

## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:**           **STANDARDS COMMITTEE**

**DATE:**               **MONDAY, 13 APRIL 2015**

**REPORT BY:**       **MONITORING OFFICER**

**SUBJECT:**           **THE ADJUDICATION PANEL FOR WALES ANNUAL  
REPORT 2013-2014**

### **1.00 PURPOSE OF REPORT**

1.01 For the committee to consider the annual report of the Adjudication Panel for Wales (APW) for the year 2013-14.

### **2.00 BACKGROUND**

2.01 The APW is an independent tribunal set up to determine alleged breaches by elected and co-opted members of Welsh Councils, Fire and National Park Authorities, of their authority's statutory Code of Conduct. The APW was established under Part III of the Local Government Act (LGA) 2000 and has two statutory functions:-

- To form case or interim case tribunals to consider reports from the Ombudsman following the investigation of allegations that a Member has failed to comply with their authority's Code of Conduct; and
- To consider appeals from Members against the decisions of local authority Standards Committees that they have breached the Code of Conduct.

2.02 The APW's annual report for 2013-14 is attached as Appendix 1. In the year covered by the report one case was referred to the APW by the Public Services Ombudsman for Wales. It also dealt with a further two references carried over from the previous year. No appeals were made to the APW during the year, however it dealt with three appeals carried over from the previous reporting year. Graph 2.1 in Appendix 1 shows the reduction in the number of references and appeals received in 2013-14 compared to previous years.

### **3.00 CONSIDERATIONS**

3.01 Graph 2.5 in Appendix 1 shows that the three most common type of breach over the last 5 years related to:-

- Failure to show respect/equalities/bullying
- Bringing the office/authority into disrepute

- Failure to disclose an interest and/or withdraw.

This graph shows that the various other categories of breach are rare.

3.02 During the year the APW determined three cases including the two carried over from the previous year and issued decisions on three appeals carried over from the previous year. These six cases are each summarised in the annual report. The first of those relating to a former member of this Council has previously been reported to the committee. Each of the six cases were found to amount to breaches of the Members' Code with the facts constituting a breach being different in each case.

3.03 Due to the small number of cases and the differing facts in each case it is considered difficult to draw from the report any common themes that the committee needs to consider. The committee may consider it appropriate to circulate a copy of the report to all Members and co-opted members for their information.

#### **4.00 RECOMMENDATIONS**

4.01 For the committee to consider the APW's annual report for 2013-14 and determine any appropriate action to be taken as a result.

#### **5.00 FINANCIAL IMPLICATIONS**

5.01 None as a result of this report.

#### **6.00 ANTI POVERTY IMPACT**

6.01 None as a result of this report.

#### **7.00 ENVIRONMENTAL IMPACT**

7.01 None as a result of this report.

#### **8.00 EQUALITIES IMPACT**

8.01 None as a result of this report.

#### **9.00 PERSONNEL IMPLICATIONS**

9.01 None as a result of this report.

#### **10.00 CONSULTATION REQUIRED**

10.01 None as a result of this report.

**11.00 CONSULTATION UNDERTAKEN**

11.01 None as a result of this report.

**12.00 APPENDICES**

12.01 Appendix 1 – APW annual report for 2013-2014

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

None

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