

STANDARDS COMMITTEE

Date of Meeting	Monday 6 th June 2022
Report Subject	Overview of Ethical Complaints
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

This report shows a summary of the ethical complaints alleging a breach of the Code that have been submitted to the Public Services Ombudsman for Wales (PSOW). As per the Committee's resolution, the complaints distinguish between different Councils and Councillors whilst still remaining anonymous.

The report gives the Committee an understanding of the number and types of complaints being made, and the outcome of consideration by the PSOW. Since the last report (1 November 2021) 7 complaints have been received. 5 complaints have been resolved since the last report. There are 3 outstanding.

RECOMMENDATIONS

1	That the Committee notes the number and type of complaints.
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REPORT DETAILS

1.00	NUMBER OF COMPLAINTS
1.01	<p>The attached spreadsheet at Appendix A lists in summary form the complaints received during 2021/22. Each entry lists:</p> <ul style="list-style-type: none"> the Ombudsman's reference number (year/4 digit reference) the type of Council (Community, County or Town) the complainant (Councillor, officer, public) the provisions which are alleged to have been breached the decision at each of the 3 stages of investigation
1.02	<p>Since the last report 7 complaints have been received. These complaints vary in terms of matters alleged and the circumstances of the incident. Of the 5 cases that have been determined, none were investigated by the PSOW because they failed the 2 stage test. 2 complaints are recent and so the PSOW is still deciding whether or not to investigate. One complaint relating to abuse of a clerk during a public meeting is being investigated.</p>

1.03	The majority theme with the complaints covered by this report is social media, with 4 of 7 relating to comments made on line. The Committee is familiar with the difficulties surrounding the use of social media and the protection for freedom of political expression. The code provides a very low safety net in relation to poor or challenging behaviour. The induction training encourages Councillors to allow other Councillors to hold a different opinion without being berated, vilified or ridiculed.
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2.00	RESOURCE IMPLICATIONS
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2.01	None associated with the complaints recorded in this report. Working with individual Town and Community Councils to address relationship breakdown is time consuming. Where some form of whole Council “mediation” is required the Council has been recommending the use of an experienced governance consultant at the cost of the Council involved.
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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
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3.01	None.
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4.00	RISK MANAGEMENT
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4.01	None
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5.00	APPENDICES
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5.01	Appendix A - Number of complaints.
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6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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6.01	None Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk
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7.00	GLOSSARY OF TERMS
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7.01	Public Services Ombudsman for Wales – the Ombudsman investigates service complaints and alleged breaches of the code. The Ombudsman will only investigate an alleged breach of the Code if there is clear evidence of a breach and it is in the public interest to do so.
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