

STANDARDS COMMITTEE

Date of Meeting	Monday 1 st March 2021
Report Subject	Public Services Ombudsman for Wales Consultation on Revised Guidance on the Code of Conduct
Report Author	Chief Officer Governance

EXECUTIVE SUMMARY

The PSOW publishes guidance for Councillors on how to interpret the Code of Conduct. The guidance applicable to County Councillors also covers Fire Authorities and National Parks - link [here](#) to current guidance.

The Ombudsman has published a consultation on proposed revisions to the guidance - link [here](#) to the draft revisions

In addition, the PSOW publishes separate guidance for Town and Community Councillors (link [here](#)) which has also been revised. The revised guidance is [here](#).

The changes to both sets of guidance do not fundamentally alter current advice on the meaning of the Code. Rather the changes seek to improve layout, improve clarity and to provide recent examples of the outcome of real life cases.

RECOMMENDATIONS

1	That the Committee welcomes the proposed changes to the guidance by the closing date of 21 March 2021.
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REPORT DETAILS

1.00	EXPLAINING THE PSOW CONSULTATION ON REVISED GUIDANCE ON THE CODE OF CONDUCT
1.01	The Ombudsman issues guidance on the Code of Conduct to help Councillors and officials understand and interpret its provisions. He issues separate guidance to County Councillors and Town/Community Councillors. The guidance is referred to collectively in the singular for ease of reference.
1.02	The Ombudsman last reviewed his guidance on the Code in July 2016. The Code has not changed significantly since then nor have there been

	any legal cases in the courts which might affect its interpretation.
1.03	As the Code has not changed so too the fundamental elements of the guidance have not changed. The revised guidance seeks to improve wording to aid clarity, place greater emphasis on key messages (e.g. through the use of bold text) and provides fresh examples from real life of where the Code has been breached.
1.04	The principle changes appear to be: <ul style="list-style-type: none"> a. Ombudsman has expanded the explanation of the 2 stage test applied to decide whether to investigate a complaint; b. Slightly clearer and more emphatic guidance on freedom of speech as it effects the requirement to treat people with respect, the prohibition on bullying and disrepute; c. The guidance on what to do if one has a personal interest is expanded and more explicit.
1.05	Whilst most changes are small, they do add clarity and/or emphasis to the guidance. The changes appear to make the guidance easier to follow.

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 associated with this report.

5.00 APPENDICES

5.01 None

6.00 LIST OF ACCESSIBLE BACKGROUND DOCUMENTS

6.01 None

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7.00 GLOSSARY OF TERMS

7.01 None

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