

<b>Committee:</b>	<b>THE STANDARDS COMMITTEE</b>
<b>Date:</b>	<b>22 February 2021</b>
<b>Title:</b>	<b>Allegations against members</b>
<b>Author:</b>	<b>Senior Solicitor (Corporate)</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**

We have received the following decisions from the Ombudsman since the last report.

### **2.1 Complaint nos. 202002320 and 202002705**

A complaint against a town councillor by a fellow councillor that he failed to show respect towards himself and his family and that he had been bullied the complainant.

The Ombudsman decided not to investigate. Although the member had provided much information about his complaint, he had submitted no direct evidence that the councillor had breached the Code of Conduct

### **2.2 Complaint no. 202002837**

A complaint that a community councillor, during a Zoom council meeting, had breached the Code of Conduct by his behaviour towards the complainant as a member of the public, and towards another councillor.

The Ombudsman not to investigate. The complainant had not submitted sufficient evidence to support the complaint. However, even if there was direct evidence to support the complaint, he was not persuaded that the matter would meet the two stage test.

In relation to the behaviour towards the other member there is a clear distinction between robustly engaging in debate and engaging in personal attacks on individuals. He was not persuaded that the conduct was so excessive that it amounted to a personal attack which could amount to a breach of the Code of Conduct.

In relation to the conduct towards the complainant, the Ombudsman did not condone the comments and considered such gestures discourteous, and reminded the Councillor to be mindful of his obligations under the Code of Conduct, and how such theatrics during public meetings could be construed by members of the public who he represents. However, even if

there was direct evidence to support the complaint, he was not persuaded that this incident in isolation meet the Ombudsman's public interest test.

### 3. Analysis of the Complaints

Below is an analysis of this year's complaints (2020/21) where a decision has been:

<b>Member who is subject of the complaint</b>	
Member of community council	4
Member of Gwynedd Council	1
Member of Gwynedd Council and community council	2
<b>Nature of the complainant</b>	
Councillor	4
Member of the public	2
Officer	1
<b>Nature of the allegation</b>	
General conduct	7
Declaration of Interest	0
Conduct & Declaration of Interest	0
<b>Outcome</b>	
No Investigation	6
Investigation – No evidence of breaching the Code of Conduct	0
Investigation - no further steps required	1
Investigation - referral to the Standards Committee	0
Investigation - Referral to the Adjudication Panel for Wales	0

### 4. Open Cases

4.1 The situation in relation to other cases is as follows:

- **Ombudsman considering an investigation 6**
- **Ombudsman investigating 3**

### 5. Recommendation

5.1 The Committee is asked to note the information.