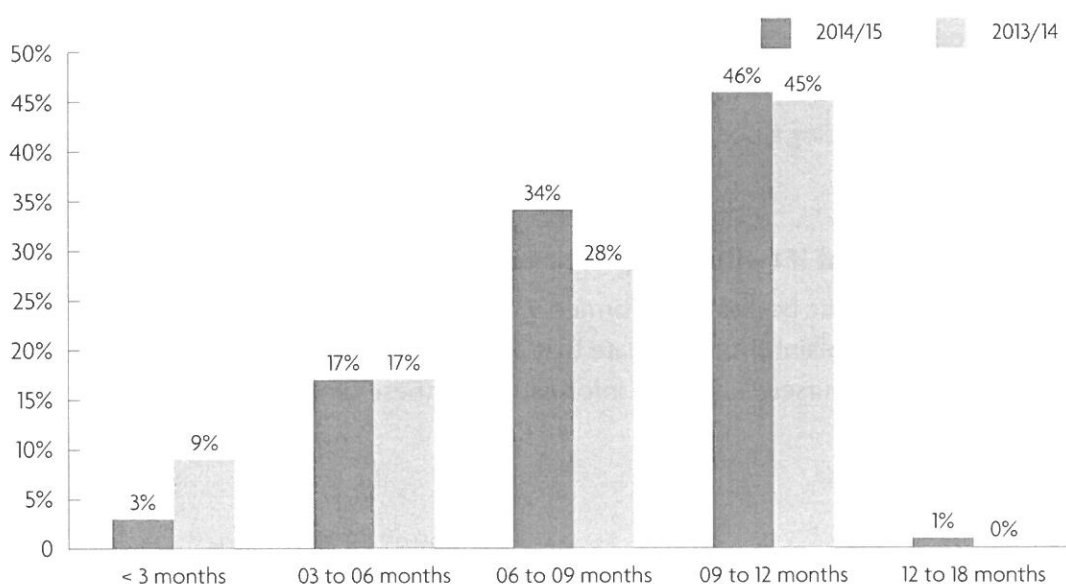
### Time taken to tell the complainant if I will take up their complaint

In relation to complaints about public bodies, we informed 93% of complainants within 4 weeks of whether I would take up their complaint (from the date that sufficient information is received). This is better than the 90% target we set ourselves. Further information on these timescales is set out in the chart below.



## Investigation Times

We completed 99% of investigations within 12 months, against the 100% target we set ourselves. There were two cases that went over 12 months. Both of these involved strong challenges from parties in the investigation. This led to further clinical advice being sought in the first case, and an internal review of the evidence gathered in the second before the investigation could be concluded. The chart below gives further details on the timescales taken to conclude investigations concerning public bodies.



## Code of Conduct Complaints

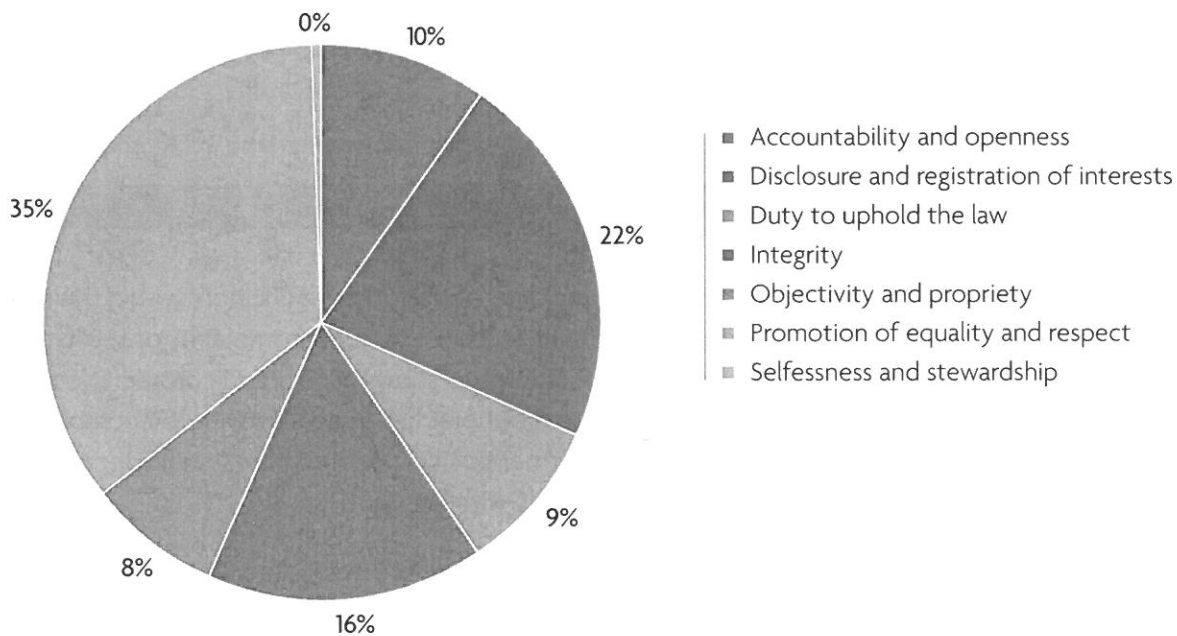
### Complaints received

Overall the number of number of complaints received was similar (231 in 2014/15 compared with 228 in 2013/14). However, the past year saw an increase in complaints about members of county or county borough councils, whilst the number of complaints concerning members of community councils fell. This can be seen in the table below.

	2014/15	2013/14
Community Council	106	115
County/County Borough Council	125	111
Fire Authority	0	2
National Park Authority	0	0
Police & Crime Panels	0	0
<b>Total</b>	<b>231</b>	<b>228</b>

## Nature of Code of Conduct complaints

As in previous years, the majority of complaints received during 2014/15 related to matters of 'equality and respect'. In 2014/15 this accounted for 35% of the code of conduct complaints received compared with 36% in 2014/15. The next largest areas of complaint related to disclosure and registration of interests (22%), and integrity (16%).



[Note: Although showing as '0%' there was 1 complaint made in relation to 'Selflessness and stewardship']

## Code of Conduct complaint outcomes

Of the 239 Code of Conduct complaints closed in 2014/15, the majority (178) were closed under the category 'Closed after initial consideration'. This includes decisions such as:

- there was no 'prima facie' evidence of a breach of the Code
- the alleged breach was insufficiently serious to warrant an investigation (and unlikely to attract a sanction)
- the incident complained about happened before the member was elected (before they were bound by the Code).

A greater number of investigation reports were referred either to a local authority's standards committee or to the Adjudication Panel of Wales in 2014/15 (9 complaints) compared with 2013/14 (6 complaints). In these circumstances it is for these bodies to consider the evidence found, together with any defence put forward by the member concerned. It is then for them to determine whether a breach has occurred and, if so, what penalty, if any, should be imposed.



A summary breakdown of the outcomes is below:

	2014/15	2013/14
Closed after initial consideration	178	176
Complaint withdrawn	7	12
Investigation discontinued	20	8
Investigation completed: No evidence of breach	17	10
Investigation completed: No action necessary	8	17
Investigation completed: Refer to Standards Committee	8	5
Investigation completed: Refer to Adjudication Panel	1	1
<b>Total Outcomes – Code of Conduct complaints</b>	<b>239</b>	<b>229</b>

County councillors are now expected to make their complaints about other councillors within their authority to their monitoring officer. However, I continue to receive 'low level' complaints of this type at my office. These, for example, could be allegations of failures to show respect and consideration of others under paragraph 4(b) of the code. We have reviewed our practice in dealing with the complaints of this type that come to my office, and will be taking a firmer position in the future in referring these 'low level' complaints back to monitoring officers to be dealt with locally.

A detailed breakdown of the outcome of Code of Conduct complaints investigated, by authority, during 2014/15 is set out at Annex C.

## Decision times

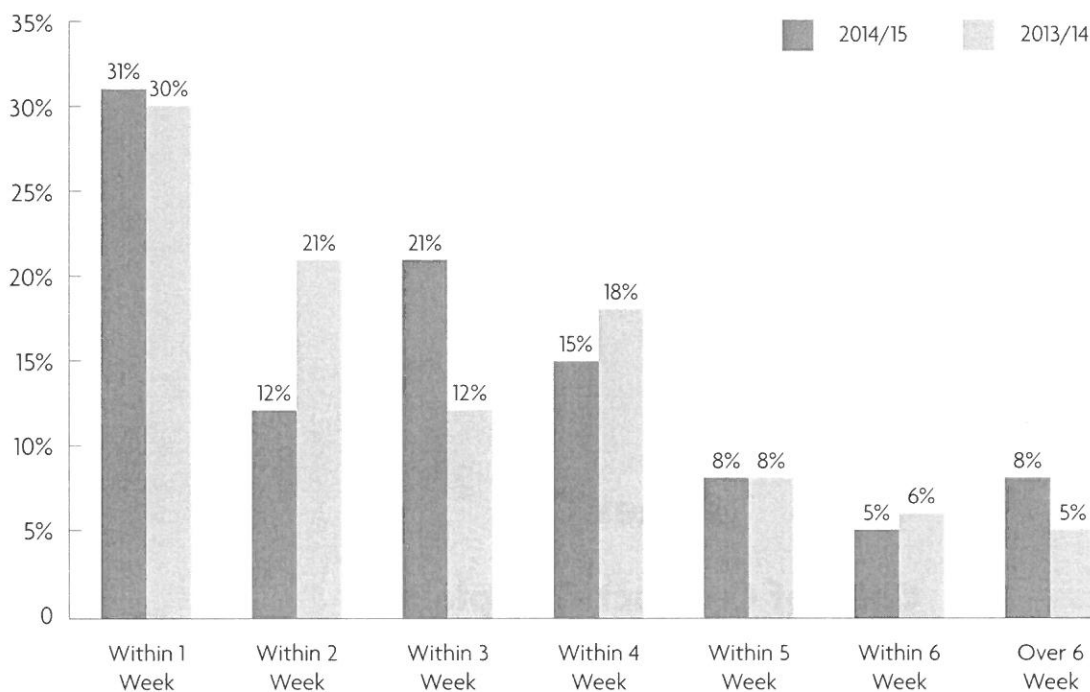
### Time taken to tell the complainant if I will take up their complaint

In respect of Code of Conduct complaints, 79% of complainants were informed within 4 weeks of whether I would take up their complaint (from the date that sufficient information is received). This is lower than the 90% target we set ourselves.

However, different from the position in relation to public body complaints, although not obliged to, members may (and often do) comment on the complaint against them when they have been informed of the complaint. Whilst therefore it can take longer to decide whether to commence an investigation, I consider that it is fairer for us to take into consideration what a member has to say before taking a decision. This is because the commencement of a formal investigation against a member is a stressful and serious matter for the member being complained about. Nevertheless, I will work during the year to ensure that we advise both the complainant and the accused member promptly as to whether we will take the matter into investigation or not.

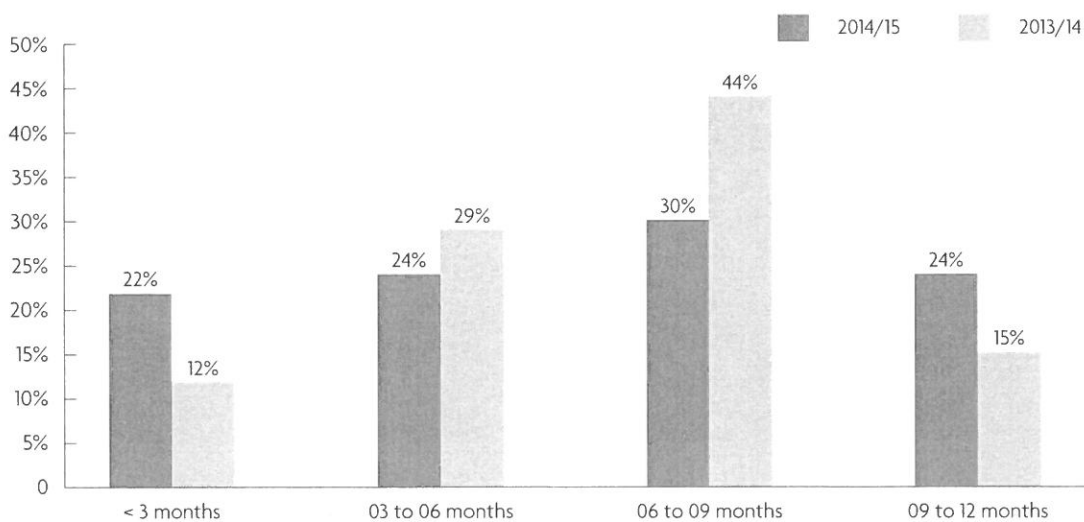
Further details on these decision timescales are shown overleaf.





### Investigation Times

The position for completing code of conduct investigations is a positive one. I am pleased that over the past year we succeeded in meeting our 100% target for completing investigations within 12 months, as can be seen in the chart below.



## **Annex C**

### **Code of Conduct Complaints:**

### **Statistical Breakdown of Outcomes by Local Authority**

## COUNTY/COUNTY BOROUGH COUNCILS

County/ County Borough Council	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total Cases Closed
Blaenau Gwent	1			1				2
Caerphilly	4	1						5
Cardiff	15		2		1		3	21
Carmarthenshire	15							15
Ceredigion	2		1					3
Conwy	1							1
Denbighshire	2							2
Flintshire	1	1						2
Gwynedd	6	1			2			9
Isle of Anglesey	2		3		1			6
Merthyr Tydfil	4							4
Monmouthshire	2		1					3
Neath Port Talbot	2	1						3
Newport City			1					1
Pembrokeshire	5	1						6
Powys	8	2						10
Rhondda Cynon Taf	7		1		2			10
Swansea	9	1						10
Vale of Glamorgan Council	7		1					8
Torfaen	7	2						9
Wrexham		1					1	2
<b>Total</b>	<b>100</b>	<b>11</b>	<b>10</b>	<b>1</b>	<b>6</b>	<b>6</b>	<b>4</b>	<b>132</b>

## COMMUNITY/ TOWN COUNCILS

Community or Town Council	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total Cases Closed
Abertillery & Llanhilleth Community	4		1					5
Aberystwyth Town	4		1					5
Ammanford Town	1							1
Arthog Community		1						1
Bangor City	1							1
Bethesda Community	1							1
Bridgend Town	3							3
Buckley Town	4							4
Caerwent Community	3							3
Caldicot Town	1							1
Coedpoeth Community	1						1	2
Connah's Quay Town	2							2
Dinas Powys Community	2							2
Fishguard & Goodwick Town					1			1
Holyhead Town	1							1
Kidwelly Town	1							1
Llanarmon yn Ial Community	1							1
Llanbadrig Community	1				2			3
Llandulas and Rhyd y Foel Community	1	2				1		4
Llandello Town					1			1
Llandudno Town	2							2
Llanedi Community	1							1
Llanelli Rural	5							5
Llanfihangel ar Arth Community						1		1

## COMMUNITY/ TOWN COUNCILS (CONTINUED)

Community or Town Council	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total Cases Closed
Llangatock Vibon Avel Community			1					1
Llangelynnin Community	1							1
Llangennith, Llanmadoc & Cheriton Community	8							8
Llanharan Community	1							1
Llanover Community Council	1							1
Llansanffraid Glan Conwy Community						1		1
Llansannan Community	2							2
Llansantffraed Community				1				1
Llansteffan & Llanybri Community	1							1
Llantwit Major Town	1							1
Llanwnda Community							1	1
Llay Community	3							3
Mumbles Community	3							3
Ogmore Valley Community		1						1
Penmaenmawr Town		3	1					4
Pennard Community	7							7
Prestatyn Town	1							1
Rhyl Town		1						1
Sully Community	1							1
Templeton Community				1				1
Tywyn Town	7		2	1	1			11
Y Felinheli Community	1							1
<b>TOTAL</b>	<b>78</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>105</b>

## FIRE & RESCUE AUTHORITIES

Fire & Rescue Authority	Closed after initial consideration	Discontinued	No evidence of breach	No action necessary	Refer to Standards Committee	Refer to Adjudication Panel	Withdrawn	Total Cases Closed
Mid and West Wales	1	1	1					2