

Report To: Standards committee

Date of Meeting: 21st March 2014

Lead Member / Officer: Monitoring Officer

Report Author: Monitoring Officer

Title: Annual Report of the Adjudication Panel for Wales

1. What is the report about?

1.1 The report is about the Annual Report of the Adjudication Panel for Wales 2012/13 which was published in February 2014.

2. What is the reason for making this report?

2.1 To inform members of the Adjudication Panel's report and to consider whether there are any issues revealed by the report that require further consideration by the Committee.

3. What are the Recommendations?

3.1 That the Committee notes the contents of the Annual Report of the Adjudication Panel for Wales and considers whether there are issues contained within it that merit further consideration by the Committee.

4. Report details.

4.1 The Adjudication Panel for Wales (the Panel) has issued its annual report for the financial year 2012/2013. The report provides an overview of the work of the Adjudication Panel and contains summaries of the cases and appeals that the Panel has dealt with over the last year. The full report is attached as Appendix 1 to this report.

4.2 The Adjudication Panel has two statutory functions. The first is to form case or interim case tribunals to consider reports from the Public Services Ombudsman for Wales following the investigation of allegations that a member has failed to comply with the relevant authority's Code of Conduct. The Adjudication Panel considers the most serious allegations of breaches of the Members' Code of Conduct. The second statutory function is to consider appeals from members against the decisions of local Standards Committees following a referral to those committees by the Public Services Ombudsman for Wales.

4.3 During 2012/13, the Panel received five new referrals from the Public Services Ombudsman for Wales and had four cases carried over from the previous

financial year 2011/12. Seven of these cases were heard during the period covered by the report and summaries of them are contained within the report. Members will note that there are five hearings summarised in the report. The matter relating to Coedpoeth Community Council involved three complaints which explains why there are five summaries involving seven referrals.

4.4 The Panel received one appeal against a decision of a local Standards Committee during the period and a summary of this case is also helpfully set out in the report.

4.5 Members will note that all of these cases involved findings that the member concerned had, by their actions, brought their office or authority into disrepute and that two of them had breached the requirement to show respect and consideration to others. This is consistent with the general themes that emerge from the analysis set out in the report of the different types of misconduct that have been considered by the Panel since 2002. The three most prevalent areas of misconduct are, in order:

Paragraph 6, bringing the office or authority into disrepute,
Paragraph 4, failing to show respect, having regard to equality of opportunity and bullying,
Paragraphs 11 and 14, declaration of interests

4.6 Members will also note that three of these matters related to breaches which involved the use by members of social media.

4.7 One of the cases summarised in the report relates to a former member of this Council. Members can find a full report of this matter on the panel's website at <http://wales.gov.uk/apwsbsite/APW-PDC/RegTrib/PreviousTrib/cllreckersley/?lang=en>

4.8 As an annex to the report the Panel have provided a summary of the sanctions imposed by the case tribunals and appeal tribunals in the period October 2002 to March 2013. Members will note that there have been significant sanctions imposed by the Panel in that period and only a minority of matters have not resulted in suspension or disqualification.

5. How does the decision contribute to the Corporate Priorities?

5.1 The contents of the report do not impact directly on corporate priorities.

6. What will it cost and how will it affect other services?

6.1 There are no costs directly associated with this report.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision?

7.1 This report does not require an Equalities Impact Assessment.

8. What consultations have been carried out with Scrutiny and others?

8.1 This matter has not been reported or consulted upon elsewhere as this is a matter for the Standards Committee alone.

9. Chief Finance Officer Statement

9.1 There are no obvious significant financial implications arising from the report

10. What risks are there and is there anything we can do to reduce them?

10.1 The Panel's report highlights areas of risk for all members in respect of their conduct. The Council has provided considerable training in respect of the Code of Conduct and will continue to do so. It is encouraging that individual Community Councils have asked for bespoke training on aspects of the Code and the Monitoring Officer has and will continue to provide such training. The Council has also arranged training for members on Equalities issues and the use of Social Media. There is shortly to be produced a policy and guidance on the use of social media.

11. Power to make the Decision

11.1 Section 54 Local Government Act 2000