

**Stephan Hays,
Cadeirydd y Pwyllgor Safonau /
Chair Standards Committee**

**Atebwch os gwelwch yn dda /Please reply to:
Cyngor Sir Powys/Powys County Council
Neuadd y Sir/County Hall
Llandrindod Wells
Powys LD1 5LG**

**Ms Morris,
Ombudsman,
Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae,
Pencoed
CF35 5LJ**

Tel / Ffôn: 01597 826206

Date / Dyddiad: 17 June 2024

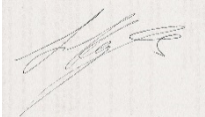
Dear Ms Morris

Investigation of complaints

The Standards Committee on 12 June expressed concerns about the time for complaints to be investigated. The Committee noted that investigations can take over a year to come to a conclusion or referral to the next stage. This length of time must be very wearing for and affect the wellbeing of not only the councillor subject to a complaint but also the individual who has raised the complaint and any witnesses.

We would be grateful for any comment and how you will look to reduce timescales to the benefit of all those involved.

Yours sincerely,



Stephan Hays, Cadeirydd y Pwyllgor Safonau / Chair Standards Committee



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You are welcome to contact us in Welsh. We will respond in Welsh, without delay.





Ombwdsmon Ombudsman

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Your ref:

Our ref: MAM/mdm

Date: 20 June 2024

Ask for: Michelle Morris



01656 641152



Marilyn.morgan@ombudsman.wales

Mr Stephan Hays
Chair Standards Committee
Powys County Council

By email only
carol.johnson@powys.gov.uk

Dear Mr Hays

Thank you for your letter of 17 June 2024.

I note that the Standards Committee has expressed concern about the time taken by my office to investigate complaints relating to Code of Conduct matters. I welcome the opportunity to be able to share some information with you about our work in this area.

All complaints received about Code of Conduct matters are managed by my Code Team, which is responsible for assessing, investigating, and representing my office at hearings when cases have been referred to standards committees or the Adjudication Panel for Wales.

We explain in our online resources for parties to an investigation that we aim to complete all Code investigations within 12 months, but most are concluded sooner. We acknowledge that some of our investigations have taken longer to conclude in recent years than we would have liked, and I have sought below to explain some of the reasons for this.

Some investigations can take longer to conclude, particularly in cases where there is involvement of the Police or other third party organisations, multiple sources of information or witnesses to be spoken to, health issues for the member/witnesses and in some cases where we encounter a reluctance or non-compliance with requests for information which cause delays.

In 2023/24, we encountered some additional delays as a result of an increase in demand for our service. During this year we saw an increase of 16% in the Code cases received. As a consequence of this increase, we investigated a higher number of cases than in previous years, increasing the workload of the team.

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to correspondence in Welsh.

In recognition of the fact that some investigations were ageing we also made a commitment at the start of 23/24 to reduce the older cases as a priority across the organisation by 50%. To assist with this task, maintain momentum on younger investigations and meet the increase in demands we expanded the team from four members of staff to eight. As a result of this concerted effort and the increase in capacity our ongoing caseload has a much younger age profile currently. We are continuing to look for creative and innovative ways to manage the timeliness of our investigations.

Please be assured however that we take every effort to periodically update parties to a complaint in recognition of the impact that waiting for the outcome an investigation of this kind can have. We also, where appropriate, actively advise members to explore whether any support services are available to them from their principal authorities, particularly in the context of concerns about impact on mental health. We would be willing to engage with the Committee and indeed other relevant organisations in the exploration and consideration of improved support services for those who are involved in investigations and the hearing stages (which can also take a long time to reach a conclusion), particularly in the Town & Community setting.

As you will be aware, in November 2023 I issued a report concerning a Powys County Council councillor to your Committee for consideration in November 2023. That matter is now being considered by Ceredigion Council, with a hearing scheduled to take place this July. We acknowledge that this case took some 17 months to conclude due to some of the reasons mentioned above. When hearing processes become protracted this also impacts upon my office with additional resources being devoted to cases until they have reached a final conclusion. Prolonged hearing processes can also be difficult for councillors who have been complained about and witnesses involved in cases.

We now have three open investigation cases for Powys County Council members, one of which is over 12 months old. This case is on track to progress and conclude in the next few months.

We also have some Town and Community Council investigations, the majority of which are within the 12 month timeframe. We have three cases against the same member which are more than 12 months old and our investigation has again been impacted by some of the issues referenced above.

The year 23/24 also saw us refer the highest number of reports, to standards committees or the Adjudication Panel for Wales for consideration. Of the cases that we heard during the year, 85% of the breaches referred were upheld. One such case (202002848) was considered by your Committee in June 2023, following referral by us to you in February 2022.

I hope this information is helpful. I would be happy to arrange a meeting, if a conversation would be useful.

Yours sincerely

MM Morris

Michelle Morris
Public Services Ombudsman