

REPORT TO:	Standards Committee
REPORT NO:	HCCS /36/18
DATE:	7 June 2018
LEAD:	Sioned Wyn Davies, Monitoring Officer
CONTACT OFFICER:	Linda Roberts, Deputy Monitoring Officer (Tel: 292221)
SUBJECT:	Adjudication Panel for Wales Annual Report
WARD:	N/A

1. PURPOSE OF THE REPORT

To inform Members of the publication of the Annual Report 2016 – 2017 of the Adjudication Panel for Wales.

2. EXECUTIVE SUMMARY

- 2.1 The Adjudication Panel for Wales has published its Annual Report for the period April 2016 – March 2017. The report contains statistical information on the number of references and appeals referred to the Panel and those concluded during the relevant period. In addition, a summary of both Case Tribunals and Appeal Tribunals determined during the relevant period are provided in the report.
- 2.2 The functions of the Adjudication Panel are two-fold, firstly to form Tribunals to consider reports from the Public Services Ombudsman for Wales following investigation into allegations that a Member has failed to comply with the Code of Conduct for Members and secondly to consider appeals from a Member against decisions of Local Authority Standards Committees that they have breached the Code of Conduct for Members.

3 RECOMMENDATIONS

3.1 To note the contents of the report.

REASONS FOR RECOMMENDATIONS

To inform Members of the work undertaken by the Adjudication Panel for Wales.

4. BACKGROUND INFORMATION

- 4.1 The Adjudication Panel for Wales is an independent Panel established under Part III of the Local Government Act 2000 to determine allegations of breaches by elected and co-opted Members of County Councils, County Borough Councils, Community Councils and Fire and National Park Authorities in Wales.
- 4.2 The Adjudication Panel reports that the number of cases for the reporting period was relatively low and the number of references to case tribunals and appeals received over the last 5 years are shown in the graph on page 7 of the report and those determined in a graph on page 8. The respective outcomes for references and appeals are shown in charts on pages 8 and 9 from which it is clear that suspension remains the penalty most often applied.
- 4.3 Members will note from the graph on page 9 that the breaches of the Code most commonly arising are for:
- Failure to show respect/equality/bullying
 - Bringing office/authority into disrepute
 - Failure to disclose interest and/or withdraw
- 4.4 A summary of the cases determined during the relevant period is provided in the report. Members will note that in the two appeals by members of decisions by Local Authority Standards Committees, the Adjudication Panel upheld the breaches of the Code of Conduct and in both cases recommending suspension from office for periods of 3 months.

5. IMPLICATIONS

- 5.1 **Policy Framework** – A strong ethical framework and governance arrangements support the Council Plan objective of building and efficient and effective organisation that can best support local well-being. The Adjudication Panel for Wales forms a statutory element of the framework and governance arrangements external to the Council.
- 5.2 **Budget** – The report has no budgetary implications
- 5.3 **Legal** – By virtue of the Local Government Act 2000, Members are required to comply with the Council's Code of Conduct for Members. Breaches of the Code may be referred to the Public Services Ombudsman for Wales who in turn may refer matters to the Adjudication Panel for consideration. The Adjudication Panel also considers appeals against determinations of Standards Committees within Wales.
- 5.4 **Staffing** – The report has no staffing implications.
- 5.5 **Equality/Human Rights – Equality/Human Rights** – Members are advised of their duty to consider the full Equality Impact Assessment which is available at <http://vmwinsqld/equalityisalive/Menu.aspx> report number CCS/EIA00165/2017. Members of the public can request a copy of the full Equality Impact Assessment from the Contact Officer named in the header box of this report. A summary of the Equality Impact Assessment is attached.
- 5.6 **Risks** – this report does not give rise to any specific risks

6. CONSULTATION

- 6.1 This report has not been subject to any consultation as it does not involve any decision-making or recommendations.

BACKGROUND PAPERS	LOCATION	WEBSITE INFO.
Adjudication Panel for Wales Annual Report 2016/2017	APW website	http://gov.wales/docs/apw/publications/180213-apw-annual-report-2016-2017-en.pdf