

**ANNUAL REPORT  
OF THE  
GWYNEDD COUNCIL  
STANDARDS COMMITTEE**

**2020 - 2021**

## **FOREWORD BY THE CHAIR**

It is difficult to believe that another year has passed and we are still, to all intent and purposes, under lock-down. The Standards Committee has not met face to face since February 2020 but like all other committees, we have adapted to remote meetings. The pandemic has impacted all aspects of the work of the Council and Community Councils, and as a result, new challenges emerge in this new virtual environment. Nevertheless, the normalisation of virtual meetings, reducing the need to travel may be one of the positives emerging as a result of the pandemic.

You will note from the report that the Gwynedd Standards Committee has had a quiet year. No formal complaints of breaches to the Code of Conduct were referred to us and this reflects well on the culture across the County. Some of you, however, may be disappointed that the threshold for referral is too high. As we have explained in the past, it is not for us to decide which cases are referred to us and as a committee we have noted that Elected Members have expressed disquiet in this regard. When the North Wales Standards Committee Forum reconvenes, this will be a topic for discussion.

The lack of standards and lack of respect in public life are dominating headlines across the board in the countries of the United Kingdom and beyond. The litany of tales regarding totally unacceptable behaviour being ignored, excused and even supported at times is disappointing. We are on a slippery slope when governments at all levels undervalue decent and respectful behaviour.

Such confusion is the weapon of dictators. Clarity and transparency are the cornerstones of democracy. The increase in unacceptable behaviour, the practice of spreading misinformation, speaking nonsense or spawning lies creates uncertainty everywhere. All too often, attempts to determine what is true and what is false can be onerous, tedious and futile.

The reasons why this trend is on the increase is too complex to discuss in this foreword. We all have a duty to recognise that there is a wider problem and to do our utmost to be part of the solution. Cynicism and thinking the worst of those who disagree with us is counterproductive. We are all to some extent part of the problem, but on an encouraging note we are also part of the solution.

As we look forward to another year we have an opportunity to engage in dialogue on the Code of Conduct and build on the good work already taking place within the County to ensure a better, transparent, honest and no-nonsense future for all.

This will be even more important in an election year. The role of elected members as leaders in maintaining standards is as important as ever.

**Dr Einir Young**  
**Chair of the Standards Committee**

## **FOREWORD BY THE MONITORING OFFICER**

As I prepared the foreword for the 2019/20 annual report I touched upon the initial impacts of the pandemic. It is difficult to set the ethical framework issues in the context of a worldwide pandemic. However, in this Council and Town and Community Councils the way in which we operate and communicate within local government has radically changed. It has also highlighted the role of members as community leaders and the responsibilities and challenges, which flowed from this.

In the middle of all this we saw a video of a meeting of the Handforth Parish Council and the by now famous Jackie Weaver attempting to assist the Council to get its house in order. What was particularly striking about the video was not so much the subject of the challenge but the attitude and tone of some members towards her. A type of conduct, which would be difficult to convey on paper but which should have no place in a meeting of a responsible public body. With virtual meetings now being the norm not only in this Council but also in Town and Community Council the nature and culture of meetings is changing. Although it is anticipated that meetings in the chamber will re-start the electronic element and remote attendance will continue to be part of the landscape. It can only be hoped that the type of conduct seen on the video is exceptional. However, the transparency which comes from the new medium will also hopefully lead to more reflection on what represents appropriate conduct in a public bodies.

The government has initiated a process to review the ethical framework, the Code of Conduct. The Code of Conduct was last significantly revised in 2008. Without pre-empting the results of the research, which has been commenced it does represent an opportunity to reflect on the operation of the Code and it's fitness for purpose across all bodies.

The picture in relation to formal complaints is positive. That is not down to policing rather to the culture which exists across the county. This needs to be highlighted and promoted. In an election year this message will be important as we prepare for new members and re-set the culture of standards of conduct which reflect the expectations of the people of Gwynedd.

**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

## **COMMITTEE MEMBERS**

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 an active member of the Chwilog Eisteddfod and in charge of the Chairing Ceremony.

#### **Dr Einir Young (member since 2012)**

Born in the Rhondda and raised in Llanelli and Cwmtwrch Einir has been living in Gwynedd for more than thirty years. She lived in California for a while and has wide global experience in Africa mainly, working with marginal communities in semi-arid regions. Wales has been her focus for many years and she notes the challenges faced by communities world-wide 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 Einir is keen to see ways of working promoted in the Act being widely adopted. 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. She retired from her post as Director of Sustainability at Bangor University at the end of December 2020 but continues to work part-time on the Pen Llŷn Ecoamgueddfa project. She is a director of Ynni Llŷn, Community Energy Wales and is one of the deputy-chairs of Academi Heddwch (the Peace Academy). In her free time Einir enjoys walking long-distance paths such as the Wales Coastal Path, the Pilgrim's Way and the Eryri Slate Trail.

#### **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.

### **Hywel Eifion Jones (member since 2019)**

Born and educated in the Vale of Clwyd, Eifion was a senior manager with Barclays Bank serving 34 years in numerous branches throughout North and Mid Wales. He has undertaken many public service roles including County Councillor with Ynys Mon Council and member of North Wales Police Authority. He is currently a Magistrate on North West Wales bench, and a member of Gwynedd Pension, Betsi Cadwaladr and Adra Boards. He is also a member of the Adjudication Panel of Wales which determines alleged breaches of the Code of Conduct by elected members of County and Community Councils.

### **Community Committee Member**

#### **Councillor Richard Parry Hughes (member since 2017)**

Richard was educated at Llanaelhaearn farm and went to Pwllheli Grammar School, Glynllifon Agricultural College, and Seale Hayne College (Plymouth University). He has a degree in Farm Management. He worked for a vet partnership in Chwilog for three years and as a part-time lecturer at Glynllifon College, before buying the Upper Penfras Llwyndyrys farm where his family had been tenants for over three hundred

years. He is married to Eleri and they have three sons. A former leader of Gwynedd Council, he still farms. He has extensive experience of committees, holding positions as chair of the Wales Federation of Young Farmers' Clubs before being elected as a member of public bodies. He served as a member of Gwynedd County Council from 1992 to 1996 and was a member of Gwynedd Council from 1996 to 2008. He led Gwynedd Council from 2003 to 2008 and was the Welsh Local Government Association spokesman on Environment and Planning during this period. He is an enthusiastic member of the Llwyndryys Drama Company and a supporter of many other local societies such as Antur Aelhaearn and Friends of Carnguwch Church. He works voluntarily as a caseworker for the Farm Community Network. He is a member of Llannor Community Council since 1992.

## **Gwynedd Council Members**

### **Councillor Dewi Roberts (member since 2017)**

Dewi lives in Llanengan near Abersoch with his wife Bethan, and they have 5 children who are all grown up. He was an engineer and a lecturer in engineering at Bangor Technical College before joining North Wales Police. There he worked as a Detective, locally, regionally and nationally, before retiring after 29 years of service.

He was elected in May 2017 as Gwynedd Councillor representing Abersoch. Since his election he has chaired the Democratic Service Committee, is Chair of the Care Scrutiny Committee, Chair of the Dwyfor Area Committee, a member of the Audit and Governance Committee and Chair of the Gwynedd Community Health Council.

As well as being a member of the Standards Committee, he is also a member of the Standing Advisory Council for Religious Education, the Warden of Llanengan Church and sits on the Church Parish Council. He also serves as Governor of Ysgol Abersoch and Ysgol Botwnnog.

### **Councillor Beth Lawton (member since 2017)**

Beth lives in Brynchrug and owns a local factory. She is a County Councillor for the Brynchrug / Llanfihangel area which includes the village of Brynchrug and Abergynolwyn. She is also a Community Councillor and chair of the School Governors of Craig y Deryn. She is active on several community-based committees including the Abergynolwyn Carnival, Brynchrug Rural Fair, Tywyn Hospital Appeal Committee and many others. She is Vice-chair of the Gwynedd Council Care Scrutiny Committee and is a director of the new leisure company.

### **Councillor Anne Lloyd-Jones (member since 2017)**

Anne lives and runs a farm tourism business in Tywyn and has represented Tywyn on Gwynedd Council since 1995 and prior to that was a member of Meirionnydd District Council for eight years. She was first elected as a member of Tywyn town Council in 1985 and became the first Lady Mayor in 1991, and again in 2004, and was Chairman of Gwynedd Council in 2009. She is the former Chairman of Gwynedd Council's Planning Committee and is a founder member of the management Board of Cartrefi Cymunedol Gwynedd. She was a member of Meirionnydd Community Health Council, and is the present Chairman of Tywyn and District Hospital Appeal Fund.

She is a member and past Chairman of Ysgol Penybryn and a member on the Governing body of Ysgol Uwchradd Tywyn.

Anne was Chairman of Mid Wales Tourism from 2001-2016, was a founder member and past President and Treasurer of the Tywyn Inner Wheel Club and has been the Treasurer of the local branch of the NSPCC since 1989.

Anne is married to John and they have three daughters and twin granddaughters.

## **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. The Monitoring Officer has a statutory role to ensure that the Council, its members and its officers act appropriately and lawfully.

### **Contact Details**

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## **THE COMMITTEE’S WORK DURING 2020-2021**

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.

No applications for dispensations were considered during the year.

### **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. Ceredigion and Powys Standards Committees are by now also members of the Forum.

The Forum did not meet during this year but meetings will resume in 202/21.

**THE STANDARDS COMMITTEE'S WORK PROGRAMME 2020-21**

**9 November 2020**

- Approval of the Standards Committee's Annual Report 2019/20
- Receipt of an update on The Protocol For Holding Virtual Meetings
- Receipt of a report on allegations against members

**22 February 2021**

- Undertook Self-Assessment and decided on a Work Programme for the upcoming year
- Consideration of the Public Services Ombudsman For Wales Consultation – New Draft Guidance On The Code Of Conduct For Members Of County And Town And Community Councils
- Receipt of a report on allegations against members

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  |
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| <p><b>Complaint no. 2019000952</b><br/>           An officer of a Town Council (“the Council”) complained that a member had written a disrespectful letter to a third party.</p>           | <p>Following an investigation:</p> <p>The Ombudsman found that the majority of the comments made by the member were political in nature.</p> <p>However, the member’s comments to the third party recipient of the letter were considered to be disrespectful. Whilst the Ombudsman considered that those comments were suggestive of a breach of paragraph 4(b) of the Code, having taken into consideration the information provided by the recipient and the wider evidence available, he did not consider it would be proportionate or in the public interest for any further action to be taken.</p> <p>The Ombudsman did not consider that there was evidence to suggest that the content of the letter sent by the member was suggestive of a breach of paragraph 6(1)(a) of the Code.</p> |
| <p><b>Complaint no. 202000026</b><br/>           A complaint that a councillor had visited the complainant's property during the 'Lockdown' to ask if this was his main residence. The</p> | <p>The Ombudsman decided not to investigate. He was not persuaded, in the context of the Coronavirus pandemic, that any of the specific actions identified by the complainant amounted to a breach of the Code. Considerable public concern had been raised at the time both</p>  |

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| <p>complainant felt that the member's attitude was very aggressive and complained about his behaviour during the visit.</p>  | <p>locally and nationally about traveling to and occupying second homes. There had been well-publicised national and regional Government advice stipulating no unnecessary journeys to second homes were to be undertaken.</p>  |
| <p><b>Complaint no. 201907387</b></p> <p>A complaint that a community councillor failed to treat others with respect and made malicious and defamatory allegations against other council members.</p>  | <p>The Ombudsman decided not to investigate. He was of the opinion that the member's language and the criticism she was making fell into the category of political expression. She also made her criticisms of other members in the context of the need for members to act in accordance with the Code of Conduct and her view that local democracy was undermined by what she perceived to be sub-optimal behaviour.</p> |
| <p><b>Complaint no. 20201141</b></p> <p>A complaint that a town councillor was responsible for the decision to withhold a grant to a local body by accusing it of acting illegally. The councillor had no legal qualifications. It was also alleged that he had provided the Clerk with a document in confidence without the permission of the Council in breach of the Code of Conduct which states that all members of the Council have the right to vote on any question at any meeting. It was claimed that he had breached the basic principles of the Code of Conduct by putting his personal agenda ahead of his responsibilities and duties to the town.</p> | <p>The Ombudsman decided not to investigate. The complainant had provided no direct evidence to prove that the member had attempted to use his position improperly to the detriment of the local body concerned, or failed to make a decision objectively. There was no suggestion that the documents were confidential or that the transfer was inappropriate.</p>   |
| <p><b>Complaint nos. 202002320 and 202002705</b></p>   | <p>The Ombudsman decided not to investigate. Although the member had provided much information about his complaint, he had</p>  |

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| <p>A complaint against a town councillor by a fellow councillor that he failed to show respect towards himself and his family and that he had been bullied the complainant.</p>   | <p>submitted no direct evidence that the councillor had breached the Code of Conduct</p>  |
| <p><b>Complaint no. 202002837</b></p> <p>A complaint that a community councillor, during a Zoom council meeting, had breached the Code of Conduct by his behaviour towards the complainant as a member of the public, and towards another councillor.</p> | <p>The Ombudsman not to investigate. The complainant had not submitted sufficient evidence to support the complaint. However, even if there was direct evidence to support the complaint, he was not persuaded that the matter would meet the two stage test.</p> <p>In relation to the behaviour towards the other member there is a clear distinction between robustly engaging in debate and engaging in personal attacks on individuals. He was not persuaded that the conduct was so excessive that it amounted to a personal attack which could amount to a breach of the Code of Conduct.</p> <p>In relation to the conduct towards the complainant, the Ombudsman did not condone the comments and considered such gestures discourteous, and reminded the Councillor to be mindful of his obligations under the Code of Conduct, and how such theatrics during public meetings could be construed by members of the public who he represents. However, even if there was direct evidence to support the complaint, he was not persuaded that this incident in isolation meet the Ombudsman's public interest test.</p> |
| <p><b>Complaint Nos.202005454 &amp; 202005455</b></p> <p>Complaint by a town councillor against two fellow councillors that two payments, for gardening services, were made without being</p>   | <p>No investigation</p>   |

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| <p>approved by the Finance Committee or full Council and that the Councillors had colluded and enticed the Clerk to make these payments.</p> | <p>It was not for the Ombudsman to determine whether or not payments met with Financial Regulations but, rather, whether there is any evidence suggestive of a breach of the Code.</p> <p>On the information provided the Ombudsman found no evidence to support the contentions made by the complainant.</p> |
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| <b>Member who is subject of the complaint</b>   |   |
| Member of community council                     | 6 |
| Member of Gwynedd Council                       | 1 |
| Member of Gwynedd Council and community council | 2 |
| <b>Nature of the complainant</b>                |   |
| Councillor                                      | 6 |
| Member of the public                            | 2 |
| Officer   | 1 |
| <b>Nature of the allegation</b>                 |   |
| General conduct                                 | 9 |
| Declaration of Interest                         | 0 |
| Conduct & Declaration of Interest               | 0 |
| <b>Outcome</b>                                  |   |
| No Investigation                                | 8 |

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| Investigation – No evidence of breaching the Code of Conduct | 0 |
| Investigation - no further steps required                    | 1 |
| Investigation - referral to the Standards Committee          | 0 |
| Investigation - Referral to the Adjudication Panel for Wales | 0 |

