

<b>REPORT TO:</b>	Standards Committee
<b>REPORT NO:</b>	HCCS/101/16
<b>DATE:</b>	1 December 2016
<b>REPORTING OFFICER:</b>	Trevor Coxon, Monitoring Officer
<b>CONTACT OFFICER:</b>	Sioned Wyn Davies, Deputy Monitoring Officer (Tel: 292221)
<b>SUBJECT:</b>	Public Services Ombudsman for Wales – The Code of Conduct Casebook
<b>WARD:</b>	N/A

## **1. PURPOSE OF THE REPORT**

To consider the recent decisions of the Public Services Ombudsman for Wales (PSOW) published in the Code of Conduct Casebook.

## **2. EXECUTIVE SUMMARY**

- 2.1 The Public Services Ombudsman for Wales periodically publishes a Casebook of Code of Conduct matters referred to his office. The two latest editions cover the periods from April to June 2016 and July to September 2016 (see Appendices 1 & 2), but also includes the summaries of older cases for which the standards committee or Adjudication Panel hearings were concluded during this period.
- 2.2 Members are invited to consider the details of cases set out in the Casebook in order to inform their understanding of the PSOW's approach to allegations of breach of the Code of Conduct and in those cases which were considered by a Standards Committee or the Adjudication Panel for Wales to note the penalties imposed.

## **3 RECOMMENDATIONS**

- 3.1 To consider and note the decisions reported in the Code of Conduct Casebook.**

## **REASONS FOR RECOMMENDATIONS**

To inform Members of the work undertaken by the Public Services Ombudsman for Wales.

## 4. BACKGROUND INFORMATION

- 4.1 The Public Services Ombudsman for Wales considers complaints that members of local authorities in Wales have broken the Code of Conduct. The Ombudsman investigates such complaints under the provisions of Part III of the Local Government Act 2000 and the relevant Orders made by the National Assembly for Wales under that Act.
- 4.2 The Code of Conduct Casebook contains summaries of reports issued by the PSOW for which the findings were one of the following:-
- (a) that there is no evidence that there has been a breach of the authority's code of conduct;
  - (b) that no action needs to be taken in respect of the matters that were subject to the investigation;
  - (c) that the matter be referred to the authority's monitoring officer for consideration by the standards committee;
  - (d) that the matter be referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal (this generally happens in more serious cases).
- 4.3 The Code of Conduct Casebook only contains the summaries of those cases for which the hearings by the standards committee or Adjudication Panel for Wales have been concluded and the outcome of the hearing is known.
- 4.4 The latest refresher training presentation for Members provided on 10<sup>th</sup> October, which provides details of some of the cases referred to in the current PSOW guidance is also attached for information at Appendix 3.

## 5. IMPLICATIONS

- 5.1 **Policy Framework** – A strong ethical framework and governance arrangements supports the Council Plan outcome of creating conditions for success. The effective operation of the Standards Committee is an essential part of that framework.
- 5.2 **Budget** – There are no immediate budgetary implications arising from this report.
- 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. The Code is supplemented by the guidance issued from time to time by the Public Services Ombudsman for Wales and other publications including the Code of Conduct Casebook which is under consideration in this report.
- 5.4 **Staffing** – There are no staffing implications arising from this report.
- 5.5 **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/EIA00135/2016. 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 as Appendix 4.

5.6 **Risks** – This report does not give rise to any specific risks.

## 6. CONSULTATION

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

<b>BACKGROUND PAPERS</b>	<b>LOCATION</b>	<b>WEBSITE INFO.</b>
Public Services Ombudsman for Wales publications	See website	<a href="http://www.ombudsman-wales.org.uk/">http://www.ombudsman-wales.org.uk/</a>