

<b>Committee:</b>	<b>THE STANDARDS COMMITTEE</b>
<b>Date:</b>	<b>14 June 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.

<b>Complaint</b>	<b>Decision</b>
<p><b>Complaint No. 202100258</b></p> <p>Complaint by a town councillor that a fellow councillor, as Chair of the Council's Personnel Committee, failed to treat him with respect and consideration in connection to a complaint he had submitted.</p>	<p>No investigation.</p> <p>No evidence that the complainant had been treated any differently from any other complainant. The decision to recommend the removal of the complainant from one of the council's committees was one that the Personnel Committee was entitled to take.</p> <p>No evidence that the councillor had an improper, financial, or personal interest in the outcome of the meetings as alleged.</p>
<p><b>Complaint No. 202101077</b></p> <p>Complaint by a member of the public that a community councillor had tweeted his support for extreme political views.</p>	<p>No investigation.</p> <p>No evidence – the content of the tweet differed from the allegation made against him.</p>
<p><b>Complaint No. 202101165</b></p> <p>Complaint by a member of the public that a community councillor had made four tweets that breached the council's</p>	<p>No investigation</p> <p>The tweets referred to in the complaint could reasonably be said to fall within the realms of political comment. The</p>

Social Media Policy by discriminating against women, failing to show respect and consideration and bringing the Council into disrepute.	Ombudsman was not persuaded that the content was so egregious that it would amount to a breach of the Code. Further to this, even if a breach were to be proven, he was not persuaded that any sanction which might be imposed would be a proportionate interference with the Councillor's ECHR/HRA rights. Therefore, an investigation would not be in the public interest.
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### 3. Analysis of the Complaints

Below is an analysis of this year's complaints (2021/22) where a decision has been received:

<b>Member who is subject of the complaint</b>	
Member of community council	3
Member of Gwynedd Council	
Member of Gwynedd Council and community council	
<b>Nature of the complainant</b>	
Councillor	1
Member of the public	2
Officer	
<b>Nature of the allegation</b>	
General conduct	3
Declaration of Interest	
Conduct & Declaration of Interest	
<b>Outcome</b>	
No Investigation	3
Investigation – No evidence of breaching the Code of Conduct	
Investigation - no further steps required	
Investigation - referral to the Standards Committee	
Investigation - Referral to the Adjudication Panel for Wales	

### 4. Open Cases

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

- **Ombudsman considering whether to investigate**      **5**
- **Ombudsman investigating**      **4**
- **Referred to Standards Committee**      **1**

## **5. Referral to the Standards Committee**

5.1 The Ombudsman has completed an investigation into an allegation that a member has breached the members' code of conduct, and concluded that the issues under investigation should be referred to the Monitoring Officer for consideration by the Standards Committee. This report will be presented to a special meeting of the Committee, to be arranged, to decide, in accordance with statutory procedure, whether or not the matter should proceed to a hearing.

## **6. Recommendation**

6.1 The Committee is asked to note the information.