

Report To: Standards Committee

Date of Meeting: 18th September 2015

Lead Member / Officer: Gary Williams, Monitoring Officer

Report Author: Gary Williams, 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 Code of Conduct Casebook produced by the Public Services Ombudsman for Wales (the Ombudsman).

2. What is the reason for making this report?

2.1 To inform the Committee of the most recent editions of the Ombudsman's Code of Conduct Casebook.

3. What are the Recommendations?

3.1 That members of the Committee note the information contained within the Code of Conduct Casebook.

4. Report details.

4.1 The Ombudsman has since 2013 produced a Code of Conduct Casebook (the Casebook). The Ombudsman had for some time previously produced a casebook relating to the complaints he investigated in respect of alleged maladministration by public bodies. Following calls for a similar approach to be taken with regard to code of conduct complaints, the Ombudsman began publishing the Casebook in 2013.

4.2 The Casebook has been published twice a year, however the Ombudsman has decided to produce the casebook on a quarterly basis from April 2015. The Casebook contains summaries of all of the cases in respect of which the Ombudsman has completed an investigation during the relevant period.

4.3 Where those cases have been referred to a Standards Committee or the Adjudication Panel for Wales, a link is 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.

- 4.4 The production of a Casebook is intended to help Members and others in considering whether circumstances that they may be experiencing amount to a breach of the Code. This is an extension of the publication of real life examples in the Ombudsman's Guidance on the Code.
- 4.5 The casebook also assists local authority Standards Committees by giving them 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.
- 4.6 Appendix 1 to this report contains the Casebook covering the period October 2014 to March 2015. Members will note that the majority of complaints investigated during this period related to the disclosure and registration of interests. Of the 17 complaints investigated during the period, 10 related to interests. Of the 17 investigations conducted, 10 concluded that there was no evidence of a breach of the code, 4 that although a breach had taken place no further action was necessary, and three were referred to local Standards Committees for hearing. There were no referrals to the Adjudication Panel for Wales.
- 4.7 Appendix 2 to this report contains the Casebook covering the period March 2015 to June 2015. There are 6 investigations referred to in this edition, 3 relate to integrity, 2 to equality and respect and 1 to the declaration of interests. It is notable, however that the cases categorised by the Ombudsman as relating to integrity, seem on the facts, to relate either to equality and respect or to the declaration of interests. Of these 6 cases, 2 resulted in a finding that there was no evidence of breach, 3 were determined not to require further action and 1 was referred to a Standards Committee. There were no referrals to the Adjudication Panel for Wales.

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

- 5.1 The report has no direct impact on the corporate priorities.

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

- 6.1 There are no costs directly associated with the report.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

- 7.1 This report does not require an equality 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.

9. Chief Finance Officer Statement

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

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

10.1 There are no risks directly associated with this report

11. Power to make the Decision

11.1 There is no decision required.