

STANDARDS COMMITTEE

Date of Meeting	Monday, 5 March 2018
Report Subject	Overview of Ethical Complaints
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

Each year a number of complaints are made about Community, County and Town Councillors to the Public Services Ombudsman for Wales alleging breach of the members' code of conduct. A breakdown of the complaints is attached.

In total nine complaints were received in the year 2016/17 and two complaints have been received in the year to date. Nine complaints in a year is higher than usual. Six complaints stemmed from a single series of events in one Community Council, but there have been no further complaints from that council in 2017/18.

The complaints are listed by outcome. Across the years only two complaints were investigated. Of these, it was not deemed not in the public interest to take any action in respect of one and the other resulted in a hearing before the Adjudication Panel.

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 2016/17 and 2017/18. 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)

	<ul style="list-style-type: none"> • the provisions which are alleged to have been breached • the decision at each of the 3 stages of investigation
1.02	<p>The number of complaints varied markedly. In 2016/17 there were nine complaints in total reflecting a high number from a connected series of events in one community council. There was a serious case that resulted in a referral to the Adjudication Panel for Wales (previously reported to the Committee).</p> <p>During 2017/18 the number of complaints has been low.</p>
1.03	<p>There appears to be no pattern across the type of complaints received and each reflects the local circumstances of the council.</p> <p>The outcomes reflect the implementation of the tougher two stage test by the Ombudsman's office. Fewer complaints are being investigated and only the "serious ones" are being taken forward.</p>

2.00	RESOURCE IMPLICATIONS
2.01	None associated with this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None.

4.00	RISK MANAGEMENT
4.01	None

5.00	APPENDICES
5.01	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 not investigate and alleged breach of the code unless there is clear evidence of a breach and it is in the public interest to expend public funds investigating.</p> <p>Adjudication Panel for Wales – the independent body responsible for hearing the more serious alleged breaches of the code. It consists of a panel from which a three of its members are drawn to form the Case Tribunal which will hear a particular case.</p>