

Report To: Standards committee

Date of Meeting: 21st March 2014

Lead Member / Officer: Monitoring Officer

Report Author: Monitoring Officer

Title: Public Services Ombudsman for Wales' Code of Conduct Casebook

1. What is the report about?

1.1 The report is about the introduction of a Code of Conduct Casebook by the Public Services Ombudsman for Wales (the Ombudsman).

2. What is the reason for making this report?

2.1 To bring to Members' attention the introduction by the Ombudsman of a Code of Conduct casebook.

3. What are the Recommendations?

3.1 That Members note the introduction of a Code of Conduct casebook and the contents of the first edition.

4. Report details.

4.1 The Ombudsman has for many years published a quarterly casebook in respect of complaints investigated by the Ombudsman in respect of maladministration in the delivery of public services. It enables authorities and members of the public to see how complaints have been addressed and measures put in place to resolve them.

4.2 There have been calls for some time for a similar casebook to be published in respect of the work done by the Ombudsman in investigating complaints made in respect of the conduct of elected members.

4.3 The Ombudsman has found it more challenging to produce a Code of Conduct casebook. Whereas the Ombudsman's office is able in cases of maladministration to make recommendations as to resolution and publish reports of the outcome of these cases, in Code of Conduct cases the Ombudsman investigates and then refers to either a local Standards Committee or the Adjudication Panel for Wales. It has therefore been more difficult for the Ombudsman to provide a summary of the case from complaint to disposal.

- 4.4 The new Code of Conduct casebook will be published twice a year and will contain summaries of all of the cases in respect of which the Ombudsman has completed an investigation in the previous six months.
- 4.5 Where those cases have been referred to a Standards Committee or the Adjudication Panel for Wales, a link will be provided in the electronic version of the casebook to the full report of the outcome of the case produced by the relevant Committee or Panel.
- 4.6 The Ombudsman expresses the hope that the publication of these summaries will help Members and others in considering whether circumstances that they may be experiencing amount to a breach of the Code. The Ombudsman's guidance on the Code contains examples drawn from real life situations and it is likely that the regular publication of summaries of current cases will greatly assist in helping members and others understand better the operation of the Code.
- 4.7 The casebook will allow local authority Standards Committees access to information about the way in which other Standards Committees in Wales are imposing sanctions and disposing of cases and help to explain why in some cases the Ombudsman may decline to investigate alleged breaches on the basis that previous similar allegations have not resulted in a sanction.
- 4.8 The first edition of the casebook is attached at Appendix 1 to this report and contains details of matters in respect of which the Ombudsman completed an investigation and issued a report between April and November 2013.
- 4.9 Members will note that the majority of breaches complained of in this edition of the Code of Conduct casebook related to the requirement to show respect and consideration to others and the registration and disclosure of interests.

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

- 5.1 This report does not contribute directly to the corporate priorities.

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

- 6.1 There are no costs associated with this report.

7. What consultations have been carried out and has an Equality Impact Assessment Screening been undertaken?

- 7.1 This report does not require an equalities impact assessment.

8. Chief Finance Officer Statement

- 8.1 There are no obvious significant financial implications arising from the report

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

9.1 There are no risks directly associated with this report.

10. Power to make the Decision

10.1 Section 54 Local Government Act 2000