

STANDARDS COMMITTEE

Date of Meeting	Monday 5 th September 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 (6 June 2022) 5 complaints have been received. 3 complaints have been resolved since the last report. There are 4 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 2022/2023. 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 5 complaints have been received. These complaints vary in terms of matters alleged and the circumstances of the incident. Of the 3 cases that have been determined, none were investigated by the PSOW because they failed the 2 stage test. The Ombudsman is trialling a different approach to assessing complaints whereby it reaches a decision on whether or not an investigation is needed before notifying the Monitoring Officer or councillor. The intention is to speed up the</p>

	processing of complaints, the vast majority of which will not pass the 2 stage test. This means that we became aware of the most recent complaints at the point where they were dismissed.
1.03	There are presently 4 complaints being investigated (3 made in 2022/23 and 1 remaining from 2021/22). The complaint in respect of bullying a Town Council clerk is nearing the end of the investigation. The other investigations are still in their early stages. The complaints being investigated are on a variety of issues with no common pattern.

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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