

Meeting of:	<b>Standards Committee</b>
Date of Meeting:	<b>Thursday, 23 January 2020</b>
Relevant Committee:	<b>No Relevant Scrutiny Committee</b>
Report Title:	Report Relating to a Complaint against Councillor A in Respect of B Community Council
Purpose of Report:	<ol style="list-style-type: none"> <li>1. To present for consideration a copy of the Public Services Ombudsman for Wales' Investigation Report in respect of an investigation into a complaint against Councillor A of B Community Council.</li> <li>2. To enable the Standards Committee to make an initial determination whether or not there is evidence that Councillor A failed, or may have failed, to comply with B Community Council's Members' Code of Conduct.</li> </ol>
Report Owner:	Victoria Davidson, Deputy Monitoring Officer
Responsible Officer:	Victoria Davidson, Deputy Monitoring Officer
Elected Member and Officer Consultation:	Councillor Neil Moore, Leader
Policy Framework:	This is a matter for Standards Committee at this stage.
<p><b>Executive Summary:</b></p> <p>The Public Service Ombudsman for Wales ('the Ombudsman') received a complaint that a Member of B Community Council had breached the Code of Conduct. The complaint was that the Member had breached the Members Code of Conduct. The Ombudsman has investigated the complaints under Section 69(1)(a) of the Local Government Act 2000. The Ombudsman has made findings in relation to all except one aspect of the complaint received and has referred the matter to the Council's Monitoring Officer for consideration by the Council's Standards Committee. The Monitoring Officer referred the matter to the Deputy Monitoring Officer to consider given comments provided by the Monitoring Officer during the course of the investigation.</p>	

## **Recommendation**

That Cabinet notes this report and recommendations and consider the same in connection with the Part II report later in the agenda.

## **Reason for Recommendation**

To allow Part I and II reports to be considered together.

### **1. Background**

**1.1** Section 69 (1) (a) of the Local Government Act 2000 (“the 2000 Act”) provides that the Public Services Ombudsman for Wales (“Ombudsman”) may investigate cases in which a written allegation is made to him/her by any person that a member of a relevant authority in Wales (such as a Community Council) has failed, or may have failed, to comply with the relevant authority’s Members’ Code of Conduct. The purpose of the Ombudsman’s investigation is to determine that either:-

- there is no evidence of any failure to comply with the code of conduct of the relevant authority concerned,
- no action needs to be taken in respect of the matters which are the subject of the investigation,
- the matters which are the subject of the investigation should be referred to the monitoring officer of the relevant authority concerned, or
- the matters which are the subject of the investigation should be referred to the president of the Adjudication Panel for Wales for adjudication by a tribunal established under the 2000 Act.

### **2. Key Issues for Consideration**

**2.1** The Ombudsman's Investigation Report ('Investigation Report') in respect of a complaint received on 17 December 2018 is an appendix to the Part II report for consideration by the Members.

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

**3.1** The role of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor

Representatives. It is intended that the process adopted within this report will aim to promote that role.

#### **4. Resources and Legal Considerations**

##### **Financial**

**4.1** None directly associated with this report.

##### **Employment**

**4.2** None directly associated with this report.

##### **Legal (Including Equalities)**

**4.3** Standards Committee is required to comply with the 2001 Regulations.

#### **5. Background Papers**

None.