

Report of Monitoring Officer
(Standards Committee)

Subject: Annual Report 2024/25

Decision Required: Yes

Recommendations:

- a) That this report is noted.
- b) That, subject to any additions agreed at the meeting, this report forms the basis for the Standards Committee's Annual Report to be submitted to the National Park Authority in accordance with the Local Government and Elections (Wales) Act 2021.

1. Terms of reference of the Standards Committee

- (a) to keep under review the Authority's Code of Conduct and to make recommendations to the Authority as to any changes it considers desirable;
- (b) to monitor the operation of the Authority's Code of Conduct;
- (c) to provide advice and training for Members of the Authority on matters relating to its Code of Conduct;
- (d) to consider any reports relating to Members of the Authority issued by the Monitoring Officer under Section 70 (4) or by the Public Services Ombudsman (Wales) under Section 71(2)(c) of the Local Government Act 2000 and any recommendations of the Adjudication Panel for Wales and to take such action thereon as it considered appropriate;
- (e) to receive and take action on any reports issued to it by a Case Tribunal under Section 79 of the Act;
- (f) to consider and make recommendations to the Authority as to the actions which should be taken on any report from a Case Tribunal under Section 80 of the Act;
- (g) to consider requests from Members of the Authority for dispensations under the Standards Committee's (Grant of Dispensations) (Wales) Regulations 2001,
- (h) the monitoring of the Authority's complaints procedure in relation to allegations of maladministration and the making of recommendations thereto and
- (i) to make recommendations to the Authority from time to time with regard to any proposed additions to or revisions of these Terms of Reference.

- 1.1 The current membership of the Standards Committee consists of two local authority Members, Cllr Dr Simon Hancock and Cllr Mike James. One Welsh government appointed member Dr Rosie Plummer and four independent members who are Mr John Daniels (Chair) Mr Philip Davies, Ms Wendy Taylor and Mr John Hogg who has replaced Mrs Vicky Tomlinson whose appointment came to an end in September 2024.
- 1.2 The chair and vice chair are, in accordance with the regulations, required to be independent members.

2. Training

- 2.1 There has been no member training since November 2023 but it is anticipated that further training will be provided within the next few months.
- 2.2 Specific training for members of the Standards committee will take place on 12th February 2025 and be provided by Mrs Bethan Evans who has delivered training to members of the Authority and Pembrokeshire County Council previously.

3. Complaints

- 3.1 In the past year since 31 March 2024, 4 complaints have been received by the Authority of which 2 were escalated to the Public Services Ombudsman for Wales.
- 3.2 All these complaints related to planning and related issues although one also alleges harassment and “gaslighting” by officers.
- 3.3 One of those complaints resulted in the Ombudsman deciding not to investigate the complaint and the other has resulted in an investigation in which the Ombudsman has upheld the complaint and issued a draft report for consideration by the Authority.
- 3.4 Currently the Authority is making representations to the Ombudsman about the conclusions and recommendations contained in the draft report.
- 3.5 Of the other 2 complaints, one is being held in abeyance as the subject matter of the complaint is currently subject to Judicial Review proceedings. The complaint response in the other matter has only just been issued and it is not known at this stage whether it will be escalated to the Ombudsman, but early indications are that it probably will be.
- 3.6 The Monitoring officer will give an update on these matters when the report is presented to the annual meeting of the Authority later in the year.

4. Trends.

- 4.1 It is pleasing that there have been no allegations of breaches of the code of conduct. However the NPA must be vigilant in ensuring Members continue to be offered and do attend training on the Code of Conduct. If allegations of breaches of the Code of Conduct are made the Ombudsman is likely to ask what training the member has been offered and received. So far as other trends

are concerned, it is heartening that the numbers of complaints has fallen but those that have been made have been complex and time consuming for officers to deal with. It has not been possible to identify particular trends except that the number of complaints is falling.

5. Local Resolution Protocol. (LRP).

- 5.1 It has not been necessary for the LRP to be invoked since the last report. Should that change then the Monitoring officer will provide an update in the annual report.

6. Dispensations

- 6.1 No applications for dispensations have been received by Members in the current year. However, there have been a number of changes to PCC appointed Members, including the appointments of Councillors Claire George, Maureen Bowen, Tim Evans and Anji Tinley. I have written to them advising of the general dispensation afforded to Pembrokeshire County Council nominated members to discuss issues related to Pembrokeshire County Council, subject to considering whether the code of conduct applies in the particular circumstances.

7. Unacceptable actions by complainants Policy.

- 7.1 As members of the Standards Committee will be aware a new policy dealing with this issue was introduced at the same time as the new complaints policy. So far it has not been necessary to implement it.

8. Annual report of the Ombudsman.

- 8.1 The Ombudsman received 16% more complaints about the Code of Conduct but only 1 from the three National Park authorities. 54% of all new investigations related to councillors at Town and Community Councils. 21 complaints regarding breaches of the code of conduct were referred to the Adjudication Panel for Wales and the APW upheld 85% of those referrals.

9. Consultations.

- 9.1 Members were invited to contribute to a consultation launched by the Ombudsman into the operation of the Code of Conduct, specifically whether it should adopt the previous procedure where an accused member would be notified straightaway that an allegation of a breach of the Code of Conduct had been made. The current procedure is that members are only notified if an investigation is being launched or if the Ombudsman has declined to investigate.
- 9.2 One member has provided a comprehensive response indicating that for reasons of transparency and natural justice in particular that the current procedure should be changed and that the procedure should revert to that previously adopted. This view has been supported by other Members. The Monitoring officer is currently liaising with the Monitoring officers Group to see

whether responses are being given individually or corporately. An update will be provided.

Author: Michael Kent, Monitoring Officer