

## STANDARDS COMMITTEE

<b>Date of Meeting</b>	Monday 1 <sup>st</sup> November 2021
<b>Report Subject</b>	Overview of Ethical Complaints
<b>Report Author</b>	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 (July 2021) 5 complaints have been received. 4 complaints have been resolved since the last report. There is 1 outstanding.

### RECOMMENDATIONS

1	That the Committee notes the number and type of complaints.
---	---

### REPORT DETAILS

<b>1.00</b>	<b>NUMBER OF COMPLAINTS</b>
1.01	<p>The attached spreadsheet at Appendix A lists in summary form the complaints received during 2019/20. Each entry lists:</p> <ul style="list-style-type: none"> <li>• the Ombudsman's reference number (year/4 digit reference)</li> <li>• the type of Council (Community, County or Town)</li> <li>• the complainant (Councillor, officer, public)</li> <li>• the provisions which are alleged to have been breached</li> <li>• the decision at each of the 3 stages of investigation</li> </ul>
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 4 cases that have been determined, none were been investigated by the PSOW because they failed the 2 stage test.</p>
1.03	<p>As always some complaints are in relation to particular sets of circumstances or events e.g. 3 of the 5 complaints recorded are from</p>

	<p>members of the public who were dissatisfied with a decision made by the Council with which the Councillor in question was involved. The remainder, again, between Councillors who do not get along with each other. Typically, these represent a form of overly personalised politics in Councils where factional politics (whether around political groups or friendship circles) can be said to be a feature. To some extent these can be seen as relationship issues that should neither be the province of the code of conduct nor the PSOW. They should instead be managed through Councillors controlling their own behaviour, through tight control of meetings by the Chair and having a thicker skin when issues do arise. The Monitoring Officer and Deputy Monitoring Officer have worked with a number of Councils to help them identify “flash points” so that mechanisms can be put in place to prevent or manage them in future.</p>
--	--

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
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.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	None.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	None

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix A - Number of complaints.

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

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Public Services Ombudsman for Wales</b> – 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.
--	---