

<b>MEETING:</b>	<b>Standards Committee</b>
<b>DATE:</b>	<b>29 July 2014</b>
<b>TITLE:</b>	<b>Report by the Public Services Ombudsman for Wales on an investigation into a complaint made against Councillor Nancy Clarke, Tywyn Town Council</b>
<b>AUTHOR:</b>	<b>Compliance &amp; Language Manager</b>
<b>ACTION:</b>	<b>Consideration of Representations and Final Determination of a Report prepared by the Public Services Ombudsman for Wales (ref. 201301629)</b>

## **Background**

1. Following complaints that Councillor Nancy Clarke had breached the code of conduct for members, the Public Services Ombudsman for Wales decided to investigate. The Ombudsman decided that the matter should be referred to the Monitoring Officer for consideration by the Standards Committee. The Ombudsman's report has previously been provided to the members of the Committee.

2. In accordance with the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 ("the Regulations"), the Committee considered the Ombudsman's report in its meeting on the 12 June 2014. It came to the conclusion that Councillor Clarke 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 she has failed, or may have failed, to comply with the authority's code of conduct.

## **The Ombudsman's Investigation Report**

3. Members are asked to consider the Ombudsman's report and any representations made by Councillor Clarke.

4. The procedure for dealing with allegations made against Councillors and referred to this Committee is set out in the Appendix to this report.

## **Recommendations**

5. That the Committee consider the complaints against Cllr. Clarke 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.