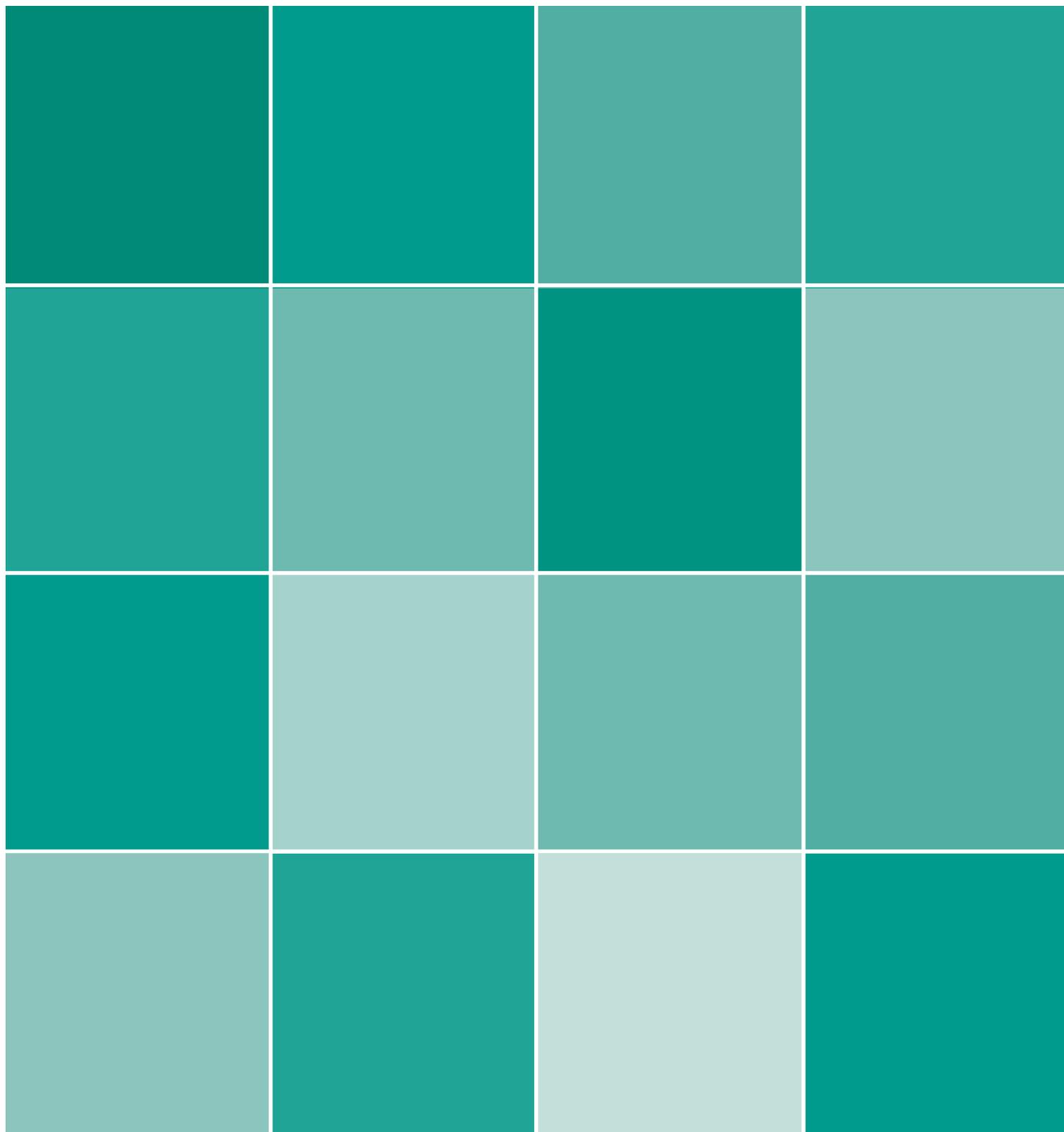


ANNUAL REPORT OF THE GWYNEDD COUNCIL STANDARDS COMMITTEE 2016 - 2017



FOREWORD BY THE CHAIR

In the foreword to last year's report I referred to the constitutional earthquake that occurred as a consequence of the decision to leave the European Union. Nobody could have imagined that so much attention would be given to 'fake news' and that it would be so difficult to distinguish between what's true and what isn't in the mass media and on social media.

On a Welsh and national level, there has been an increase in the number of hate crimes and an increase in the reports of political and social intolerance. We have seen a tendency to polarise opinion, which is fed by social media and 'national' tabloid papers, and the various groups feeding and sharing prejudices among each other without being able to communicate politely with each other.

It is within this climate that Gwynedd Council and the Standards Committee operates.

Fortunately, as you can see again this year, this report is not lengthy, which is a credit to the Council, its officers and its Elected Members alike. There has been emphasis on training, and we must thank the Monitoring Officer and his team for addressing this. This is no mean feat, given that there are 75 councillors and 64 Community Councils.

However, there is always room for improvement. The responsibilities on local government continue to increase and, as a Committee, we are on the same learning curve as you. I would like to encourage everyone to take advantage of the help and support available from the Council in order to ensure that the standards of public life in Gwynedd are maintained at all times.

We are in turbulent political times. I hope that Gwynedd will be able to show the way and lead by example over the coming months and years.

Dr Einir Young
Chair of the Standards Committee

FOREWORD BY THE MONITORING OFFICER

The report, on the threshold of local elections, reflects on the end of the County and Community Council terms. It is encouraging to see again that the number of complaints and investigations remains relatively low. This is not to suggest that the work of conducting and promoting conduct does not go on constantly. This means a permanent dialogue with members of the Council here and members and clerks of Community Councils, providing guidance and support. It must be acknowledged that an element of this work is about managing expectations in terms of intervention and enforcement. A combination of awareness of the rights of political expression under Article 10 of the Human Rights Convention, together with the Ombudsman's use of the public interest test to filter complaints, means that not all complaints or infringements of the Code will inevitably lead to a formal investigation process. However, the picture is generally positive with a large number of Members positively responding to the requirements of the Code and to the principles of the Gwynedd Standard.

*Iwan Evans
Monitoring Officer
Gwynedd Council*

INTRODUCTION

The Committee was established in 2001 under the Local Government Act 2000. The main role of the Committee is to promote and maintain high standards of conduct by the councillors and co-opted members of Gwynedd Council, and community and town councils in Gwynedd. It does so in many ways:

- Assisting the councillors and co-opted members to follow the Members' Code of Conduct
- Advising the authority regarding adopting or amending the Members' Code of Conduct
- Monitoring the implementation of the Members' Code of Conduct
- Advising, training or arranging training for councillors and co-opted members on matters relating to the Code of Conduct
- Determining complaints referred to it by the Public Services Ombudsman for Wales that members have breached the Code of Conduct
- Considering applications made by members for dispensations to allow them to participate in discussions despite them having a prejudicial interest under the Code
- Considering complaints referred to it under Gwynedd Council's local resolution procedure.
- Overseeing the Gwynedd Council Members Gifts and Hospitality Policy

MEMBERS OF THE COMMITTEE

Though the Standards Committee is one of the committees of Gwynedd Council, the majority of its membership does not have any connection with the Council or local government ('Independent Members'). It also has a member who represents the interests of the community councils ('Community Committee Member'), as well as three elected members from Gwynedd Council. The Chair and Vice-chair of the Committee must be Independent Members.

Independent Members



Margaret E Jones (member since 2012)

Originally from Llandrillo yn Rhos, Margaret has spent most of her life in Chwilog. She taught at Ysgol Abersoch for 32 years, including 14 as headmistress. She is a deacon in Eglwys yr Annibynwyr Siloh, Chwilog, was Chairman of the Council of the Union of Welsh Independents for 3 years and is also a former President of the Union. She was a member of Gwynedd Community Health Council and Vice Chairman until the reorganisation in 2010. She is also Chairman of the Chwilog Eisteddfod.



Dr Einir Young (member since 2012)

Born in the Rhondda and raised in Llanelli and Cwmtwrch Einir has been living in Gwynedd for almost thirty years. She lived in California for a while and has travelled extensively in Africa mainly, working with marginal communities in semi-arid regions. Wales is her current priority but the challenges faced by communities are similar. We need a long term vision and plan, to ensure that the actions we take are for good or prevent things from getting worse. Integration and collaboration is critical and possibly more important of all to involve everyone. These are the principles are encapsulated in the Wellbeing of Future Generations Act and as Bangor University's Director of Sustainability Einir and her Sustainability Lab team are promoting the ways of working promoted in the Act across the institution and beyond. Maintaining standards is as important to sustainability as recycling and saving energy and Einir Welcomes the opportunity to contribute to and chair Gwynedd's Standards Committee.

Amongst her many interests Einir is a passionate walker and she and her dog are currently walking the Wales Coastal Path with her sister.



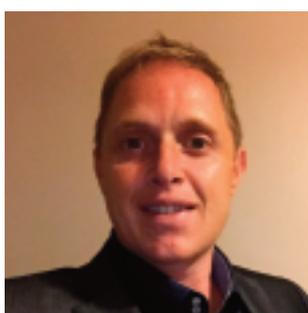
Jacqueline Hughes (member since 2015)

Jackie lives in Nantlle with her husband Ian, 3 daughters, grand daughter and a very lively dog. Originally from the Wirral, she qualified as a diagnostic radiographer in 1987 after studying at Guys Hospital School of Radiography. After settling in North Wales with her young family, she joined the staff at Ysbyty Gwynedd. Jackie's career in Bangor has advanced both as a radiographer and as an industrial relations representative. She is currently the Staff Side Chair for the Betsi Cadwaladr Health Board as well as being the local society representative for most of the radiographers in North Wales. She has been President of the Society and College of Radiographers and was instrumental in developing the response to the Francis Report, and subsequently a new code of conduct for radiographers. She believes that any one working in public life must maintain a high level of personal standards in order to be credible to the public.



David Wareing (member since 2015)

In 2014 David relocated from Lancashire to Groeslon following his retirement from Merseyside Police. He served for 26 years in a variety of roles with his last posting being to the Force Operations Department at HQ. This position involved the planning and delivery of large-scale public events, public safety during major Police operations and the reduction of police support to outside agencies through greater partnership working. David specialised in risk assessment and ensuring compliance of relevant Health and Safety legislation working within the legal framework. David represented Merseyside Police on all five Safety Advisory Groups that covered the Force Area. He firmly believes that the actions of those in public office must be both transparent and accountable.



Aled Jones (member since 2016)

Aled is originally from Lampeter, Ceredigion. He read Welsh and Geography at Aberystwyth University. Having graduated in 1999, he moved to Caernarfon to work for Cymen translation company. He became a joint-owner of the company in 2007 and now heads a team of 20 members of staff and employs over 15 other freelance translators. He lives in Bangor with Tegwen, and their two children Cai and Beca. He has a keen interest in sport and can often be seen on the touchline supporting Bethesda Rugby Club and Bangor City Football Club. As a result of his work as a simultaneous translator he is privy to observe conduct and standards at all levels of governance and to identify best practice.

Community Committee Member



Councillor David Clay (member since 2008)

David has been an elected member of Barmouth Town Council for 29 years and has held the position of Chair on 4 separate occasions. He is past Chair of the Meirionnydd Area Committee of One Voice Wales. Now retired, he was an hotelier in Barmouth for 30 years and was an active member of Mid Wales Tourism Council and in later years a Director of Mid Wales Tourism Partnership.

Gwynedd Council Members



Councillor Eryl Jones-Williams (member since 2011)

Eryl is a semi-retired freelance journalist who has represented Dyffryn Ardudwy and Talybont on Gwynedd Council since 2008. He is also a long-standing town and community councillor and has served as both Mayor and Chairman. He takes an active part in disability rights and is vice-chairman of the Meirionnydd Access Group as well as a member of the South Snowdonia Access Forum and the Betsi Cadwaladr University NHS Community Health Council. He is currently chairman of the Gwynedd Licensing Committee, where is able to draw on his experience as a former licensee. He is also the Carers' Champion for Gwynedd. A former Welsh Football referee his hobbies

includes golf at Royal St David's Harlech and Dolgellau.



Councillor Michael Sol Owen (member since 2012)

Michael lives in Pwllheli and has represented North Pwllheli on Gwynedd Council since May 2012. He holds a degree in Physics and Material Science and was managing director of a company in Pwllheli and also worked as a business consultant for the Assembly. He has been a member of Pwllheli Town Council for over 30 years and is chairman of the Pwllheli Youth Project charity. He is a former Chair of Gwynedd Council's Planning Committee and also serves on the Management Board of Cartrefi Cymunedol Gwynedd.



Councillor Lesley Day (member since 2014)

Les has been a Gwynedd Councillor since May 2012 and is a former Chair of the Democratic Services Committee. She has been a Bangor City Councillor since 1991 and is a past mayor, representing the Garth Ward in Bangor. She is a former member of Arfon Borough Council. Les' qualifications, career and hobby are all local government. She gained her local government public admin qualifications whilst working for Surrey County Council. Upon returning to her home town of Bangor she gained her local government financial qualifications whilst working for Gwynedd County Council. Les transferred to

Conwy County Borough Council on reorganisation in 1996. Les is the Chairman of Garth Community Centre and a governor of Ysgol Hiracl.

The Monitoring Officer

The Council's Monitoring Officer, Iwan Evans, along with officers from the Legal Service and the Democratic Service support the Standards Committee in its work.

Contact Details

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THE COMMITTEE'S WORK DURING 2016-2017

The Committee's work over the year has included the following (the Committee's full work programme can be seen in **Appendix 1**):

Cases heard by the Standards Committee

No complaints that elected members had breached the Code of Conduct were referred to the Committee during the year

Other Complaints

The Committee is also informed of those complaints not referred to it for decision. Summaries can be found in **Appendix 2**.

Dispensations

The Code of Conduct for Members provides that a councillor cannot participate in a discussion if he/she has a 'prejudicial interest'. However, a member has a right to apply to the Committee for permission to participate despite having this interest, i.e. dispensation.

The Committee considered four applications for dispensation during this period. Two were granted whilst two were refused.

Training on the Code of Conduct

The Committee considered and advised on the training to be offered to members following the Local Government Elections in May 2017. Consequently, training was provided as part of the induction process for Gwynedd Council members and more detailed sessions will also be held. Training sessions are also to be offered to the town and community councils.

North Wales Standards Committee Forum

The North Wales Standards Committee Forum gives representatives of all north Wales authorities' standards committees the opportunity to meet. The purpose of the forum is to enable the area's standards committees to discuss and share ideas, good practices and resources and also provide a joint opinion on a national level. The Chair and Vice-chair of the Committee attend the meetings.

During the year Ceredigion and Powys Standards Committees submitted a request to join the Forum, a request which the Committee supported.

THE STANDARDS COMMITTEE'S WORK PROGRAMME 2016-17

18 April 2016

- Undertaking Self-Assessment and formulating a Work Programme for the upcoming year
- Considering the amendments to the Code of Conduct
- Considering the process of placing the Register of Members' Interests on-line
- Deciding on two applications for dispensations

27 June 2016

- Approving the Standards Committee's Annual Report for 2015/16
- Reviewing the arrangements for members to attend committee and community council meetings as observers

3 October 2016

- Considering the arrangements for the Local Government Elections 2017
- Discussing the proposed local resolution procedure for community councils
- Considering the Annual Report of the Ombudsman 2015/16

23 January 2016

- Approving the process for appointing members to the Committee following the Local Government Elections
- Considering a request to extend the North Wales Standards Committee Forum
- Receiving an update on the Register of Members's Interests
- Deciding on two applications for dispensations

Appendix 2

The Committee was informed of the following decisions by the Ombudsman in relation to allegations that county and community and town councillors had breached the Code of Conduct:

Allegation	Decision
<p>That a councillor had falsely accused the complainant (a fellow town councillor) of making derogatory, discriminatory and ageist remarks about her at a town council meeting, which were subsequently published in a local newspaper.</p>	<p>No investigation. The Ombudsman was not persuaded that an investigation was in the public interest although it was a “borderline decision”. The Ombudsman wrote to the councillor to remind her to consider her obligations under the Code of Conduct.</p>
<p>That the councillor had distributed misleading information about the complainant (a fellow town councillor) stating that she had voted at a meeting of the planning committee. She was not a member of the committee but attended as an observer only.</p>	<p>No investigation. The councillor had not been present at the meeting but on the basis of the evidence available it was not unreasonable for an individual to assume that the complainant had been involved in the planning committee in relation to the item in question. She had also taken the opportunity to clarify her position in a newspaper article. It was not in the public interest to investigate the complaint. The information handed out was broadly of a political nature and was not disrespectful or offensive in tone.</p>
<p>The councillor had harassed the complainant (a fellow town councillor) by making an unfounded complaint to the Ombudsman the he was guilty for harassing him. He had also used council stationery when doing so. He also alleged that the councillor had failed to declare an interest</p>	<p>No investigation. The Ombudsman had previously decided not to investigate eth harassment complaint and nothing would be gained in re-opening the matter. The councillor was undertaking council business when his concerns about harassment came to light. Whilst the councillor had left the meeting in question he had not openly informed the council of the reason for doing so, which is required under the code. An investigation would not be in the public interest but the Ombudsman would remind the councillor of his duties under the code. Ombudsman has investigated - no evidence that the code had been breached.</p>

Allegation

Decision

Complaint that a town councillor had failed to declare a prejudicial interest on several occasions and had taken part in meetings

Ombudsman has investigated - no evidence that the code had been breached.

Complaint that a town councillor had failed to declare a prejudicial interest on several occasions and had taken part in meetings.

Following an investigation, the Ombudsman decided that the councillor's conduct could be a breach of the Code, but that there was no public interest in referring the matter to the Standards Committee or the Adjudication Panel for Wales, bearing in mind that the councillor had since resigned from the council.

Complaint that a county councillor had failed to declare a prejudicial interest in a matter before a committee for a decision.

No investigation. Complainant had not submitted sufficient evidence to support his complaint.

That a county council member of the Planning Committee had not behaved with probity and impartiality when deciding upon an application.

No investigation. The complainant had not presented any evidence to support his complaint.

That a county council member had behaved inappropriately in supporting a planning application in his constituency at a meeting of the Planning Committee

No investigation. The councillor was not a member of the committee and he had declared an interest that was non-prejudicial. He was entitled to speak and to express his views on the application as a local member.