

Committee:	The Standards Committee
Date:	11 July 2022
Title:	Allegations against members
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Purpose:	For information

1. Background

The purpose of this report is to inform the Committee of the Ombudsman's decisions on formal complaints against members.

2. Decisions

We have received the following decisions from the Ombudsman since the last report.

Complaint	Decision
<p>Complaint No. 202005528</p> <p>That a town councillor had breached the Code:</p> <ul style="list-style-type: none"> • in making false allegations of unauthorised spending and misappropriation of funds by the Former Clerk. • had undermined and disparaged the Former Clerk at meetings, accused other members of lying and colluding with the Former Clerk in illegal activity, and targeted any member supporting the Former Clerk in an attempt to intimidate them and discredit the Former Clerk. 	<p>Investigation discontinued</p> <p>An investigation was started because the complaint met both stages of the 2-stage test on the basis of the information provided in the complaint.</p> <p>As the Complainant had not returned his witness statement, and the councillor was no longer a member the Ombudsman did not consider it to be in the public interest for resources to be used to continue and conclude the investigation.</p>

<p>Complaint No. 202004473</p> <p>That a county councillor had breached the Code of Conduct when he shared material on his Facebook account which cast doubt on the existence of COVID-19 and about the vaccine, and when he appeared on a television show to discuss his views on COVID-19 and the vaccine.</p>	<p>The Ombudsman found that the Member was entitled to freedom of expression under Article 10 of the European Convention on Human Rights</p> <p>Evidence suggested that the Member was not representing the 'Council's position'. The Member did not issue directions to members of the public in contravention of the public health measures in place at the time. Therefore, the Ombudsman did not consider there to be evidence that the Member breached the Code of Conduct.</p>
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3. Analysis of the Complaints

Below is an analysis of this year's complaints (2022/23) where a decision has been received:

Member who is subject of the complaint	
Member of community council	1
Member of Gwynedd Council	1
Member of Gwynedd Council and community council	
Nature of the complainant	
Councillor	1
Member of the public	
Officer	1
Nature of the allegation	
General conduct	2
Declaration of Interest	
Conduct & Declaration of Interest	
Outcome	
No Investigation	
Investigation – No evidence of breaching the Code of Conduct	1
Investigation - No further steps required	
Investigation discontinued	1
Investigation – Referral to Standards Committee	
Investigation – Referral to Adjudication Panel for Wales	

4. Open Cases

4.1 The situation in relation to other cases is as follows:

- **Ombudsman considering whether to investigate** 3
- **Ombudsman investigating** 0
- **Referred to Standards Committee** 0
- **Referred to Adjudication Panel for Wales** 0

5. Recommendation

5.1 The Committee is asked to note the information.