

**ANNUAL REPORT
OF THE GWYNEDD
COUNCIL STANDARDS
COMMITTEE**

2022 - 2023

FOREWORD BY THE CHAIR

It was a great privilege for me to be elected Chair of the Standards Committee in February this year. First of all, I would like to take the opportunity to sincerely thank my predecessor in the Chair, Dr Einir Young for her service and leadership to the Committee over a period of 10 years. I would also like to thank Margaret Jones for her service over the last 10 years. While saying goodbye to them, it was also a pleasure to welcome a new member to the Committee, Mark Jones.

Standards in public life is a topic that is receiving a lot of attention at the moment, emphasising the importance of individuals' behaviour in maintaining public confidence in the manner in which decisions are made on their behalf by their elected representatives. I am confident that this committee can continue to provide support and guidance to the members of Gwynedd Council and the members of the community, town and city councils within the county.

Hywel Eifion Jones
Chair of the Standards Committee

FOREWORD BY THE MONITORING OFFICER

In a local election year, the focus was training and raising awareness of the Code of Conduct and the expected standards of conduct. It is a positive indication that all members were able to take advantage of the Induction arrangements, and many attended the subsequent more detailed course. It is hoped that the coming year will allow resource and capacity to undertake further such events

The Local Government and Elections (Wales) Act 2021 has created new duties for Political Group Leaders to take an element of responsibility for promoting good conduct and co-operating with the Standards Committee. It is a positive opportunity to strengthen an important inter-relationship which focuses on promoting and supporting good conduct. Admittedly this is an initial year of the existence of the duty we need to develop this new aspect of the ethical framework. The Standards Committee has agreed a protocol to take forward with the Group Leaders and I am confident that a positive working relationship will develop,

Ultimately it is the consensus around the type of Council we wish to see and work in which represents the best foundation. Although the report includes cases where the Code was found to have been breached this has to be set in the context of the number of elected members whether county or community in Gwynedd. This supports focusing our work on interventions which develop and maintain the standards which are expected.

Iwan Evans
Monitoring Officer
Gwynedd Council

INTRODUCTION

The Committee was established in 2001 under the Local Government Act 2000. The main role of the Committee is to promote and maintain high standards of conduct by the councillors and co-opted members of Gwynedd Council, and community and town councils in Gwynedd. It does this in many ways:

- Assisting the councillors and co-opted members to follow the Members' Code of Conduct
- Advising the authority regarding adopting or amending the Members' Code of Conduct
- Monitoring the implementation of the Members' Code of Conduct
- Advising, training or arranging training for councillors and co-opted members on matters relating to the Code of Conduct
- Determining complaints referred to it by the Public Services Ombudsman for Wales that members have breached the Code of Conduct
- Considering applications made by members for dispensation to allow them to participate in discussions despite them having a prejudicial interest under the Code
- Considering matters referred to it under the Gwynedd Council local complaints resolution procedure
- Overseeing the Gwynedd Council Members' Gifts and Hospitality Policy.

The Annual Report

The Local Government Act 2000 was amended by the Local Government and Elections (Wales) Act 2021, making it now a statutory duty for standards committees to report to their authority. This must be done as soon as practicable after the end of the financial year, in relation to that year (i.e. the 12 month period ending on 31 March).

The report must describe how the committee's functions have been implemented during the year. In particular the report must include a summary of:

- What has been done to carry out the general and specific functions given to the committee by the 2000 Act
- Reports and recommendations made or referred to the committee by the Public Services Ombudsman for Wales

- Actions taken by the committee after it has considered such reports and recommendations;
- Notices given to the committee by the Adjudication Panel for Wales

A report by a county council's standards committee must also include:

- The committee's assessment of the extent to which leaders of political groups on the council have complied with their new statutory duties in relation to standards of conduct.

The report may include:

- Recommendations to the authority about any matter in respect of which the committee has functions.

The authority must consider every annual report made by its standards committee before the end of 3 months which starts on the day the authority receives the report.

COMMITTEE MEMBERS

Though the Standards Committee is a Gwynedd Council committee, the majority of its membership does not have any connection with the Council or local government ('Independent Members'). It also has a member who represents the interests of the community councils ('Community Committee Member'), as well as three elected members from Gwynedd Council. The Chair and Vice-chair of the Committee must be Independent Members.

Independent Members

Margaret E Jones (member 2012 - 2022)

Originally from Rhos-on-sea, Margaret has spent most of her life in Chwilog. She taught at Ysgol Abersoch for 32 years, including 14 as the headteacher. She is a deacon at Siloh Welsh Independent Chapel, Chwilog, and was Chair of the Union of Wales Independents for three years and is also the former President of the Union. She has been a member of the North Gwynedd Community Health Council and was Vice-chair until the reorganisation in 2010. She is an active member of the Chwilog Eisteddfod Committee and is responsible for the Charing Ceremony.

Dr Einir Young (member 2012 - 2022)

Born in the Rhondda and raised in Llanelli and Cwmtwrch Einir has lived in Gwynedd for more than thirty years. She lived in California for a while and has wide global experience in Africa mainly, working with marginal communities in semi-arid regions. Wales has been her focus for many years and she notes the challenges faced by communities world-wide are similar. We need a long-term vision and plan, to ensure that the actions we take are for good or prevent things from getting worse. Integration and collaboration are critical and possibly more important of all to involve everyone. These are the principles are encapsulated in the Wellbeing of Future Generations Act and Einir is keen to see ways of working promoted in the Act being widely adopted. Maintaining standards is as important to sustainability as recycling and saving energy and Einir welcomes the opportunity to contribute to and chair Gwynedd's Standards Committee. She retired from her post as Director of Sustainability at Bangor University at the end of December 2020 but continues to work part-time on the Pen Llŷn Ecoamgueddfa project. She is a director of Community Energy Wales and is one of the deputy-chairs of Academi Heddwch (the Peace Academy). In her free time Einir enjoys walking long-distance paths such as the Wales Coastal Path, the Pilgrim's Way and the Eryri Slate Trail.

David Wareing (member since 2015)

David moved from Lancashire to Groeslon in 2014 following his retirement from the Merseyside Police. He served for 26 years in a variety of roles, more recently within the Operations Department in the Police Headquarters. In this role, he planned for large public events, public safety during Police operations and reducing police assistance for external agencies through increased partnership working. He specialised in risk assessment and securing compliance with health and safety legislation. David represented the Merseyside Police on each of the five Safety Advisory Groups within that area. He strongly believes that the actions of those in public roles must be transparent and accountable.

Aled Jones (member since 2016)

Aled is originally from Llanbedr Pont Steffan, Ceredigion. He studied a degree in Welsh and Geography at Aberystwyth University. After graduating in 1999, he moved to Caernarfon to work with the Cymen translation company and became a joint owner of the company in 2007. He now employs a team of 20 staff members and another 15 freelance translators. He lives in Bangor with Tegwen and their children, Cai and Beca. He enjoys all types of sports and is often seen supporting Bethesda Rugby Club and Bangor City Football Club. In light of his job as a simultaneous translator he has vast experience of attending meetings at all levels of governance and is therefore in a good position to observe conduct and standards and identify best practice.

Hywel Eifion Jones (member since 2019)

Born and educated in Dyffryn Clwyd, Eifion was a senior manager with Barclays Bank and served for 34 years in a number of branches across North and Mid Wales. He has undertaken many public services roles including a County Councillor with Isle of Anglesey County Council and a member of the North Wales Police Authority. Currently, he is a Magistrate on the North West Wales bench and is a member of the Gwynedd Pensions Board, Gwynedd Council's Governance and Audit Committee and is the Chair of Adra . He is also a member of the Adjudication Panel for Wales which determines allegations of County and Community elected members breaching the code of conduct.

Mark Jones (member since December 2022)

Mark lives in Bangor and is a former police officer with 30 years experience in a variety of roles, including as Head of Professional Standards for North Wales Police. He served as a Community Governor and Vice Chair at Ysgol Glanadda for 20 years. He is also a former Chair of Adra, where he continues to serve as a Board member

Community Committee Member

Councillor Richard Parry Hughes (member since 2017)

Richard was brought up on a farm in Llanaelhaearn and attended Pwllheli Grammar School, Glynllifon Agriculture College and Seale Hayne College (Plymouth University). He has a post-graduate degree in Farm Management. He worked for a veterinary partnership in Chwilog for three years and as a part-time lecturer in Coleg Glynllifon before purchasing Penfras Uchaf farm in Llwyndyrys where his family had been tenants for over three hundred years. He is married to Eleri and they have three sons. The former leader of Gwynedd Council, he continues to farm. He has extensive experience of committees and has held roles such as the chairman of the Wales Federation of Young Farmers' Clubs before being elected as member of public bodies. He was a member of Gwynedd County Council from 1992 to 1996 and a member of Gwynedd Council from 1996 to 2008. He led Gwynedd Council from 2003 to 2008 and was also a spokesperson for the Wales Local Government Association on the Environment and Planning during this time. He is a keen member of Cwmni Drama Llwyndyrys and supports many other local organisations such as Antur Aelhaearn and Friends of Carnguwch Church. He volunteers as a case worker for the Farm Community Network. He has been a member of Llannor Community Council since 1992.

Gwynedd Council Members

Councillor Beth Lawton (member since 2017)

Beth lives in Brynchrug and is the owner of a local factory. She is a County Councillor for the Brynchrug/Llanfihangel area which includes the villages of Brynchrug and Abergynolwyn. She is also a Community Councillor and the chair of the Ysgol Craig y Deryn Governing Body. She is active on several committees in the community including Abergynolwyn Carnival, Brynchrug Rural Fair, Tywyn Hospital Appeal Committee and many others. She was the Chair of Gwynedd Council's Education and Economy Scrutiny Committee during 2021-22 and is a director of the new leisure company.

Councillor Anne Lloyd Jones (member since 2017)

Anne lives and runs a farm tourism business in Tywyn, and she has represented Tywyn on Gwynedd Council since 1995 and was previously a member of the Meirionnydd District Council for eight years. She was first elected member of Tywyn Town Council in 1985 and she was the first Mayoress in 1991, and again in 2004, and she was also Chair of Gwynedd Council in 2009. She is a former chair of the Gwynedd Council Planning Committee and one of the original members of the Cartrefi Cymunedol Gwynedd Management Board. She was a member of the Meirionnydd

Community Health Council and is currently Chair of the Tywyn and District Hospital Appeal Fund. She is also the Treasurer of the local NSPCC branch since 1989.

She is a member and a former chair of Ysgol Penybryn Governing Body and is also a member of the Governing Body of Ysgol Uwchradd Tywyn. Anne was the Chair of Mid Wales Tourism between 2001 and 2016, a founding member and former president and treasurer for the Tywyn Inner Wheel Club.

Anne is married to John and they have three daughters and twin granddaughters.

Councillor Dewi Owen (member since 2022)

[details to follow]

The Monitoring Officer

The Council's Monitoring Officer, Iwan Evans, along with officers from the Legal Service and the Democratic Service support the Standards Committee in its work. The Monitoring Officer has a statutory role to ensure that the Council, its members and its officers act appropriately and lawfully.

Contact Details

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THE COMMITTEE’S WORK DURING 2022 - 2023

The Committee’s work over the year has included the following (the Committee’s full work programme can be seen in **Appendix 1**):

Cases which appeared before the Standards Committee

One complaint of breaching the Code of Conduct was referred to the Committee for a decision during the year but was not heard until April 2023.

Other complaints

The Committee is also notified of the Ombudsman's decisions on complaints that were not referred to the Committee for a decision, and a summary of these is provided in **Appendix 2**.

Dispensations

The Code of Conduct for Members provides that a councillor cannot participate in a discussion if he/she has a ‘prejudicial interest’. However, a member has the right to apply to the Committee for permission to participate despite having this interest, i.e. dispensation.

- No applications for dispensation were submitted to the Committee during the year.

North Wales Standards Committee Forum

The North Wales Standards Committee Forum gives the representatives of all north Wales authorities' standards committees the opportunity to convene. The purpose of the forum is to enable the area’s standards committees to discuss and share ideas, good practices and resources and also provide a joint opinion on a national level. The Chair and Vice—chair of the Committee attend the meetings. The Ceredigion and Powys Standards Committees have now joined the Forum.

Forum of National Standards Committees for Wales

Richard Penn was commissioned by the Welsh Government to look into the Code of Conduct, how it is enforced, how training is undertaken and all other mechanisms to ensure high standards of ethical behaviour. He presented his report in November

2021, where he commented positively on the work of the forum for Chairs of Standards Committees in North and Mid Wales.

Although he recognised the place for local decision-making, he recommended the establishment of a National Forum along the same lines. The forum will

- a) give chairs the chance to share and agree to co-ordinate practice;
- b) act as a sounding board for ideas;
- c) create a support network for chairs and Committees.

The first meeting of the National Forum was held on 27 January 2023 via Zoom. The Chairs or Vice Chairs of all Welsh Standards Committees were present along with a number of Monitoring Officers, the Welsh Government (WG) and officers of the Welsh Local Government Association (WLGA).

Support for Community, Town and City Council Members

The committee carried out a process of consultation, through the Chairman and the Community Committee Member, with a selection of town and community council clerks. The intention was to gain an understanding of specific issues that could create problems in terms of members' behaviour so as to enable the Committee to make the best use of those resources available in the authority.

An Action Plan was decided upon, which includes the 3 elements of support that can be offered to members and clerks of community councils on matters relating to the Code of Conduct:

1. Advice on specific issues – to continue to contact the Monitoring Officer or the Deputy Monitoring Officer.
2. Gwynedd Council website - Standards Committee page to include more information and guidelines as well as links to other useful websites.
3. Training – to hold a virtual training session in the form of a webinar. This would create a resource that members could watch when it suits them rather than having to rely on sessions held in specific places and times.

The Duty of Political Group Leaders

A presentation and joint discussion on the new duty was provided by the Monitoring Officer together with each of the Political Group Leaders and the Chair and Vice Chair of the Standards Committee on the 18th October 2022. The presentation included an explanation of the new duty and a discussion on how it can be implemented and how to collaborate with the Standards Committee and the Monitoring Officer. Agreement was reached on a Draft Protocol to implement duty

in the future. At its meeting on 21 November the Protocol to support the duty was approved by the Standards Committee.

The Group leaders are aware of the duty imposed on them and have reported on the initial steps that have been taken to deal with the duty. A meeting was held between the Monitoring Officer and the Leaders to discuss the duty and a report from the leaders reflects these initial steps. The level of attendance at Code of Conduct Training induction events also reflects the commitment.

The Standards Committee is able to confirm that Group Leaders have been fulfilling their duty during 2022-2023.

Further work will be undertaken throughout 2023-2024 to further refine how Group Leaders are able to carry out their duties and how the Standards Committee can further support Leaders

THE STANDARDS COMMITTEE'S WORK PROGRAMME 2022-2023

11 JULY 2022

- **Election of Chair and Vice-chair**
- **Approve the annual report to be presented to the full Council**
- **The committee's self assessment of its performance in 2021/22.**
- **Approve its Work Program for 2022/23**
- **Receive a regular report on allegations against members**

21 NOVEMBER 2022

- **National Forum of Standards Committees:**
 - **Agree on the draft Terms of Reference, including representation.**
 - **Approve the proposed arrangements to support the National Forum.**
- **Approve the Protocol of Duties of Leaders of Political Groups and the Standards Committee to be signed by the Chairman of the Committee and the Leaders of Political Groups.**
- **The Committee's consultation with a selection of town and community council clerks regarding the standards framework:**
 - **Receive the report and ask the Monitoring Officer and the Community Committee Member to prepare an action plan that reflects what is in the report**

- **Receive a regular report on allegations against members**

13 FEBRUARY 2023

- **Election of Chair and Vice-chair**
- **Approve an Action Plan on the support that can be offered to members and clerks of community councils on matters relating to the Code of Conduct**
- **Receive a report on the Gifts and Hospitality Register**
- **Receive a report on the National Forum of Standards Committees**
- **To consider the Annual Report of the Wales Adjudication Panel 2021/22**
- **To consider the Ombudsman's Annual Report 2021/22**
- **Receive a regular report on allegations against members**
- **Consider the Ombudsman's report on an investigation into a complaint against a councillor, and come to a decision if it was necessary to proceed to hold a full hearing.**

The Committee was notified of the following decisions made by the Ombudsman on allegations of breaching the code of conduct made against Gwynedd county councillors and town and community councillors:

Allegation of breaching the Code of Conduct	The Ombudsman's decision
<p>Complaint No. 202005528</p> <p>That a town councillor had breached the Code:</p> <ul style="list-style-type: none"> · in making false allegations of unauthorised spending and misappropriation of funds by the Former Clerk. · had undermined and disparaged the Former Clerk at meetings, accused other members of lying and colluding with the Former Clerk in illegal activity, and targeted any member supporting the Former Clerk in an attempt to intimidate them and discredit the Former Clerk. 	<p>Investigation discontinued An investigation was started because the complaint met both stages of the 2-stage test on the basis of the information provided in the complaint. As the Complainant had not returned his witness statement, and the councillor was no longer a member the Ombudsman did not consider it to be in the public interest for resources to be used to continue and conclude the investigation.</p>

<p>Complaint No. 202004473</p> <p>That a county councillor had breached the Code of Conduct when he shared material on his Facebook account which cast doubt on the existence of COVID-19 and about the vaccine, and when he appeared on a television show to discuss his views on COVID-19 and the vaccine.</p>	<p>The Ombudsman found that the Member was entitled to freedom of expression under Article 10 of the European Convention on Human Rights.</p> <p>Evidence suggested that the Member was not representing the 'Council's position'. The Member did not issue directions to members of the public in contravention of the public health measures in place at the time. Therefore, the Ombudsman did not consider there to be evidence that the Member breached the Code of Conduct.</p>
<p>Complaint No. 20200859</p> <p>Complaint that a town councillor had breached the Code:</p> <ol style="list-style-type: none"> 1. That the member may have committed electoral fraud as she had bragged about registering her son on the electoral roll when he was also registered in another area. 2. That the member was undignified in sitting on the polling station steps blocking people from entering without having to try and get past her. 3. That the member had used her Facebook page to mount a hate campaign against the complainant. 	<p>No Investigation</p> <p>It could be reasonable to say that the tweets referred to in the complaint come under what is considered as political comments. The Ombudsman was not persuaded that the content was so bad that it would equate to breaching the Code. Additionally, even if the breach was substantiated, he was not persuaded that any penalty that could be issued would be an intervention that was proportionate to the Councillor's ECHR / HRA rights. Therefore, the investigation would not be in the public interest.</p>

<p>Complaint number 20220592</p> <p>It was alleged that the Member has undertaken a sustained Social Media hate campaign against the complainant since 2017.</p>	<p>The complainant said that the Member's brother had threatened him because he had written to the Council, and this has been addressed by the Police. The complainant says others have witnessed the behaviour, but he has not indicated what has been witnessed, nor provided statements. Therefore, I cannot consider whether, even if proven, it would amount to a breach of the Code of Conduct. It is also of note that the alleged witnesses are linked to the Council and are aware of the Code of Conduct process. It is open to them to make a complaint if they consider it appropriate to do so.</p>

Member who is subject of the complaint	
Member of community council	3
Member of Gwynedd Council	1
Member of Gwynedd Council and community council	
Nature of the complainant	
Councillor	1
Member of the public	2
Officer	1
Nature of the allegation	
Overall conduct	4

Declaration of Interest	
General Conduct and Declaration of Interest	
Outcome	
No Investigation	2
Investigation – No evidence of breaching the Code of Conduct	1
Investigation - no further action	
Investigation - Referral to the Standards Committee	1
Investigation - referral to the Adjudication Panel for Wales	