

<b>Committee:</b>	<b>THE STANDARDS COMMITTEE</b>
<b>Date:</b>	<b>21 January 2019</b>
<b>Title:</b>	<b>Allegations against members</b>
<b>Author:</b>	<b>Monitoring Officer</b>
<b>Purpose:</b>	<b>For information</b>

## **1. Background**

The purpose of this report is to inform the Committee of the Ombudsman's decisions on formal complaints against members.

## **2. Decisions**

### **Complaint 14539/201702769**

A complaint that a County Councillor had failed to register land ownership as an interest and had failed to declare this when discussing a planning application with officers.

The Ombudsman investigated the complaint and reached the following conclusion:

- It appears that the member was in breach of the code by failing to register the interest and by failing to declare this when e-mailing planning officers.
- The content of the e-mail blurred the line between the member's role as an individual and his role as a member of the Council.
- Despite the Member's arguments to the contrary, the Ombudsman was of the opinion that had received sufficient training on the Code of Conduct and if unclear about any aspect, it was his responsibility to seek further advice from the Monitoring Officer.
- Having considered the public interest test, it was decided that no further action was necessary in this instance as the individual was a new member at the time, that this was the first time his conduct had been brought to the Ombudsman's attention, and that he had since completed the registration of interest correctly.
- He would write to the member to emphasise the importance of keeping separate his private and public roles and that he should seek advice from the Monitoring Officer if he needs more training on the Code of Conduct.

### **Complaint 201805374**

Complaint by a member of the public that a member of the Community Council had:

- made a false statement in order to undermine support for a local campaign led by the complainant

- used her influence on a committee of the local hall to prevent the complainant from hiring the hall.

The Ombudsman resolved not to investigate the complaint for the following reasons:

- The complainant had not submitted sufficient evidence to support the complaint, but even had she done so, the Ombudsman was not of the opinion that the Code of Conduct would have been breached
- It was unclear whether the Member was, at the time, acting as a Member. Even if she were doing so, the Ombudsman was not satisfied that she had prevented the complainant from hiring the hall.

### 3. Analysis of the Complaints

Below is an analysis of the nature of this year's complaints to date:

<b>Member who is subject of the complaint</b>	
Member of community council	8
Member of Gwynedd Council	3
Member of Gwynedd Council and community council	0
<b>Nature of the complainant</b>	
Councillor	3
Member of the public	7
Officer	1
<b>Nature of the allegation</b>	
Overall conduct	4
Declaration of Interest	7
<b>Outcome</b>	
No Investigation	10
Investigation – No evidence of breaching the Code of Conduct	0
Investigation – Evidence of breaching the code but no further steps required	1
Investigation - referral to the Standards Committee	0
Investigation - Referral to the Adjudication Panel for Wales	0

### 4. Open Cases

The situation in relation to other cases is as follows:

- **Ombudsman considering an investigation 2**
- **Ombudsman investigating 0**

### 5. Recommendation

The Committee is asked to note the information.