

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 17 July 2025
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Public Service Ombudsman for Wales – Recent Summary and investigations Findings and Outcomes
Purpose of Report:	To allow Members of the Standards Committee the opportunity to consider recent findings of the Public Service Ombudsman for Wales and determine whether any lessons or messages should be communicated to Members or included in future training.
Report Owner:	Victoria Davidson, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Amy Rudman, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not require consultation to be undertaken
Policy Framework:	This is a decision for the Standards Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> To consider the summary of investigation outcomes concerning alleged breaches of the Members' Code of Conduct as published by the Public Services Ombudsman for Wales (PSOW) on the 'our findings' section of the website. The Committee is invited to consider whether there are any relevant lessons or themes arising from the decision that should be shared with elected and co-opted Members or incorporated into training. 	

Recommendations

1. That the Standards Committee considers the content of the summary of investigation outcomes by the Public Service Ombudsman for Wales concerning alleged breaches of the Members' Code of Conduct, originally published by the PSOW on the website and attached as Appendix 1 to the report.
2. That the Committee determines whether any key learning points or guidance should be shared with Members or included in future Code of Conduct training.

Reasons for Recommendations

1. To ensure the Committee is aware of and reflects on relevant findings by the Public Service Ombudsman for Wales in the context of its duty to promote high standards of conduct.
2. To support the Committee's training and outreach objectives in assisting Members to comply with the Code of Conduct.

1. Background

- 1.1** The Public Services Ombudsman for Wales (PSOW) considers complaints that Members of Local Authorities in Wales have breached the Code.
- 1.2** There are four findings the PSOW can arrive at:
 - (a) that there is no evidence of breach;
 - (b) that no action needs to be taken in respect of the complaint;
 - (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 (the APW) for adjudication by a tribunal.
- 1.3** It should also be noted that occasionally an investigation may be discontinued, where circumstances change during the course of an investigation and it is considered that it would not be in the public interest to continue to investigate.
- 1.4** The 'Our Findings' section on the PSOW website includes a search tool to allow summaries of cases to be accessed by reference to the relevant organisation, matter type, dates, case reference numbers, or outcome.
- 1.5** In terms of matter types, cases are broken down into the following categories:
 - a. Integrity;
 - b. Promotion of Equality and Respect;
 - c. Disclosure or Registration of Interests;
 - d. Duty to Uphold the Law; and

e. Selflessness and Stewardship.

- 1.6** The appendix to this report contains a summary of those cases not previously reported to Committee, originally published in 'Our Findings'.

2. Key Issues for Consideration

- 2.2** The Standards Committee is encouraged to consider the cases and the reasoning applied by the Ombudsman.

- 2.3** Reflecting on the decisions may help inform how the Standards Committee approaches its own role, including the design of training and support provided to Members of the Vale of Glamorgan Council and Town and Community Councils.

- 2.4** The Committee is invited to consider whether the themes in the case should be highlighted in future training, guidance or communications to Members.

- 2.5** Between the 13th January 2025 to 17th June 2025 the following cases can be found in this link [Code of Conduct - Public Services Ombudsman for Wales](#)

- 2.6** There have been the following complaints and decisions:

1. Promotion of Equality and Respect - 6

- Llandudno Town Council-no action necessary
- Tonyrefail Community Council-Discontinued
- Conwy Town Council-no evidence of breach
- Bridgend County Borough Council-Discontinued
- Carmarthenshire County Council-no evidence of a breach
- Carmarthenshire County Council-no action necessary

2. Disclosure and Registration of Interest

- Llanharan Community Council-no action necessary
- Bridgend Town Council-Discontinued
- Llansteffan and Llanybri Community Council-no action necessary

3. Selflessness and Stewardship

- Flintshire County Council-no action necessary

4. Duty to uphold the law

- Monmouthshire County Council-no action necessary

- 2.7** Committee's is invited in particular to consider the following decisions.

- Promotion of Equality and Respect: Bridgend County Borough Council-Discontinued

It was alleged that the Member, in making particular remarks to the press, following a decision which the Council's Standards Committee made about his professional conduct, failed to adhere to the Code of Conduct for members of Local Authorities. In particular, it

was alleged that, while the Member was afforded political free speech, he failed to balance his right with the rights of others to be protected from unwarranted comments, which may damage their reputation and ability to carry out their duties without hindrance, and without consideration to the importance of not undermining public confidence in local democracy more widely.

We decided to discontinue our investigation, because it was no longer proportionate or in the public interest to investigate further, in the light of the subsequent recognition and remorse shown by the Member in related proceedings. The Member said he would not do the same again, in the same circumstances.

- Promotion of Equality and Respect: Carmarthenshire County Council-no action necessary

The Ombudsman received a complaint that a Member ("the Member") of Carmarthenshire Council ("the Council") had breached the Code of Conduct ("the Code") during a public election event when he made what was reported as a fascist salute directed toward one of the candidates. The matter was reported in the media and in online articles in the days that followed.

An investigation considered whether the Member's conduct was capable of bringing the Council or the role of member into disrepute to be suggestive of a breach of the Code.

Evidence was obtained from the Council, witnesses at the event, the Member and the publicly available media articles.

Having considered the evidence gathered and explanations provided by the Member for his actions, the Ombudsman determined, on balance, that the Member's actions were serious in nature and had the ability to negatively impact the reputation of the Council and the role of member and were likely to have brought both his office and his authority into disrepute.

However, taking into account the Member's actions immediately after the event and wider circumstances including the public interest, the Ombudsman determined that no further action was necessary.

Under Section 69(4)(b) of the Local Government Act 2000, the Ombudsman determined that no action needs to be taken in respect of the matters investigated.

- Selflessness and Stewardship: Flintshire County Council-no action necessary

The Ombudsman received a complaint alleging that a Member ("the Member") of Flintshire County Council ("the Council") and Saltney Town Council had breached the Code of Conduct by abusing their position and using the resources of their authority improperly when they requested the delivery of sandbags to their close family member's property during a severe flooding event. The investigation considered whether the evidence gathered was suggestive that paragraphs 7(a) and 7(b) of the Code had been breached and based on the gathered evidence, it further considered whether paragraphs 11 or 14 of the Code had also been breached.

The evidence confirmed that the Member had not told Council officers that their reports of flooding or request for the delivery of sandbags related to their close family member's property. It also confirmed that the Member did not attempt to apply pressure to obtain preferential treatment for their requests outside of the Council's established emergency protocol in operation that day or that they were reluctant to follow this process. The

Ombudsman's view was that this did not suggest the Member had breached paragraphs 7(a) or 7(b) of the Code. However, by failing to declare their personal and prejudicial interest in matters which affected their close family member's property, the Ombudsman concluded this was suggestive of some technical breaches of paragraphs 11(2)(a), 11(2)(b), 14(1)(d) and 14(1)(e) of the Code. Based on the evidence, the Ombudsman was not persuaded that the likely breaches of the Code in relation to interests also breached paragraphs 6(1)(a) which relates to disrepute or 7(a) (misuse of position).

It was appreciated that this was a crisis situation and that had the Member declared a personal and prejudicial interest when they contacted the Council, this would have alerted the Council officers to the fact that the requests related to their close family member, and likely have given the perception that they were trying to use their position improperly, and potentially breaching paragraphs 7(a) and/or 7(b) of the Code. The Member was acting in support of the next-door neighbour of the close family member's which was entirely appropriate. On balance, it was determined that any interest breaches were not so serious as they had no detrimental impact on the Complainant or any inappropriate influence on the Council's actions that a referral to the Standards Committee was appropriate in the public interest.

Under Section 64(4)(b) of the Local government Act 2000, the Ombudsman decided that no action needed to be taken in respect of the matters investigated.

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. Climate Change and Nature Implications

- 4.1** During the period of Coronavirus restrictions Independent Members' observations of TCC meetings were undertaken in the main on a virtual basis. This practice will continue if meetings are undertaken on a virtual basis, reducing both carbon emissions and paper printing however, where meetings are in person only, the Independent Members will be required to attend/travel accordingly.

5. Resources and Legal Considerations

Financial

- 5.1** Independent Members of the Standards Committee are able to be remunerated for attendance under the allowance scheme agreed by the Independent Remuneration Panel and the Vale of Glamorgan Council's Constitution.

Independent Members are able to claim for a maximum of 15 days per annum as detailed within the Council's Constitution.

Employment

- 5.2** There are no employment implications in relation to this report.
- 5.3** Independent Members are Members who are not either a Councillor or an Officer of the Vale of Glamorgan Council or the spouse of a Councillor or an Officer of the Vale of Glamorgan Council or any other relevant Authority as defined by legislation, appointed in accordance with the procedure set out in the Standards Committees (Wales Regulations) 2001 (as amended) and the Standards Committees (Wales) (Amendment) Regulations 2006.
- 5.4** Independent Members are appointed for a period of not less than 4 no more than 6 years in accordance with Regulation 18(i) of the Standards Committees (Wales Regulations) 2001 (as amended) as amended by Regulation 28a of the Local Government (Standards Committees Investigations, Dispensations and Referral) (Wales) Amendment Regulations 2016 and may be re-appointed for one further consecutive term not exceeding 4 years.

Legal (Including Equalities)

- 5.5** The Council has a duty to establish and maintain a Standards Committee as defined by legislation as set out in the Standards Committees Rules and Regulations 2001 and the Standards Committee (Wales) Amendment Regulations 2006.

6. Background Papers