

REPORT TO:	Standards Committee
REPORT NO:	HCCS/108/15
DATE:	10 September 2015
LEAD:	Deputy Monitoring Officer
CONTACT OFFICER:	Sioned Wyn Davies, Legal Services Manager/Deputy Monitoring Officer (Tel: 292221)
SUBJECT:	Adjudication Panel for Wales Annual Report
WARD:	N/A

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of the publication of the Annual Report 2013/2014 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 2013 – March 2014. 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 RECOMMENDATION

- 3.1 **To note the contents of the report.**

REASON FOR RECOMMENDATION

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 to determine allegations of breaches by Members of County Council, County Borough Councils, Community Councils and Fire and National Park Authorities in Wales.
- 4.2 The Adjudication Panel reports that the reporting year was particularly quiet with only one case being referred to the Panel by the Public Services Ombudsman for Wales. Members will note however that during the course of that year, three references from the Public Services Ombudsman for Wales were determined and also three appeals against the determination of Standards Committees. Members will note from the chart on page 11 that the breaches of the Code most commonly arising are for:
- failure to show respect/equality/bullying;
 - bringing Office/Authority into disrepute; and
 - failure to disclose an interest and/or withdraw
- 4.3 A summary of the cases determined during the relevant year is provided in the report and it is notable that in all three instances of an appeal against the determination of the Standards Committee the Adjudication Panel has endorsed or upheld the original decision of the Standards Committee in each case.

5 IMPLICATIONS

- 5.1 **Policy Framework** – A strong ethical framework and governance arrangements support the Council Plan outcome of Creating Conditions for Success. 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 **Equalities/Human Rights** – Members are required to observe the provisions of the Code of Conduct for Members which includes an obligation that their duties and responsibilities be carried out with due regard to the principle of equality and opportunity for all. There are no specific issues raised in this report which would impact on those obligations and duties.
- 5.6 **Risks** – This report does not give rise to any specific risks.
- 5.7 **Consultation** – This report has not been the subject of consultation as it does not involve any decision making or recommendations.
- 5.8 **Scrutiny Committee** – The matter has not been subject to scrutiny.

6 WEBSITE INFORMATION

Information about the Adjudication Panel for Wales can be found at the following website

<http://apw.gov.wales/about/secretariat-and-adjudication-panel-members/?lang=en>