

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

2021 - 2022

FOREWORD BY THE CHAIR

Committee Annual Report. I have been a member of this Committee for ten years and chair for six and now my term is drawing to a close. This will, therefore, be my final contribution to the report and a new Chair should be in place towards the end of the year.

Since last year's report there has been an election and, in its wake, a new Council. Congratulations to all of you on your election and my best wishes as you attend to your duties over the next five year term.

Standards in public life have been under the spotlight for many years. The Nolan Principles were published in 1995 in response to the conduct of some members of the Commons during John Major's tenure as Prime Minister of the United Kingdom. Those principles still stand and are worth repeating here:

Selflessness: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate for their office.

Openness: Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty: Holders of public office a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership: Holders of public office should promote and support these principles by leadership and example.

Over the decade since I joined the Committee the concept of standards in public life and in society at large has been the subject of fierce debate from time to time and

recently they are back in the news. A survey by the UK's Committee on Standards in Public Life, as part a detailed Review of processes in Westminster, noted that the behaviour of some politicians in Westminster during the Pandemic had been disappointing and that this had angered the population. Although several investigations uncovered misconduct, the fact that there had been little punishment, beyond a small fine for a few, was a source of anger and increasing disillusionment with the system.

As a result, the context in which we operate is more cynical towards politicians and officials at all levels and restoring public confidence in our standards is a challenge for us all. To this end the role of the Standards Committee is to promote, maintain and protect standards of conduct of members within the Council and propriety in all Council proceedings. Fortunately, examples of misconduct in Gwynedd Council itself are rare - long may that be the case.

The situation in some of the Town and Community Councils is slightly different. A Task and Finish Group set up by the Standards Committee in January 2022 recognised that we need better understanding of the challenges facing the Clerks of Town and Community Councils, and the councillors in relation to the Code of Conduct and a better understanding of the kind of support required. This is particularly relevant as demands on these councils from Welsh Government increase without further resources. I, as Chair and Richard Parry-Hughes, Community Council representative have started the work and we will be reporting before the end of 2022.

One complaint of breach of the Code of conduct was referred to us during the year: Tywyn Town Council Councillor Mike Stevens failed to comply with Tywyn Town Council's Code of Conduct.

The Committee decided that the Member should be reprimanded, the maximum penalty that could be imposed by the Committee as the Councillor had resigned from the Council prior to the hearing, which took place in December 2021. It was noted for the record, that had he not resigned, he would likely have been suspended, for the maximum time possible.

The Ombudsman responded positively to the Committee's decision and as Chair I was pleased to note the reason the case did not go to appeal was because of the thoroughness with which the Gwynedd Standards Committee had executed its duties; with heroic support from Propriety and Elections Manager

I should note here that the reference to the case in the report obscures the fact that this case meant hours of work for all members of the Committee who had to read and digest hundreds of pages of evidence presented to us by the Ombudsman. I extend my gratitude to everyone for making my work as Chair through the process easier.

Other than that, this year's Standards Committee report is very similar to reports from previous years with the Committee getting on with its job. It might be useful to

draw your attention to the fact that all of the Committee's programmes and minutes appear on the Council's website in a timely manner – and the minutes may provide further insight into the nature of our work and deliberations. In the minutes of the July 2022 meeting, for example, there is a thorough discussion of our Programme of Work.

To conclude: as I bid farewell to you all for the last time, I would like to thank the members of the Committee, Iwan Evans the Monitoring Officer, Siôn Huws, the Propriety and Elections Manager and Eirian Roberts the Democracy Services Officer who have been keeping order in the background, for their help and support throughout. I must also thank the Elected Members for maintaining high standards that make the Committee's job so much easier.

Diolch yn fawr

Dr Einir Young
Chair of the Standards Committee

FOREWORD BY THE MONITORING OFFICER

It's fair to note that there have been a number of developments in relation to the ethical framework which have come together in the year to highlight its importance. We cannot ignore the debate on an UK level in relation to personal conduct and respect towards the supporting organisations and frameworks. Issues which have, perhaps brought the Nolan principles back into the public consciousness. We received the results of Richard Penn's review which on the whole concluded that the current regime did not require fundamental change.

In a local election year focus on the Code of Conduct and the expected standards of conduct are critically important. Induction arrangements introduce new members to expected standards and are a means of reminding members returning for a further term. This starts with briefing sessions for potential candidates to explain the governance arrangements of the Council. The expectations placed on members as community leaders are highlighted whether in the chamber or on Twitter or Facebook. It is an important opportunity to create that foundation of awareness which is key to a culture of propriety to support our democratic system

The Local Government and Elections (Wales) Act 2021 has created new duties for Political Group Leaders to take an element of responsibility for promoting good conduct and co-operating with the Standards Committee. It is a positive opportunity to strengthen an important inter-relationship which focuses on promoting and supporting good conduct.

Ultimately it is the consensus around the type of Council we wish to see and work in which represents the best foundation. Although the report includes cases where the Code was found to have been breached this has to be set in the context of the number of elected members whether county or community in Gwynedd. This supports focusing our work on interventions which develop and maintain the standards which are expected.

Finally, I would like to take this opportunity to offer my personal thanks to Dr Einir Young at the conclusion of her term with the Committee for her unstinting service as Chair. She has brought a vision and leadership to the role which has been recognised not only in Gwynedd but regionally and beyond. It's fair to say that her contribution will continue to influence our work into the future.

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 this 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 dispensation to allow them to participate in discussions despite them having a prejudicial interest under the Code
- Considering matters referred to it under the Gwynedd Council local complaints resolution procedure
- Overseeing the Gwynedd Council Members' Gifts and Hospitality Policy.

COMMITTEE MEMBERS

Though the Standards Committee is a Gwynedd Council committee, 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 Rhos-on-sea, Margaret has spent most of her life in Chwilog. She taught at Ysgol Abersoch for 32 years, including 14 as the headteacher. She is a deacon at Siloh Welsh Independent Chapel, Chwilog, and was Chair of the Union of Wales Independents for three years and is also the former President of the Union. She has been a member of the North Gwynedd Community Health Council and was Vice-chair until the reorganisation in 2010. She is an active member of the Chwilog Eisteddfod Committee and is responsible for the Charing Ceremony.

Dr Einir Young (member since 2012)

Born in the Rhondda and raised in Llanelli and Cwmtwrch Einir has lived 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 are 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 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)

David moved from Lancashire to Groeslon in 2014 following his retirement from the Merseyside Police. He served for 26 years in a variety of roles, more recently within the Operations Department in the Police Headquarters. In this role, he planned for large public events, public safety during Police operations and reducing police assistance for external agencies through increased partnership working. He specialised in risk assessment and securing compliance with health and safety legislation. David represented the Merseyside Police on each of the five Safety Advisory Groups within that area. He strongly believes that the actions of those in public roles must be transparent and accountable.

Aled Jones (member since 2016)

Aled is originally from Llanbedr Pont Steffan, Ceredigion. He studied a degree in Welsh and Geography at Aberystwyth University. After graduating in 1999, he moved to Caernarfon to work with the Cymen translation company and became a joint owner of the company in 2007. He now employs a team of 20 staff members and another 15 freelance translators. He lives in Bangor with Tegwen and their children, Cai and Beca. He enjoys all types of sports and is often seen supporting Bethesda Rugby Club and Bangor City Football Club. In light of his job as a simultaneous translator he has vast experience of attending meetings at all levels of governance and is therefore in a good position to observe conduct and standards and identify best practice.

Hywel Eifion Jones (member since 2019)

Born and educated in Dyffryn Clwyd, Eifion was a senior manager with Barclays Bank and served for 34 years in a number of branches across North and Mid Wales. He has undertaken many public services roles including a County Councillor with Isle of Anglesey County Council and a member of the North Wales Police Authority. Currently, he is a Magistrate on the North West Wales bench and is a member of the Gwynedd Pensions Board, Gwynedd Council's Governance and Audit Committee and is the Chair of Adra . He is also a member of the Adjudication Panel for Wales which determines allegations of County and Community elected members breaching the code of conduct.

Community Committee Member

Councillor Richard Parry Hughes (member since 2017)

Richard was brought up on a farm in Llanaelhaearn and attended Pwllheli Grammar School, Glynllifon Agriculture College and Seale Hayne College (Plymouth University). He has a post-graduate degree in Farm Management. He worked for a veterinary partnership in Chwilog for three years and as a part-time lecturer in Coleg Glynllifon before purchasing Penfras Uchaf farm in Llwyndyrys where his family had been tenants for over three hundred years. He is married to Eleri and they have three sons. The former leader of Gwynedd Council, he continues to farm. He has extensive experience of committees and has held roles such as the chairman of the Wales Federation of Young Farmers' Clubs before being elected as member of public bodies. He was a member of Gwynedd County Council from 1992 to 1996 and a member of Gwynedd Council from 1996 to 2008. He led Gwynedd Council from 2003 to 2008 and was also a spokesperson for the Wales Local Government Association on the Environment and Planning during this time. He is a keen member of Cwmni Drama Llwyndyrys and supports many other local organisations such as Antur Aelhaearn and Friends of Carnguwch Church. He volunteers as a case worker for the Farm Community Network. He has been 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 five children who are now all adults. He was an engineer and a lecturer of engineering at Bangor Technical College before joining North Wales Police. He was a Detective working locally, regionally and nationally before retiring after 29 years of service.

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

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

Councillor Beth Lawton (member since 2017)

Beth lives in Brynchrug and is the owner of a local factory. She is a County Councillor for the Brynchrug/Llanfihangel area which includes the villages of Brynchrug and Abergynolwyn. She is also a Community Councillor and the chair of the Ysgol Craig y Deryn Governing Body. She is active on several committees in the community including Abergynolwyn Carnival, Brynchrug Rural Fair, Tywyn Hospital Appeal Committee and many others. She was the Chair of Gwynedd Council's Education and Economy Scrutiny Committee during 2021-22 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 she has represented Tywyn on Gwynedd Council since 1995 and was previously a member of the Meirionnydd District Council for eight years. She was first elected member of Tywyn Town Council in 1985 and she was the first Mayoress in 1991, and again in 2004, and she was also Chair of Gwynedd Council in 2009. She is a former chair of the Gwynedd Council Planning Committee and one of the original members of the Cartrefi Cymunedol Gwynedd Management Board. She was a member of the Meirionnydd Community Health Council and is currently Chair of the Tywyn and District Hospital Appeal Fund. She is also the Treasurer of the local NSPCC branch since 1989.

She is a member and a former chair of Ysgol Penybryn Governing Body and is also a member of the Governing Body of Ysgol Uwchradd Tywyn. Anne was the Chair of Mid Wales Tourism between 2001 and 2016, a founding member and former president and treasurer for the Tywyn Inner Wheel Club.

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

- Iwan Evans, Head of Legal Services and Monitoring Officer.
E-mail: IwanGDEvans@gwynedd.llyw.cymru Tel: (01286) 679015
- Sion Huws, Propriety and Elections Manager and Deputy Monitoring Officer.
E-mail: sionhuws@gwynedd.llyw.cymru Tel: (01286) 679168

THE COMMITTEE'S WORK DURING 2021 - 2022

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

Cases which appeared before the Standards Committee

One complaint of breaching the Code of Conduct was referred to the Committee for a decision during the year.

Following a hearing on 8 December 2022 the Committee concluded that the member, Councillor Mike Stevens, Tywyn Town Council, failed to comply with Tywyn Town Council's Code of Conduct in the following way as he breached the following provisions:

- 4(a) You must carry out your duties with due regard to the principle that there should be equality of opportunity for all people regardless of gender, race, disability, sexual orientation, age or religion.
- 4(b) Treat others with respect and consideration
- 4(c) You must not bully or harass anyone, including other members, council officers or members of the public.
- The Committee also concluded that the conduct was serious enough to breach Paragraph 6(1)(A) of the code, namely that no-one should behave in a way that could reasonably be regarded as bringing the office or the Authority into disrepute.

The Committee resolved that the Member should be censured, as this was the biggest penalty the Committee could issue following his resignation from the Council, but noted that if it were not for his resignation from the Council, it is likely that he would have been suspended, for the maximum term possible. The Ombudsman welcomed the decision. He was of the opinion that the Committee, with the support and advice of the officers, had considered the matter thoroughly and had stated its reasons for the decision clearly and, as a result, that the application to refer it to an appeal had been unsuccessful.

Other complaints

The Committee is also notified of the Ombudsman's decisions on complaints that were not referred to the Committee for a decision, and a summary of these is provided 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 the right to apply to the Committee for permission to participate despite having this interest, i.e. dispensation.

- No applications for dispensation were submitted to the Committee during the year.

North Wales Standards Committee Forum

The North Wales Standards Committee Forum gives the representatives of all north Wales authorities' standards committees the opportunity to convene. 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. The Ceredigion and Powys Standards Committees have now joined the Forum.

Review of the Ethical Framework

The Committee established a Task and Finish Group to discuss the findings of the Independent Review of the Ethical Standards Framework in Wales, paying particular attention to the following matters, and to report back to the Committee:-

- The future format of the Standards Committee;
- How to make the committee more visible and operational within the Council;
- How to strengthen and make the connection between the committee and various Council services, e.g. Democracy Services, more prominent.

THE STANDARDS COMMITTEE'S WORK PROGRAMME 2021-2022

14 JUNE 2021

- Approve the Standards Committee's Annual Report 2020/21
- Receive a report on changes to the Ethical Framework in light of the Local Government and Elections (Wales) Act 2021
- Consider the Ombudsman's Case Register
- Receive a report on allegations against members

7 JULY 2021

- Extraordinary Meeting to consider the Ombudsman's report regarding an investigation into a complaint against a councillor, and reaching a decision in accordance with the requirements of the relevant regulations.

26 OCTOBER 2021

- Extraordinary Meeting to consider and determine an application under the Council's Indemnity Policy from a member who was facing a hearing.

8 NOVEMBER 2021

- Discussion on the Review of the Ethical Standards Framework for Wales
- Consider the Ombudsman's Annual Report 2020-21
- Receive a report on allegations against members

8 DECEMBER 2021

- Extraordinary Meeting to hold a hearing and decide on a complaint of breaching the Code of Conduct referred to the Committee by the Public Services Ombudsman.

14 FEBRUARY 2022

- Consider a report detailing the findings and recommendations of the Task Group established by the committee to discuss the findings of the Review of the Ethical Standards Framework for Wales.
- Approve the report on the outcome of the investigation into the complaint against Councillor Michael Stevens of Tywyn Town Council.
- Receive a report on allegations against members
- Consider the 2019-20 and 2020-21 Annual Reports of the Adjudication Panel for Wales.

The Committee was notified of the following decisions made by the Ombudsman on allegations of breaching the code of conduct made against Gwynedd county councillors and town and community councillors:

Allegation of breaching the Code of Conduct	The Ombudsman's decision
<p>Complaint number 202100258</p> <p>A complaint by a town councillor that a fellow councillor, as Chair of the Council's Personnel Committee, had failed to treat him with respect and consideration in connection to a complaint submitted by him</p>	<p>No Investigation.</p> <p>No evidence that the complainant was treated differently to any other complainant. The decision to recommend moving the complainant from one of the Council's committees was one the Personnel Committee had the right to take.</p> <p>No evidence that the councillor has an inappropriate, financial or personal interest in the outcome of the meetings as alleged.</p>
<p>Complaint number 202101077</p> <p>A complaint by a member of the public that a community councillor had tweeted his support of extreme political views.</p>	<p>No Investigation.</p> <p>No evidence - the content of the tweet was different to the allegation made against him.</p>

Complaint number 202101165

Complaint from a member of the public that a community councillor had posted four tweets which were in breach of the Council's Social Media Policy by discriminating against women, failing to show respect and consideration and bringing the Council into disrepute.

No Investigation

It could be reasonable to say that the tweets referred to in the complaint come under what is considered as political comments. The Ombudsman was not persuaded that the content was so bad that it would equate to breaching the Code. Additionally, even if the breach was substantiated, he was not persuaded that any penalty that could be issued would be an intervention that was proportionate to the Councillor's ECHR / HRA rights. Therefore, the investigation would not be in the public interest.

Complaint number 202002960

The complaint related to comments on Facebook. The complainant believed that they were homophobic with the aim of bullying one of his employees.

Having undertaken an investigation the Ombudsman decided there was no need to take further steps.

As the member was not operating as a councillor at the time in the Ombudsman's opinion, he could only consider an allegation of bringing his post or authority into disrepute.

The member denied that the observations were homophobic and the Ombudsman accepted that they could be interpreted in a different way. The member said that he did not intend or expect to cause any hurt, that he regretted his actions and was willing to apologise.

As there was an insufficient connection between the comments and his role as a councillor, and in light of the member's explanation for the comments and his recognition that he should not have made the comments, it was not in the public interest to take any further steps.

<p>Complaint number 202102802</p> <p>Complaint from a clerk about correspondence from a member relating to the arrangements of a council meeting.</p>	<p>No Investigation.</p> <p>The members' comments about holding meetings and the council's complaints processes are of a political nature and is therefore unlikely to breach the code.</p> <p>It did not appear to the Ombudsman that the member was attempting to bully the complainant.</p> <p>The content of a specific e-mail was not discourteous or a breach of the Code, but contacting the complainant given his situation at the time was unwise and he would remind the member that members had some responsibility for the health and well-being of Council employees.</p>
<p>Complaint Number 202002215 & 202002555</p>	<p>Following an investigation the Ombudsman referred complaints against Councillor Roy Owen to the Adjudication Panel for Wales.</p> <p>The Tribunal decided that the councillor should be suspended from being a member of Gwynedd Council and Caernarfon Royal Town Council for nine months, or until the end of his term in post, if that is a shorter period.</p> <p>The Panel's full decision can be seen on the website (www.paneldyfarnu.llyw.cymru) or by following this link:</p> <p>Decisions The Adjudication Panel for Wales (llyw.cymru)</p>

<p>Complaint Number 201906873</p>	<p>Following an investigation the Ombudsman referred complaints against Councillor Mike Stevens, Tywyn Town Council to the Standards Committee.</p> <p>The Committee decided that the member should be censured. This was the greatest censure available to the Committee following the resignation of the Town Council member. Further details are available in a separate report to the Committee.</p>
---	--

Member who is subject of the complaint		
Member of community council		5
Member of Gwynedd Council		1
Member of Gwynedd Council and community council		1
Nature of the complainant		
Councillor		3
Member of the public		3
Officer		1
Nature of the allegation		
Overall conduct		7
Declaration of Interest		
General Conduct and Declaration of Interest		
Outcome		
No Investigation		4

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