

Urgent by reason of the need to consider in advance of the next Standards Committee

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 15 July 2021
Relevant Committee:	No Relevant Scrutiny Committee
Report Title:	Report Relating to a Complaint against Councillor A in Respect of B Community Council
Purpose of Report:	<ol style="list-style-type: none"> 1. Under cover of the linked Part II report on this matter later on this Agenda, to present for consideration a copy of the Public Services Ombudsman for Wales' Investigation Report in respect of an investigation into a complaint against Councillor A of B Community Council. 2. To enable the Standards Committee to make an initial determination whether or not there is evidence that Councillor A failed, or may have failed, to comply with B Community Council's Members' Code of Conduct.
Report Owner:	Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Elected Member and Officer Consultation:	This report does not require consultation to be undertaken
Policy Framework:	This is a matter for Standards Committee
<p>Executive Summary: The Public Service Ombudsman for Wales ('the Ombudsman') received a complaint that a Member of B Community Council had breached the Members Code of Conduct. The Ombudsman has investigated the complaint under Section 69(1)(a) of the Local Government Act 2000 has made findings in relation to the complaint and has referred the matter to the Council's Monitoring Officer for consideration by the Council's Standards Committee.</p>	

Recommendation

1. That Cabinet notes this report and considers the same in connection with the Part II report later on the agenda.

Reason for Recommendation

2. To allow Part I and II reports to be considered together.

1. Background

- 1.1** Section 69 (1) (a) of the Local Government Act 2000 (“the 2000 Act”) provides that the Public Services Ombudsman for Wales (“Ombudsman”) may investigate cases in which a written allegation is made to him/her by any person that a member of a relevant authority in Wales (such as a Community Council) has failed, or may have failed, to comply with the relevant authority’s Members’ Code of Conduct. The purpose of the Ombudsman’s investigation is to determine that either:-
- there is no evidence of any failure to comply with the code of conduct of the relevant authority concerned,
 - no action needs to be taken in respect of the matters which are the subject of the investigation,
 - the matters which are the subject of the investigation should be referred to the monitoring officer of the relevant authority concerned, or
 - the matters which are the subject of the investigation should be referred to the president of the Adjudication Panel for Wales for adjudication by a tribunal established under the 2000 Act.

2. Key Issues for Consideration

- 2.1** The Ombudsman's Investigation Report ('Investigation Report') in respect of a complaint received on 5 June 2020 is an appendix to the Part II report for consideration by the Members of the Standards Committee.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The role of the Standards Committee is to promote and maintain high standards of conduct by Councillors, Co-opted Members and Church and Parent Governor Representatives. It is intended that the process adopted within this report will aim to promote that role.

4. Resources and Legal Considerations

Financial

4.1 None directly associated with this report.

Employment

4.2 None directly associated with this report.

Legal (Including Equalities)

4.3 Standards Committee is required to comply with the 2001 Regulations.

5. Background Papers

None.