

MEETING:	Standards Committee
DATE:	26 September 2012
TITLE:	Allegation against Councillor Aeron Maldwyn Jones, Gwynedd Council
AUTHOR:	Monitoring Officer
ACTION:	To decide upon the allegation made against Cllr. Jones of a breach of Gwynedd Council's Code of Conduct for Members

Background

1. Following his investigation into a complaint that Councillor Aeron Maldwyn Jones had breached the code of conduct for members, the Public Services Ombudsman for Wales came to the conclusion that the matter should be referred to me as the Monitoring Officer for consideration by the Standards Committee. He submitted a report which sets out the details of the complaint and his investigation.

2. The Standards Committee's role in these circumstances is set out in Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 ("the Regulations"). The regulations however state that it is a matter for the Committee to decide upon the practice and procedure to be followed (subject to any specific provision in the regulations). To this end the Committee has adopted its own Hearings Procedure (see Appendix 1).

3. In accordance with the Regulations, the Committee considered the Ombudsman's report in its meeting on the 2 July 2012. It came to the conclusion that Councillor Jones should be given the opportunity to make representations, either orally or in writing in respect of the findings of the investigation and any allegation that he has failed to comply with the Council's code of conduct. A hearing was therefore arranged in accordance with the Committee's Hearings Procedure.

4. Councillor Jones has confirmed to me verbally on 17 August 2012 that he intends to attend the hearing. He has also confirmed that he has received the questionnaire sent to him to complete and return as part of the Committee's Procedure. However, I have not to date, received a completed questionnaire back from him.

5. The Ombudsman has confirmed that his representative will be attending the hearing.

6. The following documents are therefore submitted for the Committee's attention:

- Appendix 1 The Standards Committee Hearings Procedure (blue paper)**
- Appendix 2 The Ombudsman's Report on his investigation (yellow paper)**
- Appendix 3 Monitoring Officer's letter dated 19.07.12 to Cllr. Jones (green paper)**

Recommendations

7. The Committee is asked to consider the allegation against Cllr. Jones in accordance with its Hearings Procedure and to make a determination in one of the ways open to it. The Regulations (reg.9) provide that, after hearing any representations, the Committee must come to one of the following decisions:

(a) that there is no evidence of any failure to comply with the authority's code of conduct and that therefore no action needs to be taken in respect of the matters which are the subject of the investigation;

(b) that the member has failed to comply with the authority's code of conduct but that no action needs to be taken in respect of that failure;

(c) that the member of the authority has failed to comply with the authority's code of conduct and should be censured, or

(d) that the member of the authority has failed to comply with the authority's code of conduct and should be suspended or partially suspended from being a member of that authority for a period not exceeding six months.