

STANDARDS COMMITTEE

Date of Meeting	Monday 2 nd September
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 (3 June 2024) 4 complaints have been received of which 3 were not investigated and 1 is under investigation. There are still 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) 4 new complaints (2024/01189, 00325, 01984, 01739) have been received. Complaints 01189, 00325, 01739 and were dismissed and 07129, 07130, 09254, 09367, 07895 and 01984 are being investigated.</p>

	b) 1 complaint from 2021 (2021/05656) has been referred for a hearing by this committee which is due to take place at the end of this month.
1.03	<p>It is correct to say that there are an unusually high number of complaints this year and that there are more complaints under investigation than normal. This mirrors the pattern across Wales as a whole. The PSOW has also referred a higher than number of cases for a hearing within the last 12 months and these cases are more time consuming. As a consequence, the PSOW's resources are stretched.</p> <p>N.B. These statistics are clearly presented on the PSOW Annual Report 2023/24 elsewhere on this agenda.</p>
1.04	I contacted the PSOW following the last such report to seek to understand some of the long timescales for investigating cases. One case was suspended to allow a prosecution to be concluded, which it has, and will now resume. In another case I was able to identify and remove some obstacles that were potentially delaying the case, and another is at the post investigation stage of deciding what action (if any) to take.
1.05	Other complaints (e.g. 2023/07895) whilst being investigated are relatively recent and so well within the PSOW's own performance parameters/deadlines.
1.06	This report is correct as at the date of preparation (August 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>