

Report of Standards Committee

Subject: Annual Report 2024/25

Decision Required: No

Recommendation:

- a) That this report is noted.

1. Key Messages

It is now a statutory duty to prepare an annual report to the Authority on how the Standards Committee's functions have been discharged, and provide an overview of conduct matters generally within the Authority.

2. Terms of reference of the Standards Committee

- (a) to keep under review the Authority's Code of Conduct and to make recommendations to the Authority as to any changes it considers desirable;
- (b) to monitor the operation of the Authority's Code of Conduct;
- (c) to provide advice and training for Members of the Authority on matters relating to its Code of Conduct;
- (d) to consider any reports relating to Members of the Authority issued by the Monitoring Officer under Section 70 (4) or by the Public Services Ombudsman (Wales) under Section 71(2)(c) of the Local Government Act 2000 and any recommendations of the Adjudication Panel for Wales and to take such action thereon as it considered appropriate;
- (e) to receive and take action on any reports issued to it by a Case Tribunal under Section 79 of the Act;
- (f) to consider and make recommendations to the Authority as to the actions which should be taken on any report from a Case Tribunal under Section 80 of the Act;
- (g) to consider requests from Members of the Authority for dispensations under the Standards Committee's (Grant of Dispensations) (Wales) Regulations 2001,
- (h) the monitoring of the Authority's complaints procedure in relation to allegations of maladministration and the making of recommendations thereto and
- (i) to make recommendations to the Authority from time to time with regard to any proposed additions to or revisions of these Terms of Reference.

- 2.1 The membership of the Standards Committee consists of two local authority Members, Cllr Dr Simon Hancock and Cllr Mike James. One Welsh Government appointed member Dr Rosie Plummer and four independent members who are Mr John Daniels (Chair) Mr Philip Davies and Mr John Hogg who has replaced Mrs Vicky Tomlinson whose appointment came to an end in September 2024. Ms Wendy Taylor resigned from the Committee in February 2025 and recruitment for that vacancy is currently taking place.
- 2.2 The chair and vice chair are, in accordance with the regulations, required to be independent members.

3. Training

- 3.1 There has been no member training since November 2023 but it is anticipated that further training will be provided within the next few months.
- 3.2 Specific training for members of the Standards committee took place on 12th February 2025 and was provided by Mrs Bethan Evans who has delivered training to members of the Authority and Pembrokeshire County Council previously.

4. Complaints

- 4.1 In the past year since 31 March 2024, 4 complaints have been received by the Authority of which 2 were escalated to the Public Services Ombudsman for Wales.
- 4.2 All these complaints related to planning and related issues although one also alleges harassment and “gaslighting” by officers.
- 4.3 One of those complaints resulted in the Ombudsman deciding not to investigate the complaint and the other has resulted in an investigation about which the Ombudsman has issued a draft report for consideration by the Authority.
- 4.5 Of the other 2 complaints, one is being held in abeyance as the subject matter of the complaint is currently subject to Judicial Review proceedings. The complaint response in the other matter has been issued and it is not known at this stage whether it will be escalated to the Ombudsman.

5. Trends.

- 5.1 It is pleasing that there have been no allegations of breaches of the code of conduct. However the NPA must be vigilant in ensuring Members continue to be offered and do attend training on the Code of Conduct. If allegations of breaches of the Code of Conduct are made the Ombudsman is likely to ask what training the member has been offered and received. So far as other trends are concerned, it is heartening that the numbers of complaints has fallen but those that have been made have been complex and time consuming for officers to deal with. It has not been possible to identify particular trends except that the number of complaints is falling.

6. Local Resolution Protocol. (LRP).

6.1 It has not been necessary for the LRP to be invoked since the last report.

7. Dispensations

7.1 No applications for dispensations have been received by Members in the current year. However, there have been a number of changes to PCC appointed Members, including the appointments of Councillors Claire George, Maureen Bowen, Tim Evans and Anji Tinley. I have written to them advising of the general dispensation afforded to Pembrokeshire County Council nominated members to discuss issues related to Pembrokeshire County Council, subject to considering whether the code of conduct applies in the particular circumstances.

8. Unacceptable actions by complainants Policy.

8.1 As Members will be aware a new policy dealing with this issue was introduced in September 2023. So far it has not been necessary to implement it.

9. Annual report of the Ombudsman.

9.1 The Ombudsman received 16% more complaints about the Code of Conduct but only 1 from the three National Park authorities. 54% of all new investigations related to councillors at Town and Community Councils. 21 complaints regarding breaches of the code of conduct were referred to the Adjudication Panel for Wales and the APW upheld 85% of those referrals.

10. Consultations.

10.1 Members of the Standards Committee were invited to contribute to a consultation launched by the Ombudsman into the operation of the Code of Conduct, specifically whether it should adopt the previous procedure where an accused member would be notified straightaway that an allegation of a breach of the Code of Conduct had been made. The current procedure is that members are only notified if an investigation is being launched or if the Ombudsman has declined to investigate.

10.2 One member provided a comprehensive response indicating that for reasons of transparency and natural justice in particular that the current procedure should be changed and that the procedure should revert to that previously adopted. This view was supported by other Members and a response submitted to Welsh Government.

10.3 Following closure of the consultation, the Ombudsman advised that having carefully considered the views submitted, the process would be changed with effect from 1 April 2025 such that Councillors who are complained about will be notified as soon as reasonably practicable after a complaint is received by the Ombudsman's office.

(For further information please contact Michael Kent, Monitoring Officer)