

CYNGOR SIR POWYS COUNTY COUNCIL
Standards Committee
30 October 2024

REPORT BY: Head of Legal and Monitoring Officer

SUBJECT: Standards Issues

REPORT FOR: Decision, Information and Discussion

A. General Standards Issues for County Councillors and Co-opted Members

All councillors and co-opted members have completed the refresher mandatory Code of Conduct training.

B. Members attendance

At the last meeting the Committee was advised that one councillor had an attendance below 60% for the period 18 May 2023 to 15 May 2024 inclusive and a reason for this was being sought. The councillor has advised the following:

“During the start of the year I had to change my second job and find a replacement quickly to continue paying bills, this was 0800-1700 where my previous work times were 1400-2300.

It’s taken a couple months to work my way up at the new job to get a promotion and I’m now back on 1400-2300 shifts which enables me to attend most meetings again.

I’ve stepped down from a committee as it was proving difficult to juggle two committees, regular council business and local case work.

Changing back to later hours at my second job and stepping down from one committee has now as you’ll be able to see, improved my attendance levels back to where they should be.

My apologies for the hiccup at the start of the year, thank you for reading.”

C. Referral of County Councillors to the Ombudsman Wales

The abbreviations used in the headings are as follows:

MO – Monitoring Officer

OW – Ombudsman Wales

Stds – Standards Committee

APW - Adjudication Panel for Wales

Ref	Date OW notified MO of complaint	Date OW advised investigating or not investigating	Date OW's decision	Date considered by Stds	Date considered by APW
03/CC/22		17/04/23 investigating			
05/CC/22		28/06/22 investigating	20/11/23 referred to Stds	07/02/24 referred to another Stds Committee. 23/08/24 considered by Ceredigion Ethics & Standards Committee – decision to censure Cllr Iain McIntosh	
02/CC/23		26/02/24 investigating			
03/CC/23		23/04/24 investigating			
01/CC/24		30/07/24 not investigating	N/A	N/A	N/A

As detailed above 05/CC/22 regarding a complaint against Councillor Iain McIntosh was considered by Ceredigion Ethics & Standards Committee on 23 August 2024. The Committee agreed to censure the councillor and a copy of the decision report is included as Appendix 1.

At the last meeting it was agreed that the Chair should write to the Ombudsman regarding the time taken for complaints to be investigated. A copy of the Chair's letter and the Ombudsman's response are included as Appendix 2.

D. Dispensations Applications - County Councillors

There are no requests for dispensations.

E. Ombudsman Wales – Our Findings

Details of cases are available in [Ombudsman Wales - Our Findings](#)

It should be noted that "Our Findings" covers all matters investigated by the Ombudsman and not just Code of Conduct matters. "Our Findings" is updated on a monthly basis.

'Our Findings' contains a search facility, which includes "Subject". Under the "Subject" heading the following categories of the Code are listed:

- Integrity
- Promotion of equality and respect
- Disclosure and registration of interest
- Duty to uphold the law
- Selflessness and Stewardship

At a recent meeting of all Welsh Monitoring Officers, the Ombudsman's office was asked to consider re-instating the "Casebook", which was considered to be more helpful. The Ombudsman has declined to reinstate the casebook but is committed to improve the searchability of its website.

F. Adjudication Panel for Wales

Details of cases considered by the APW are available via the following link:
[Decisions | The Adjudication Panel for Wales \(gov.wales\)](#)

G. National Forum for Standards Committees

The notes of the meeting held on 24 June are attached as Appendix 3. Claire Moore, Vice Chair attended on behalf of the Chair. The 2025 meetings are scheduled as follows: 27 January and 23 June.

H. Independent review of investigations by the Public Services Ombudsman for Wales into Code of Conduct complaints

On 26th March 2024, the Public Services Ombudsman for Wales ("PSOW") received a complaint about social media posts made by the then Code Team Manager, where a number of these posts were political in nature. As a result of concerns raised about the PSOW's guiding principles of impartiality and independence, the member of staff was suspended [she later resigned] and the PSOW commissioned an independent review to establish whether the PSOW's Code Team processes, delegations and decisions in relation to the assessment and investigation of complaints by the Code Team and former Code Team Manager had been sound, free from political bias and to ensure that lessons are learned from what had happened.

The Independent Review report is attached at Appendix 4. The Review Summary can be found on P1 [page numbers at the top of the pages]. The following is an extract from this summary:

"The review found the PSOW's Code of Conduct processes and delegations to be appropriate, fair and impartial and free from political bias. In relation to the cases reviewed, the review found no evidence of politically biased decision-making. The cases reviewed were thoroughly analysed and the decision-making was well-reasoned, consistent, sound and fully documented for each case reviewed. The checks and balances within the process were apparent, providing further assurance of quality, non-biased decision-making. The review found the

processes were impeccably followed by the IOs, including the FCTM. The review found no evidence that the FCTM expressed her personal views on political matters akin to her social media posts in the office and/or inappropriately influenced other staff members.”

The Review Report also includes Recommendations and Lesson Learned, P-25 to P-26 and P-27 respectively.

I. Meeting Dates

To note the meeting dates for 2025. Meetings to start at 2pm.

12 February

9 April – annual meeting with Group Leaders

18 June

13 October

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