

INFORMATION SHEET (DRAFT)

What is the Standards Committee?

The Standards Committee is a statutory committee. It includes

- 5 Independent Members (who are not members of Gwynedd Council or any town or community council). The Chair and the Vice-chair of the Committee will come from among the members here.
- 3 Elected Members who are councillors of Gwynedd Council
- 1 Community Member who is a member of a town or community council

Why is the Standards Committee considering this complaint?

The Public Services Ombudsman for Wales is responsible for investigating complaints that members of Gwynedd Council or one of Gwynedd's community, town or city councils have breached the Code of Conduct. After completing the investigation, she can refer the complaint to the Standards Committee for a decision.

What will happen?

There are 2 possible stages to the process:

Step 1

First the Committee must meet to decide, based on the Ombudsman's written report, if there is any evidence of a breach of the Code of Conduct. If he believes that there is such evidence then it must proceed to a hearing, so that the councillor can have an opportunity to make representations to the Committee. This first step will not take place in public.

Step 2

The Hearing. The Committee will meet to consider the evidence and decide if the councillor has breached the Code of Conduct, and if so, what penalty is suitable. As a rule, the hearing will be public and there will be an opportunity for the councillor, the representative of the Ombudsman to present oral or written evidence, together with any witnesses called.

Penalties

If the Committee decides that the councillor has breached the Code of conduct then it can decide:

- that no further action needs to be taken; or
- that the member should be reprimanded; or
- that the member should be suspended in full or in part from being a member or a co-opted member of his/her authority for a period not exceeding six months

Is there a right of appeal?

Yes. The councillor may request permission to appeal against the Committee's decision by giving written notice within 21 days of receiving the formal written decision, to the Wales Adjudication Panel. The President of the Panel will decide if the Member should be allowed to appeal.

The Adjudication Panel can decide:

- Approve any penalty imposed, or
- Refer the matter back to the Committee with a recommendation that a different penalty be imposed; or,
- Reversing the Committee's ruling

When will the suspension come into effect?

Any period of suspension will begin on the day after the time allowed for serving a notice of appeal has expired.

If an appeal is submitted by the Member then it will come into effect after that process has ended, depending on the outcome of that process.

What is the effect of suspension?

The Member will not be an councillor of the relevant council for the period of the suspension. He/she will therefore not be able to act as a councillor or have access to any provisions provided by the council to members during that period. In the event of partial suspension (e.g., suspension from being a member of a specific committee) then the Member will be suspended from acting to that extent but otherwise continue to be able to act as a councillor.