

STANDARDS COMMITTEE

Date of Meeting	Monday 3 rd June 2024
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 (8 January 2024) 16 complaints have been received of which 11 were not investigated and 5 are under investigation. There are still 7 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, 2023/2024 and 2024/2025. 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:</p> <p>a) 16 new complaints (2023/06712 - 2023/10322) have been received. Complaints 06712 – 07136 and 10251 and 10322 were dismissed and 07129, 07130, 09254, 09367 and 07895 are being investigated.</p>

	<p>b) 1 complaint from 2021 (2021/05656) has been referred for a hearing by this committee.</p> <p>c) 1 complaint from 2022 (2022/01509) was referred for the Adjudication Panel for Wales to convene a case tribunal. The case was heard on 26 April and a separate report is attached with the outcome.</p>
1.03	Complaints 2023/06712 – 2023/07136 are a series of 9 complaints relating to the same incident. Each is slightly different to reflect the different roles played by the various accused members. None were taken forward because the complaint is not particularly precise about what was said and, where it is, the complainant(s) are objecting to a comment that is itself not very precise. Again this highlights that the Ombudsman's office will take a forensic approach when assessing whether to pass a complaint for investigation.
1.04	2023/07129 and 07130 both relate to the same incident and the same councillor who is both a county and a town councillor. These are being investigated and so cannot be discussed. Likewise, 09254, 09367 and 07895 are being investigated and so cannot be discussed.
1.05	This report is correct as at the date of preparation (May 2024). If we are notified of the outcome of any complaints after this date, they will be included in the next quarterly report.

2.00	RESOURCE IMPLICATIONS
2.01	None associated with the complaints recorded in this report.
2.02	As a complaint has been referred to the committee for a hearing, training has been provided.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	None

5.00	APPENDICES
5.01	Appendix A - Number of complaints.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None</p> <p>Contact Officer: Gareth Owens, Chief Officer Governance Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>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.</p>