

Due to the current heightened security level at all our premises, Members are reminded to wear their identity badges whilst attending meetings. Any visitors must produce photographic identification at Reception.

## **FIRE & RESCUE AUTHORITY SUMMONS**

### **SOUTH WALES FIRE & RESCUE AUTHORITY**

You are required to attend a meeting of the Standards Committee to be held on:

**Monday, 2 October 2023 at 1630 hours**

**In person at South Wales Fire & Rescue Service Headquarters,  
Forest View Business Park, Llantrisant, CF72 8LX**

**or**

**Remotely via Microsoft Teams - Access Code:**

<https://bit.ly/StandardsCommittee02-10-2023>

**Please ensure you join the meeting 15 minutes prior to meeting time**

**Any issues please contact  
01443 232000 and ask for Member Services**

### **A G E N D A**

1. Apologies for Absence
2. Declarations of Interest

Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.

3. Chairperson's Announcements
4. To receive the minutes of:

- Standards Committee held on 30 January 2023

## REPORTS FOR INFORMATION

- |    |  |    |
|----|--|----|
| 5. | Schedule of Observation Visits by Independent Members of Standards Committee to SWFRA Committees | 9  |
| 6. | Public Services Ombudsman for Wales' - Code of Conduct Casebook                                  | 39 |
| 7. | Update regarding the All Wales Standards Forum<br><b>verbal update on the day</b>                | 75 |
| 8. | Forward Work Programme for Standards Committee 2023/2024   | 77 |
| 9. | To consider any items of business that the Chairperson deems urgent                              | 79 |

Signature of Monitoring Officer:



## MEMBERSHIP

### Councillors:

Cllr	G	Holmes	Labour
Cllr	C	Elsbury	Plaid Cymru
Cllr	A	Roberts	Labour
Mr	R	Alexander	Independent Lay Member
Mr	S	Barnes	Independent Lay Member
Mr	D	Fussell	Independent Lay Member
Dr	M	Kerbey	Independent Lay Member
Ms	K	Thorogood	Independent Lay Member

## SOUTH WALES FIRE & RESCUE AUTHORITY

### MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON MONDAY 30 JANUARY 2023 AT SOUTH WALES FIRE & RESCUE SERVICE HEADQUARTERS

#### 121. PRESENT:

Mr R Alexander (Chair)	Independent Lay Member
Mr S Barnes (Deputy Chair)	Independent Lay Member
Dr M Kerbey	Independent Lay Member
Councillor G Holmes	SWF&R Authority
Councillor S Melbourne	SWF&R Authority

#### APOLOGIES:

Mr D Fussell	Independent Lay Member
Ms K Thorogood	Independent Lay Member
Councillor A Roberts	SWF& R Authority
ACO Geraint Thomas	Monitoring Officer

**OFFICERS PRESENT:** - Mrs S Watkins – Deputy Monitoring Officer & Head of Corporate Support, Mrs L Mullan – Temp Head of Finance & Procurement (Observer), Ms G Greathead – Legal Services Manager (Observer)

#### 122. DECLARATIONS OF INTEREST

No declarations of interest were made.

As a matter of transparency, the Chair took the opportunity to inform Members that he was also a member of the Vale of Glamorgan County Council Standards Committee, as well as the Blaenau Gwent Council Standards Committee,

#### 123. CHAIRPERSON'S ANNOUNCEMENTS

- **FEEDBACK FROM THE NATIONAL STANDARDS COMMITTEE FORUM FOR WALES**

The Chair advised Members that he recently attended the National Standards Committee Forum for Wales. He provided a brief overview of the structure of the meeting and confirmed that 28 separate bodies had attended the meeting on a voluntary basis.

He advised that the Ombudsman had attended part of the meeting and confirmed that 300 complaints had been received throughout the year, with many referring to lack of respect and behavioural issues.

With reference to the 12 week consultation on the Richard Penn report which related to how Standards Committees operated, and following a request by the Chair, Officers agreed to provide an update on the Penn report and its origins at the next meeting.

## **124. MINUTES OF PREVIOUS MEETING**

The minutes of the Standards Committee meeting held on 3 October 2022, were received and accepted as a true record of proceedings.

## **125. REPORTS FOR DECISION**

### **125.1 APPOINTMENT OF DEPUTY CHAIR OF THE STANDARDS COMMITTEE**

The Deputy Monitoring Officer requested nominations for Deputy Chair of the Standards Committee. Simon Barnes was nominated and seconded. There were no other nominations.

#### **RESOLVED THAT**

Simon Barnes was duly elected Deputy Chair of the Standards Committee for the Municipal Year 2022/2023.

### **125.2 DRAFT STANDARDS COMMITTEE ANNUAL REPORT 2022/2023**

The Deputy Monitoring Officer advised Members that as a matter of good governance, an action was included in the 2020/2021 Annual Governance Statement to introduce an annual report on the work of the Standards Committee to provide the Authority with an update on its activities during each financial year.

#### **RESOLVED THAT**

125.2.1 Members agreed to note the contents of the Standards Committee Annual Report 2022/2023.

- 125.2.2 Following discussion on observations and feedback on the Standards Committee Annual report, Officers agreed to include start and end dates of Members terms in office.

## **126. REPORTS FOR INFORMATION**

### **126.1 PUBLIC SERVICE OMBUDSMAN FOR WALES – CODE OF CONDUCT CASEBOOK**

The Deputy Monitoring Officer presented a report to Members advising them of the Public Service Ombudsman for Wales Code of Conduct Casebook.

#### **RESOLVED THAT**

- 126.1.1 Following discussion on individual cases, Members agreed to note the content extracted from the 'Our Findings Section' of the Public Service Ombudsman for Wales website, concerning complaints against the Code of Conduct for the period August 2022 to 29 December 2022.
- 126.1.2 With reference to drug and drink driving convictions, and possible issues with the chain of evidence being affected, Officers agreed to provide Members with information on whether individuals would have the right to address if their specific case was overturned.

### **126.2 FEEDBACK REPORT FOLLOWING OBSERVATION VISITS BY INDEPENDENT MEMBERS OF STANDARDS COMMITTEE TO SWFRA COMMITTEES**

The Deputy Monitoring Officer provided a verbal update on the feedback received following observation visits by Independent Members of the Standards Committee to SWFRA Committees.

The Chair took the opportunity to inform Members that he recently observed a Local Pensions Board Committee meeting and provided a brief overview of the structure of the meeting and his observations, which he considered to be positive and purposeful.

He also advised Members that the observation form was a structured form which should be completed for Officers to receive valuable feedback and comments on performance, etc.

The Chair urged Independent Members to try and observe at least one of the online Committee meetings whenever possible.

### **RESOLVED THAT**

126.2.1 Members agreed to note the verbal feedback report following observation visits by Independent Members of Standards Committee to SWFRA Committees.

126.2.2 Following lengthy discussion on hearing difficulties for some Members within individual meeting rooms, Officers agreed to consider cost effective alterations and to possibly install headphones or hearing loops which could be mobile and moved from room to room.

### **126.3 STANDARDS CONFERENCE WALES 2023**

The Deputy Monitoring Officer provided a verbal update report on the Standards Conference Wales 2023, and assured Members that they would be informed of the date of the next conference as soon as possible.

### **RESOLVED THAT**

Members agreed to note the verbal update report on the Standards Conference Wales 2023.

### **126.4 ADJUDICATION PANEL FOR WALES – ANNUAL REPORT 2021/22**

The Deputy Monitoring Officer presented a report which advised Members of the Adjudication Panel for Wales Annual Report 2021/22.

### **RESOLVED THAT**

Following discussion on Members observations on the number of disciplinary cases, and the disappointment expressed in upward

trends, Members agreed to note the Adjudication Panel for Wales Annual Report 2021/22.

### **126.5 INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT ANNUAL REPORT 2023-2024**

The Deputy Monitoring Officer presented a report which brought Members' attention to the relevant sections of the Independent Remuneration Panel for Wales Draft Annual Report that related to payments to Members of Welsh Fire & Rescue Authorities.

#### **RESOLVED THAT**

Members agreed to note the extract of the Independent Remuneration Panel's Draft Annual Report, attached to the report at Appendix 1, which provided details of payments to Members of Welsh Fire & Rescue Authorities.

### **126.6 PUBLIC SERVICE OMBUDSMAN FOR WALES – ANNUAL REPORT AND ACCOUNTS 2021/22**

The Deputy Monitoring Officer presented a report which provided Members with extracts from the Annual Report and Accounts for the Public Services Ombudsman for Wales for the year ending 31 March, 2022, in respect of Members' Code of Conduct matters.

#### **RESOLVED THAT**

- 126.6.1 Members agreed to note the content of the report.
- 126.6.2 With reference to the Ombudsman possibly attending a future meeting, Officers agreed to invite either the Ombudsman or a member of her team to attend in due course.
- 126.6.3 Following detailed discussion on the content of the Public Service Ombudsman for Wales Annual report, Officers agreed to find out what a 'Review Request' was and to report back to Members in due course.

**126.7 PUBLIC SERVICE OMBUDSMAN FOR WALES –  
UPDATED GUIDANCE ON THE CODE OF  
CONDUCT**

The Deputy Monitoring Officer informed Members of the Public Service Ombudsman for Wales revised guidance setting out Members' obligations under the Code of Conduct and advised Members that this item would be deferred to the next meeting.

**RESOLVED THAT**

Members agreed to note that the report would be deferred to the next meeting.

**127. FORWARD WORK PROGRAMME FOR  
STANDARDS COMMITTEE 2022/2023**

The Deputy Monitoring Officer provided Members with the Forward Work Programme for 2022/2023.

**RESOLVED THAT**

Members agreed to note that the Forward Work Programme for the Municipal Year 2022/2023 was now complete.

**128. TO CONSIDER ANY ITEMS OF BUSINESS THAT THE  
CHAIR DEEMS URGENT**

There were no further items of business to consider that the Chair deemed urgent.

The Chair closed the meeting by thanking Members for their attendance.

**THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN**

**SOUTH WALES FIRE & RESCUE AUTHORITY**

AGENDA ITEM NO 5  
02 OCTOBER 2023

STANDARDS COMMITTEE

REPORT OF HEAD OF CORPORATE SUPPORT

**SCHEDULE OF OBSERVATION VISITS BY INDEPENDENT MEMBERS OF STANDARDS COMMITTEE TO SWFRA COMMITTEES**

**THIS REPORT IS FOR INFORMATION**

REPORT APPROVED BY DIRECTOR OF CORPORATE SERVICES

REPORT PRESENTED BY DIRECTOR OF CORPORATE SERVICES –  
GERAINT THOMAS

**SUMMARY**

This report presents to Members:

1. The schedule of Fire Authority Meetings for the Municipal year 2023/2024 to enable the Committee to schedule Independent Member observations of meetings of the Authority.
2. It also presents the findings of the observations made in the Municipal year 2022/2023.

**RECOMMENDATION**

It is recommended that Members:

1. Note the content of the observations made in the municipal year 2022/2023.
2. Identify Independent Members to observe meetings of the Authority for the municipal year 2022/2024

**1. BACKGROUND**

- 1.1 There are a number of roles and functions of the Standards Committee, one of which is to promote and maintain high standards of conduct by Members of the South Wales Fire & Rescue Authority.

**2. ISSUE**

- 2.1 To assist with the process of promoting and maintaining high standards of conduct, and to provide an opportunity for Members of the Standards Committee to build on their knowledge of the Authority, the Standards Committee resolved in 2022 that Independent Members be invited to observe meetings of the Fire & Rescue Authority and its committees. A

Schedule of FA meetings for the current Municipal year is attached at Appendix 1.

- 2.2 Attending Members of the Standards Committee have previously to provided verbal updates on the observations undertaken and/or suggestions or recommendations for improvement. The last such update was at the last meeting on 30 Jan 2023.
- 2.3 Since then Independent Members have attended a number of meeting and the observation forms are attached in Appendix 2.

### 3. IMPLICATIONS

#### 3.1 Community and Environment

Equality, Diversity and Inclusion	No
Welsh Language	No
Well-Being Of Future Generations (Wales) Act	No
Socio Economic Duty	No
Sustainability / Environment / Carbon Reduction	No
Safeguarding	No
Consultation and Communications	No
Consultation with Representative Bodies	No
Impact Assessment	No

#### 3.2 Regulatory, Strategy and Policy

Legal	No
Financial	No
Procurement	No
Corporate Risk	No
Information Management	No
Data Protection / Privacy	No
Health, Safety and Wellbeing	No
Governance & Audit	No
Service Policy	No
National Policy	No

#### 3.3 Resources, Assets and Delivery

Human Resources and People Development	No
Assets and Resources (Property/Fleet/ICT/Equipment)	No
Service Delivery	No
Procurement	No
Budget Revenue/Capital	No

#### 4. RECOMMENDATION

- 4.1 It is recommended that Members:
1. Note the content of the observations made in the municipal year 2022/2023.
  2. Identify Independent Members to observe meetings of the Authority for the municipal year 2022/2024.

<b>Contact Officer:</b>	Sarah Watkins Head of Corporate Support
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<b>Background Papers</b>	<b>Date</b>	<b>Source/Contact</b>
None		

<b>Appendices</b>	
Appendix 1	Schedule of FA meetings for the current Municipal year.
Appendix 2	Observation forms

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Gwasanaeth Tân ac Achub  
De Cymru  
South Wales  
Fire and Rescue Service

# AGENDA & COMMITTEE CALENDAR 2023-2024

	Annual General Meeting (AGM)		Local Pension Board Agenda
	Fire and Rescue Authority Agenda		Local Pension Board Meeting
	Fire and Rescue Authority Meeting		Finance, Audit and Performance Management Committee Agenda
	HR & Equalities Committee Agenda		Finance, Audit and Performance Management Committee Meeting
	HR & Equalities Committee Meeting		Scrutiny Committee
	Standards Committee		Presentation Evening * Approximate Dates*
	Member training		Carol Service

	June 2023					July 2023					August 2023							
Mon	-	5	12	19	26	-	-	3	10	17	24	31	-	7	14	21	28	-
Tues	-	6	13	20	27	-	-	4	11	18	25	-	1	8	15	22	29	-
Wed	-	7	14	21	28	-	-	5	12	19	26	-	2	9	16	23	30	-
Thurs	1	8	15	22	29	-	-	6	13	20	27	-	3	10	17	24	31	-
Fri	2	9	16	23	30	-	-	7	14	21	28	-	4	11	18	25	-	-
Sat	3	10	17	24	-	-	1	8	15	22	29	-	5	12	19	26	-	-
Sun	4	11	18	25	-	-	2	9	16	23	30	-	6	13	20	27	-	-
	September 2023					October 2023					November 2023							
Mon	-	4	11	18	25	-	-	2	9	16	23	30	-	6	13	20	27	-
Tues	-	5	12	19	26	-	-	3	10	17	24	31	-	7	14	21	28	-
Wed	-	6	13	20	27	-	-	4	11	18	25	-	1	8	15	22	29	-
Thurs	-	7	14	21	28	-	-	5	12	19	26	-	2	9	16	23	30	-
Fri	1	8	15	22	29	-	-	6	13	20	27	-	3	10	17	24	-	-
Sat	2	9	16	23	30	-	-	7	14	21	28	-	4	11	18	25	-	-
Sun	3	10	17	24	-	-	1	8	15	22	29	-	5	12	19	26	-	-
	December 2023					January 2024					February 2024							
Mon	-	4	11	18	25	-	1	8	15	22	29	-	-	5	12	19	26	-
Tues	-	5	12	19	26	-	2	9	16	23	30	-	-	6	13	20	27	-
Wed	-	6	13	20	27	-	3	10	17	24	31	-	-	7	14	21	28	-
Thurs	-	7	14	21	28	-	4	11	18	25	-	-	1	8	15	22	29	-
Fri	1	8	15	22	29	-	5	12	19	26	-	-	2	9	16	23	-	-
Sat	2	9	16	23	30	-	6	13	20	27	-	-	3	10	17	24	-	-
Sun	3	10	17	24	31	-	7	14	21	28	-	-	4	11	18	25	-	-
	March 2024					April 2024					May 2024							
Mon	-	4	11	18	25	-	1	8	15	22	29	-	-	6	13	20	27	-
Tues	-	5	12	19	26	-	2	9	16	23	30	-	-	7	14	21	28	-
Wed	-	6	13	20	27	-	3	10	17	24	-	-	1	8	15	22	29	-
Thurs	-	7	14	21	28	-	4	11	18	25	-	-	2	9	16	23	30	-
Fri	1	8	15	22	29	-	5	12	19	26	-	-	3	10	17	24	31	-
Sat	2	9	16	23	30	-	6	13	20	27	-	-	4	11	18	25	-	-
Sun	3	10	17	24	31	-	7	14	21	28	-	-	5	12	19	26	-	-

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**06.02.23 Scrutiny Group - SWFRA Observations Checklist - Simon Barnes**

<b>Observations of Independent Member of Standards Committee</b>	
Name of Independent member observing:	Simon Barnes
SWFRA Meeting observed:	Scrutiny Group
Date of Meeting:	6 February 2023
Type of Meeting	Hybrid
Time of Meeting:	10am
Location of Meeting:	Fire Service HQ
Location of Observer:	Remote – Teams

		<b>Comments</b>
<b>Introduction</b>	Were you welcomed by the Monitoring Officer / Deputy?	Yes
	Were Members advised that you were observing the Meeting?	Yes
<b>Room Set Up</b>	From the seating arrangement was it clear who the Members, the Officer(s) and the public were?	Yes
	Did Members and Officer(s) have name cards identifying who they were?	NA
	Was the room well lit?	Yes

### 06.02.23 Scrutiny Group - SWFRA Observations Checklist - Simon Barnes

		Comments
<b>Room Set up cont.</b>	Could you hear what was being said?	Yes
	Were the room(s) used of an appropriate size?	Yes
	Were a copies of the agenda available on the website were any copies available for the public (other than any Part II reports)?	NA
<b>Meeting</b>	Did the meeting commence on time?	Yes
	Does the Authority have a procedure for public speaking or is there an opportunity to suspend Standing Orders to allow a person to speak?	NA
<b>Decision Making</b>	Were motions moved and seconded?	Decisions were mostly taken on the basis of consensus
	If there wasn't agreement by the meeting as a whole was the motion voted on?	NA
	Were any amendments moved and seconded?	NA

### 06.02.23 Scrutiny Group - SWFRA Observations Checklist - Simon Barnes

		Comments
<b>Decision Making cont.</b>	Were votes on the amended motion taken before the original motion? [A vote on an original motion is only necessary if the vote on an amendment is lost]	NA
	Was only one amendment at any given time the subject of discussion prior to taking a vote on the amendment?	NA
	Did the meeting follow the agenda?	Yes
	Were rulings by the Chair adhered to?	Yes
	If Part II items appeared on the agenda, did Members agree to move into Part II of the agenda?	NA
	Were Members of the Public (including the Independent Standards Committee Member) asked to leave the meeting room prior to the discussion of Part II matters?	NA
	Were there any other items discussed at the meeting without a report being available and no prior notice given?	No

### 06.02.23 Scrutiny Group - SWFRA Observations Checklist - Simon Barnes

		Comments
<b>Conduct of Members</b>	Did Members show respect and consideration for others?	Yes
	If a Member declared a personal interest, did the Member explain the nature of the interest?	NA
	If a Member declared a personal and prejudicial interest in a report did they leave the Meeting Room during the consideration of the relevant report?	NA
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak from the Standards Committee?  And if so, did the Member leave the Meeting Room having spoken on the matter?	NA
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak and vote?	NA
	What time did the Meeting end?	Aprox 11.20am

**06.02.23 Scrutiny Group - SWFRA Observations Checklist - Simon Barnes****Any additional general comments**

**I thought the meeting was run in a very professional and efficient manner. There was good engagement from members who appeared well informed and asked some detailed questions. The discussion was courteous and members treated each other and the officers with respect. From a standards perspective it was good to see the Deputy Monitoring Officer being present.**

**Overall I thought the meeting was conducted to a high standard.**

**06.02.23 Scrutiny Group - SWFRA Observations Checklist - Simon Barnes**

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### 13.03.23 Observations of Finance, Audit and Performance Management Committee.

Observations of Independent Member of Standards Committee	
Name of Independent member observing:	Ronnie Alexander
SWFRA Meeting observed:	Finance, Audit and Performance Committee
Date of Meeting:	13/03/23
Type of Meeting	Hybrid
Time of Meeting:	10.00
Location of Meeting:	SWFRS HQ - Llantrisant
Location of Observer:	I attended by Ms Teams

		Comments
<b>Introduction</b>	Were you welcomed by the Monitoring Officer / Deputy?	Yes
	Were Members advised that you were observing the Meeting?	Yes
<b>Room Set Up</b>	From the seating arrangement was it clear who the Members, the Officer(s) and the public were?	For virtual attendance – yes But for those in the room I could not see that clearly
	Did Members and Officer(s) have name cards identifying who they were?	I could not see that easily from the room configuration but based on my previous experience, I would answer in the affirmative.
	Was the room well lit?	Yes

### 13.03.23 Observations of Finance, Audit and Performance Management Committee.

		Comments
<b>Room Set up cont.</b>	Could you hear what was being said?	Yes
	Were the room(s) used of an appropriate size?	Yes
	Were a copies of the agenda available on the website were any copies available for the public (other than any Part II reports)?	Yes
<b>Meeting</b>	Did the meeting commence on time?	Yes
	Does the Authority have a procedure for public speaking or is there an opportunity to suspend Standing Orders to allow a person to speak?	I assume this is not applicable
<b>Decision Making</b>	Were motions moved and seconded?	Yes
	If there wasn't agreement by the meeting as a whole was the motion voted on?	N/A
	Were any amendments moved and seconded?	N/A

### 13.03.23 Observations of Finance, Audit and Performance Management Committee.

		Comments
<b>Decision Making cont.</b>	Were votes on the amended motion taken before the original motion? [A vote on an original motion is only necessary if the vote on an amendment is lost]	N/A
	Was only one amendment at any given time the subject of discussion prior to taking a vote on the amendment?	N/A
	Did the meeting follow the agenda?	Yes
	Were rulings by the Chair adhered to?	Yes
	If Part II items appeared on the agenda, did Members agree to move into Part II of the agenda?	Yes – I left the meeting at this point.
	Were Members of the Public (including the Independent Standards Committee Member) asked to leave the meeting room prior to the discussion of Part II matters?	Yes – I left the meeting at this point
	Were there any other items discussed at the meeting without a report being available and no prior notice given?	No

### 13.03.23 Observations of Finance, Audit and Performance Management Committee.

		Comments
<b>Conduct of Members</b>	Did Members show respect and consideration for others?	Yes
	If a Member declared a personal interest, did the Member explain the nature of the interest?	A number of elected members declared an interest due to the location of fire stations within their ward
	If a Member declared a personal and prejudicial interest in a report did they leave the Meeting Room during the consideration of the relevant report?	N/A
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak from the Standards Committee?  And if so, did the Member leave the Meeting Room having spoken on the matter?	No
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak and vote?	N/A
	What time did the Meeting end?	Part one of the agenda finished at approximately 10.30

**13.03.23 Observations of Finance, Audit and Performance Management Committee.**

**Any additional general comments**

**I thought the meeting to be well run and purposeful**

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## SWFRA Observations Checklist for Independant Members of Standards Committee at SWFRA Meetings v1

Observations of Independent Member of Standards Committee	
Name of Independent member observing:	MARK KERBEY
SWFRA Meeting observed:	SCRUTINY GROUP (FAPM)
Date of Meeting:	17-APR-23
Type of Meeting	Online <u>Hybrid</u> / In person only
Time of Meeting:	10:00
Location of Meeting:	SWFRA HEADQUARTERS
Location of Observer:	SWFRA HEADQUARTERS

		Comments
<b>Introduction</b>	Were you welcomed by the Monitoring Officer / Deputy?	<u>Yes</u> /No/NA*
	Were Members advised that you were observing the Meeting?	<u>Yes</u> /No/NA* + Welcomed by chair
<b>Room Set Up</b>	From the seating arrangement was it clear who the Members, the Officer(s) and the public were?	<u>Yes</u> /No/NA*
	Did Members and Officer(s) have name cards identifying who they were?	<u>Yes</u> /No/NA* A couple of the officers did not have name cards
	Was the room well lit?	<u>Yes</u> /No/NA*

## SWFRA Observations Checklist for Independant Members of Standards Committee at SWFRA Meetings v1

		Comments
<b>Room Set up cont.</b>	Could you hear what was being said?	<del>Yes</del> /No/NA* <i>In-room and on-line audio were both clear</i>
	Were the room(s) used of an appropriate size?	<del>Yes</del> /No/NA*
	Were a copies of the agenda available on the website were any copies available for the public (other than any Part II reports)?	Yes/ <del>No</del> /NA*
<b>Meeting</b>	Did the meeting commence on time?	<del>Yes</del> /No/NA*
	Does the Authority have a procedure for public speaking or is there an opportunity to suspend Standing Orders to allow a person to speak?	Yes/No/ <del>NA</del> *
<b>Decision Making</b>	Were motions moved and seconded?	<del>Yes</del> /No/NA*
	If there wasn't agreement by the meeting as a whole was the motion voted on?	Yes/No/ <del>NA</del> *
	Were any amendments moved and seconded?	Yes/No/ <del>NA</del> *

\*Delete/circle as applicable

## SWFRA Observations Checklist for Independent Members of Standards Committee at SWFRA Meetings v1

		Comments
<b>Decision Making cont.</b>	Were votes on the amended motion taken before the original motion? [A vote on an original motion is only necessary if the vote on an amendment is lost]	Yes/No/ <del>NA</del> *
	Was only one amendment at any given time the subject of discussion prior to taking a vote on the amendment?	Yes/No/ <del>NA</del> *
	Did the meeting follow the agenda?	<del>Yes</del> /No/ <del>NA</del> *
	Were rulings by the Chair adhered to?	<del>Yes</del> /No/ <del>NA</del> * Item 5. Chair requested questions to be held until all reports had been read.
	If Part II items appeared on the agenda, did Members agree to move into Part II of the agenda?	Yes/No/ <del>NA</del> *
	Were Members of the Public (including the Independent Standards Committee Member) asked to leave the meeting room prior to the discussion of Part II matters?	Yes/No/ <del>NA</del> *
	Were there any other items discussed at the meeting without a report being available and no prior notice given?	Yes/No/ <del>NA</del> *

## SWFRA Observations Checklist for Independant Members of Standards Committee at SWFRA Meetings v1

		Comments
<b>Conduct of Members</b>	Did Members show respect and consideration for others?	<del>Yes</del> /No/NA* Chair facilitated Q&As. All members made a point of thanking officers for their presentations.
	If a Member declared a personal interest, did the Member explain the nature of the interest?	Yes/No/ <del>NA</del> *
	If a Member declared a personal and prejudicial interest in a report did they leave the Meeting Room during the consideration of the relevant report?	Yes/No/ <del>NA</del> *
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak from the Standards Committee?  And if so, did the Member leave the Meeting Room having spoken on the matter?	Yes/No/ <del>NA</del> *
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak and vote?	Yes/No/ <del>NA</del> *
	What time did the Meeting end?	Yes/No/NA* 12:35

## SWFRA Observations Checklist for Independant Members of Standards Committee at SWFRA Meetings v1

### Any additional general comments

- Good management of the hybrid meeting format by the chair.
- online participants raised their hands when they wished to ask questions.
- All members actively participated, asking questions.
- Chair kept meeting on track by reminding members of the recommendations for each agenda item, and that there would be opportunities for detailed scrutiny at future meetings.

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**23.01.23 LPB - SWFRA Observations Checklist for Independent Members of Standards Committee at SWFRA Meetings - Ronnie Alexander**

<b>Observations of Independent Member of Standards Committee</b>	
Name of Independent member observing:	Ronnie Alexander
SWFRA Meeting observed:	Local Pension Board
Date of Meeting:	23/01/23
Type of Meeting	/ Hybrid /
Time of Meeting:	10.00
Location of Meeting:	FRS Hq - Llantrisant
Location of Observer:	

		<b>Comments</b>
<b>Introduction</b>	Were you welcomed by the Monitoring Officer / Deputy?	No – but welcomed by ACO – Alison Reed at Agenda Item 6
	Were Members advised that you were observing the Meeting?	See above
<b>Room Set Up</b>	From the seating arrangement was it clear who the Members, the Officer(s) and the public were?	From the hybrid arrangement, it was not easily discernible who were Members and who were officers. There were no members of the public present to my knowledge.
	Did Members and Officer(s) have name cards identifying who they were?	Not to my knowledge but this may have been a function of the size of my screen.

**23.01.23 LPB - SWFRA Observations Checklist for Independant Members of Standards Committee at  
SWFRA Meetings - Ronnie Alexander**

		<b>Comments</b>
<b>Room Set up cont.</b>	Was the room well lit?	Yes
	Could you hear what was being said?	Yes – Very clearly so.
	Were the room(s) used of an appropriate size?	Yes – Meeting was conducted in Boardroom
	Were copies of the agenda available on the website / were any copies available for the public (other than any Part II reports)?	I could not find any papers relating to this meeting today on the website. The last papers appear to be dated 17/10/22. No members of the public were present to my knowledge.
<b>Meeting</b>	Did the meeting commence on time?	At first the meeting did not appear to be quorate so a slight delay ensued until another member joined the meeting remotely. The delay was not significant.
	Does the Authority have a procedure for public speaking or is there an opportunity to suspend Standing Orders to allow a person to speak?	I am not clear as to whether or not this is the case?
<b>Decision Making</b>	Were motions moved and seconded?	Recommendations were approved.
	If there wasn't agreement by the meeting as a whole was the motion voted on?	This did not arise.

**23.01.23 LPB - SWFRA Observations Checklist for Independant Members of Standards Committee at  
SWFRA Meetings - Ronnie Alexander**

		Comments
<b>Decision Making cont.</b>	Were any amendments moved and seconded?	This did not arise.
	Were votes on the amended motion taken before the original motion? [A vote on an original motion is only necessary if the vote on an amendment is lost]	This did not arise.
	Was only one amendment at any given time the subject of discussion prior to taking a vote on the amendment?	This did not arise.
	Did the meeting follow the agenda?	Yes
	Were rulings by the Chair adhered to?	Yes
	If Part II items appeared on the agenda, did Members agree to move into Part II of the agenda?	NA*
	Were Members of the Public (including the Independent Standards Committee Member) asked to leave the meeting room prior to the discussion of Part II matters?	NA*
	Were there any other items discussed at the meeting without a report being available and no prior notice given?	NA*

**23.01.23 LPB - SWFRA Observations Checklist for Independant Members of Standards Committee at  
SWFRA Meetings - Ronnie Alexander**

		Comments
<b>Conduct of Members</b>	Did Members show respect and consideration for others?	Yes
	If a Member declared a personal interest, did the Member explain the nature of the interest?	/NA*
	If a Member declared a personal and prejudicial interest in a report did they leave the Meeting Room during the consideration of the relevant report?	NA*
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak from the Standards Committee?  And if so, did the Member leave the Meeting Room having spoken on the matter?	NA*
	Did a Member declare a personal and prejudicial interest and that they had a dispensation to speak and vote?	NA*
	What time did the Meeting end?	10.05

**23.01.23 LPB - SWFRA Observations Checklist for Independant Members of Standards Committee at  
SWFRA Meetings - Ronnie Alexander**

**Any additional general comments**

I thought this to be a friendly and purposeful meeting which make good progress through the agenda.

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**THIS REPORT IS NOT EXEMPT AND IN THE PUBLIC DOMAIN****SOUTH WALES FIRE & RESCUE AUTHORITY**AGENDA ITEM NO 6  
02 OCTOBER 2023

STANDARDS COMMITTEE

REPORT OF HEAD OF CORPORATE SUPPORT

**PUBLIC SERVICES OMBUDSMAN FOR WALES' CODE OF CONDUCT  
CASEBOOK****THIS REPORT IS FOR INFORMATION**

REPORT APPROVED BY DIRECTOR OF CORPORATE SERVICES

REPORT PRESENTED BY HEAD OF CORPORATE SUPPORT – SARAH  
WATKINS**SUMMARY**

This report presents to Members the Public Services Ombudsman for Wales Code of Conduct Casebook.

**RECOMMENDATION**

It is recommended that Members note the content extracted from the Our Findings Section of the Public Services Ombudsman for Wales website concerning complaints against the Code of Conduct for the period 29 December 2022 to 31 August 2023.

**1. BACKGROUND**

- 1.1 Members last considered the content extracted from the [Our Findings](#) Section of the Public Services Ombudsman for Wales website concerning complaints against the code of conduct for the period 29 December 2022 to 31 August 2023.
- 1.2 In Appendices 1 to 7 of this report Members will see extracts from the Public Services Ombudsman for Wales website regarding decisions made relating to the Code of Conduct.
- 1.3 Members should note that all the findings are available to be accessed via the Public Services Ombudsman for Wales website.

## 2. ISSUE

- 2.1 The Standards Committee, as part of its terms of reference, has responsibility to oversee matters relating to the Public Services Ombudsman for Wales (the Ombudsman).
- 2.2 The Ombudsman issue the findings against complaints made regarding the Code of Conduct on its website to provide the public with an overview of the work of the Ombudsman.
- 2.3 The Standards Committee review the work of the Ombudsman as a matter of good governance. There have been no findings of a breach of the code against any Members of South Wales Fire & Rescue Authority within the Ombudsman Website.
- 2.4 Members of the Standards Committee are requested to note the findings regarding complaints relating to the Code of Conduct in Appendices 1 to 7.

## 3. IMPLICATIONS

### 3.1 Community and Environment

Equality, Diversity and Inclusion	No
Welsh Language	No
Well-Being Of Future Generations (Wales) Act	No
Socio Economic Duty	No
Sustainability / Environment / Carbon Reduction	No
Safeguarding	No
Consultation and Communications	No
Consultation with Representative Bodies	No
Impact Assessment	No

### 3.2 Regulatory, Strategy and Policy

Legal	No
Financial	No
Procurement	No
Corporate Risk	No
Information Management	No
Data Protection / Privacy	No
Health, Safety and Wellbeing	No
Governance & Audit	No
Service Policy	No
National Policy	No

### 3.3 Resources, Assets and Delivery

Human Resources and People Development	No
Assets and Resources (Property/Fleet/ICT/Equipment)	No
Service Delivery	No
Procurement	No
Budget Revenue/Capital	No

## 4. RECOMMENDATION

- 4.1 It is recommended that Members note the content extracted from the Our Findings Section of the Public Services Ombudsman for Wales website concerning complaints against the Code of Conduct for the period 29 December 2022 to 31 August 2023.

<b>Contact Officer:</b>	Sarah Watkins Head of Corporate Support
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Background Papers	Date	Source/Contact
None		

Appendices	
Appendix 1	Code of Conduct Accountability & Openness Integrity
Appendix 2	Code of Conduct Disclosure of Registration of Interests
Appendix 3	Code of Conduct Duty to uphold the Law
Appendix 4	Code of Conduct Integrity
Appendix 5	Code of Conduct Objectivity and Propriety
Appendix 6	Code of Conduct Promotion of Equality and Respect
Appendix 7	Code of Conduct Selflessness and Stewardship

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**Appendix 1****Code of Conduct Accountability and Openness**

**No outcomes to report for the search period 29 December 2022 to 31 August 2023**

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**Appendix 2****Code of Conduct - Disclosure of Registration of Interests**

**No outcomes to report for the search period 29 December 2022 to 31 August 2023**

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## Appendix 3

### Code of Conduct – Duty to up hold the law

#### Seven outcomes to report for the search period 29 December 2022 to 31 August 2023

#### Duty to uphold the law : Barry Town Council

Report date

30/ 03/ 2023

Subject

Duty to uphold the law

Outcome

CODE

Case ref number

201806120

Report type

CODE - Discontinued

Relevant body

Barry Town Council

In December 2018, the Ombudsman’s office received a complaint from the Monitoring Officer of the Vale of Glamorgan Council that the Former Member (who was still a member of both town and county Councils at the time) had been charged with historic sexual offences and, as such, may have brought both his Councils and his office as a councillor into disrepute.

The Former Member was found guilty. He was sentenced to 7 years imprisonment.

Section 80A of the Local Government Act 1972 provides that a person shall be disqualified from being elected or being a member of a local authority in Wales if a person has been convicted of a criminal offence and has been sentenced to imprisonment (whether suspended or not) of 3 months or more.

The Former Member has automatically been disqualified from being a member of any Authority in Wales under the above provision. As the maximum period of disqualification which is available to the Adjudication Panel for Wales has already been imposed there is no benefit from continuing the investigation. Therefore it was discontinued.

## Duty to uphold the law : Barry Town Council

Report date

30/ 03/ 2023

Subject

Duty to uphold the law

Outcome

CODE

Case ref number

201805958

Report type

CODE - Discontinued

Relevant body

Barry Town Council

In December 2018, the Ombudsman's office received a complaint from the Monitoring Officer of the Vale of Glamorgan Council that the Former Member (who was still a member of both town and county Councils at the time) had been charged with historic sexual offences and, as such, may have brought both his Councils and his office as a councillor into disrepute.

The Former Member was found guilty. He was sentenced to 7 years imprisonment.

Section 80A of the Local Government Act 1972 provides that a person shall be disqualified from being elected or being a member of a local authority in Wales if a person has been convicted of a criminal offence and has been sentenced to imprisonment (whether suspended or not) of 3 months or more.

The Former Member has automatically been disqualified from being a member of any Authority in Wales under the above provision. As the maximum period of disqualification which is available to the Adjudication Panel for Wales has already been imposed there is no benefit from continuing the investigation. Therefore it was discontinued.

**(Apparent duplicate with below but this references one not two bodies)**

## Duty to uphold the law : Barry Town Council and the Vale of Glamorgan Council

Report date

30/ 03/ 2023

Subject

Duty to uphold the law

Outcome

CODE

Case ref number

201805958

Report type

CODE - Discontinued

Relevant body

Barry Town Council and the Vale of Glamorgan Council

In December 2018, the Ombudsman's office received a complaint from the Monitoring Officer of the Vale of Glamorgan Council that the Former Member (who was still a member of both town and county Councils at the time) had been charged with historic sexual offences and, as such, may have brought both his Councils and his office as a councillor into disrepute.

The Former Member was found guilty. He was sentenced to 7 years imprisonment.

Section 80A of the Local Government Act 1972 provides that a person shall be disqualified from being elected or being a member of a local authority in Wales if a person has been convicted of a criminal offence and has been sentenced to imprisonment (whether suspended or not) of 3 months or more.

The Former Member has automatically been disqualified from being a member of any Authority in Wales under the above provision. As the maximum period of disqualification which is available to the Adjudication Panel for Wales has already been imposed there is no benefit from continuing the investigation. Therefore it was discontinued.

**(Apparent duplicate with above but this references two bodies)**

## Duty to uphold the law : St Harmon Community Council

Report date

31/ 03/ 2023

Subject

Duty to uphold the law

Outcome

CODE

Case ref number

202106161

Report type

CODE - Referred to the Adjudication Panel for Wales

Relevant body

St Harmon Community Council

The Ombudsman’s office received a complaint that a former member (“the Former Member”) of St Harmon Community Council (“the Council”) had breached the Code of Conduct.

The report on the investigation was referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal. This summary will be updated following the Adjudication Panel for Wales’ decision.

## Duty to uphold the law : Abertillery & Llanhilleth Community Council

Report date

03/ 05/ 2023

Subject

Duty to uphold the law

Outcome

CODE

Case ref number

202105443

Report type

CODE - Referred to Standards Committee

Relevant body

Abertillery & Llanhilleth Community Council

The Ombudsman's office received a complaint that a Member ("the Member") of Abertillery & Llanhilleth Community Council ("the Council") had breached the Code of Conduct.

The report on the investigation was referred to the Monitoring Officer of Blaenau Gwent County Borough Council for consideration by the Council's Standards Committee. This summary will be updated following the Standards Committee's decision.

## Duty to uphold the law : Abergele Town Council

Report date

15/ 05/ 2023

Subject

Duty to uphold the law

Outcome

CODE

Case ref number

202107167

Report type

CODE - No Action Necessary

Relevant body

Abergele Town Council

The Ombudsman received a complaint that a Former Member (“the Member”) of Abergele Town Council (“the Council”) had breached the Code of Conduct because of failings when acting in their capacity as Clerk to a Board under the control of this and a neighbouring council (“the Board”).

The Member was appointed as Clerk to the Board. At the time of the appointment, the Member and the Board members believed the Board to be an autonomous body.

The complaint was that the Member failed to complete required tasks, incorrectly asserted that the Board was an autonomous body, when it was not, and that they inappropriately took a wage from the Board. The complaint suggested that these actions resulted in a critical report from Audit Wales which had a negative impact on the reputation of the Board and the councils associated with it.

The investigation considered the actions of the Member and the Board by reviewing documents and interviewing relevant witnesses. The investigation found that the Board and the councils associated with it were all acting under the misunderstanding that it was an independent body and there was no evidence to suggest action was taken by anyone to identify the correct legal position.

The investigation found that the Clerk was appointed through a recruitment process, and that all involved believed they were eligible to perform the role. The accounts and documents were poorly maintained and while the Member bore some

responsibility for that, there was little to no oversight from the Board or the associated councils.

The investigation found that the Member was not acting in their capacity as an elected member when they undertook their role as Clerk, so the whole Code of Conduct was not engaged.

The responsibility for the poor governance of the Board lay with all those involved. It was also found that the Member took the wage in good faith and did not mislead anyone regarding her role or remuneration for that role. However, the Ombudsman considered that the Member was in large part responsible for failing to establish the legal position of the Board and that the Member should have undertaken proper research sooner. Failing to do so put the reputation of the Board and the Council at risk and is suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct.

While it is noted that the Member's actions were suggestive of a breach of the Code of Conduct, significant mitigation arose because all those involved were acting under the same mistaken belief that the Board was a separate entity and no one sought independent advice on this matter. Even if a referral to the Standards Committee would be made it seems that, given the mitigation, and the fact that the Member is also now retired from public life, it is unlikely, even if a breach of the Code of Conduct were proven, a sanction of any kind would be imposed. Therefore under Section 69(4)(b) of the Local Government Act 2000, the finding is that no action needs to be taken in respect of the matters investigated.

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**Appendix 4****Code of Conduct – Integrity**

**No outcomes to report for the search period 29 December 2022 to 31 August 2023**

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## Appendix 5

### Code of Conduct – Objectivity and Propriety

**One outcome to report for the search period 29 December 2022 to 31 August 2023**

#### Objectivity and propriety : Powys County Council

Report date

22/ 02/ 2023

Subject

CODE : Objectivity and propriety

Outcome

CODE

Case ref number

202101250

Report type

CODE - Referred to Adjudication Panel for Wales

Relevant body

Powys County Council

The Ombudsman's office received complaints that a Member of Powys County Council had breached the Code of Conduct. The report on the investigation was referred to the President of the Adjudication Panel for Wales for adjudication by a tribunal.

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## Appendix 6

### Code of Conduct - Promotion of Equality and Respect

**Eight outcomes to report for the search period 29 December 2022 to 31 August 2023.**

#### **Promotion of equality & respect : Saundersfoot Community Council**

**Report date**

03/ 03/ 2023

**Subject**

CODE : Promotion of equality & respect

**Outcome**

CODE

**Case ref number**

202202280

**Report type**

CODE - Discontinued

**Relevant body**

Saundersfoot Community Council

The Ombudsman received a complaint from a member of the public (“the complainant”) that a Member of Saundersfoot Community Council (“the Council”) had failed to observe the Code of Conduct for Members.

It was alleged that the Member approached the complainant and behaved aggressively towards him over a parking matter. The complainant alleged the Member had behaved in a bullying and intimidating manner and used his position to belittle and humiliate him.

The complainant said that the Member behaved in a way that was bullying and intimidating. The Member acknowledged there was an encounter but said that he did not behave poorly in the interaction. There is no other witness or CCTV evidence available. Having considered the evidence submitted from both of the parties involved, none of the information or evidence available suggested that one account should be preferred over the other. Therefore, in the absence of any independent evidence of the incident, the Ombudsman was unable to say whether the behaviour of the Member was suggestive of a breach of the Code of Conduct.

Further investigation of this matter was unlikely to yield any information which would alter the balance of evidence available and therefore it was not proportionate or in the public interest to continue the investigation.

## Promotion of equality & respect : Haverfordwest Town Council

### Report date

20/ 02/ 2023

### Subject

CODE : Promotion of equality & respect

### Outcome

CODE

### Case ref number

202200117

### Report type

CODE - Referred to Standards Committee

### Relevant body

Haverfordwest Town Council

The Ombudsman received a complaint that a Member (“the Member”) of Haverfordwest Town Council (“the Council”) had breached the Code of Conduct for Members of the Council. It was alleged that the Member called the Clerk “a liar” on 2 occasions during a meeting of the Council’s Management, Estates and Strategy (“MES”) Committee on 5 April 2022.

The investigation considered whether the Member failed to comply with the following provisions of the Code of Conduct:

- 4 (b) – To show respect and consideration for others.
- 4 (c) – Not use bullying behaviour or harass any person.
- 6(1)(a) – Not conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute.

The Ombudsman’s investigation obtained copies of minutes and other documents from the Council and obtained witness accounts from 6 witnesses who were present at relevant meetings. It also considered comments made by the Member.

The Member accepted that he had called the Clerk “a liar” on 2 occasions during the MES meeting. The Ombudsman therefore considered that the Member’s conduct was indicative of a breach of paragraphs 4(b) and 4(c) of the Code of Conduct. The Ombudsman did not consider that this incident, in isolation, was suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct.

The report on the investigation was referred to the Monitoring Officer of Pembrokeshire County Council for consideration by its Standards Committee.

The Standards Committee concluded that the Member had breached paragraphs 4(b), 4(c) and 6(1)(a) of the Code of Conduct. Accordingly, the Standards Committee decided that the Member should be censured, the maximum available sanction as the Member resigned from office shortly before the hearing

## Promotion of equality & respect : Mumbles Community Council

Report date

21/ 03/ 2023

Subject

Promotion of equality & respect

Outcome

CODE

Case ref number

202106588

Report type

CODE - Referred to Standards Committee

Relevant body

Mumbles Community Council

The Ombudsman received 2 complaints from the then-Chair of Mumbles Community Council (“the Council”) that a Former Councillor had breached the Council’s Code of Conduct.

The report on the investigation was referred to the Monitoring Officer of Swansea Council for consideration by its Standards Committee. This summary will be updated following the Standards Committee’s decision.

## Promotion of equality & respect : Mumbles Community Council

Report date

21/ 03/ 2023

Subject

Promotion of equality & respect

Outcome

CODE

Case ref number

202106524

Report type

CODE - Referred to Standards Committee

Relevant body

Mumbles Community Council

The Ombudsman received 2 complaints from the then-Chair of Mumbles Community Council (“the Council”) that a Former Councillor had breached the Council’s Code of Conduct.

The report on the investigation was referred to the Monitoring Officer of Swansea Council for consideration by its Standards Committee. This summary will be updated following the Standards Committee’s decision.

## Promotion of equality & respect : Bay of Colwyn Town Council

### Report date

30/ 03/ 2023

### Subject

Promotion of equality & respect

### Outcome

CODE

### Case ref number

202205087

### Report type

CODE - Discontinued

### Relevant body

Bay of Colwyn Town Council

A member of the public complained about a post a Member had shared on social media featuring a mass murderer holding up a sign promoting a supermarket meal deal. It was alleged the Member had used his platform to make an offensive political comment. The Ombudsman determined that an investigation should consider whether the Member may have breached paragraph 6(1)(a) of the Code of Conduct by conducting themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

The investigation found that the post drew attention on social media and in online news articles. The Member had apologised for any offence caused and removed the post immediately claiming that he did not know who the person was in the picture and it had been an erroneous use of clipart and a genuine mistake. The complainant provided no further information.

The Ombudsman considered that suggesting a link between the mass murderer and the meal deal would be an egregious parallel to have been made, and the post and the resultant media attention which referred to the Member's role as a councillor was suggestive of a breach of paragraph 6(1)(a) of the Code of Conduct. However, the Member claimed that the link was unintentional and although the Ombudsman considered the Member's explanation for how the post was made lacked credibility, no evidence was provided to the contrary and no information about similar behaviours was provided by the complainant.

The post was wholly inappropriate. However, given the lack of engagement from the complainant, the remorse expressed by the Member, the challenge of disproving his explanation, his co-operation with the investigation, and the immediate removal of the post, it was decided that further investigation would not be in the public interest. The Member was warned to take care when making public posts in future and the investigation was discontinued.

## Promotion of equality & respect : Carmarthenshire County Council

### Report date

30/ 03/ 2023

### Subject

Promotion of equality & respect

### Outcome

CODE

### Case ref number

202201203

### Report type

CODE - No Action Necessary

### Relevant body

Carmarthenshire County Council

The Ombudsman received a self-referred complaint from a Member (“the Member”) of Carmarthenshire County Council (“the Council”) that they may have breached the Code of Conduct. The Member said that during a council training session other members of the Council heard him “swearing”.

The Ombudsman’s investigation considered whether the Member’s conduct may have breached paragraphs 4(b) and 6(1)(a) of the Council’s Code of Conduct. Information was obtained from the Council, including a link to a recording of the Council training session. Witnesses were interviewed.

In comments to the Ombudsman, the Member said that he attended the Council’s training session via Zoom and was heard “swearing”. The Member explained that he was in the office of his private business whilst attending the Council training session, he had not realised his microphone was not on mute and during the session, he had an exchange with a sub-contractor and used a “few swearing words”. The Member said that the comments were to his sub-contractor and were not aimed at any member of the Council. He apologised for the incident and offered to apologise to the full Council.

The Ombudsman found that the Member’s explanation for his comments appeared to be credible. Whilst the language he used following his private exchange with his sub-contractor was disrespectful, the evidence gathered suggested that it was a private exchange, and she was therefore not persuaded that there was sufficient evidence suggestive of a breach of paragraph 4(b) of the Code.

However, the Ombudsman found that the Member's wholly inappropriate comments were heard by members of the Council, officers of the Council delivering the training and also attracted significant media interest and were widely reported in the press. The Ombudsman determined that as a result of the adverse publicity which reported on the Member's conduct during a council training session, the Member's comments were such that could reasonably be regarded as having brought the Council and the Member's office into disrepute. In view of this, the Ombudsman found that the Member's the comments were suggestive of a breach of paragraph 6(1)(a).

In view of the Member's recognition of the inappropriateness of his actions and contrition, his prompt self-referral to the Ombudsman and his willingness and eagerness to offer an apology to the Council, the Ombudsman considered that that it was not in the public interest for any further action to be taken. However, the Ombudsman noted that but for the member's action and apology, conduct of this kind would have met the Ombudsman's threshold for a referral to the Standards Committee. The Member was informed that he should make a public apology to the Council at the next meeting of the Council.

The Ombudsman found that under Section 69(4)(b) of the Local Government Act 2000 no action needed to be taken in respect of the matters investigated.

## Promotion of equality & respect : Solva Community Council

Report date

30/ 03/ 2023

Subject

Promotion of equality & respect

Outcome

CODE

Case ref number

202201039

Report type

CODE - No Action Necessary

Relevant body

Solva Community Council

The Ombudsman received a complaint that a Member (“the Former Member”) of Solva Community Council (“the Council”) had breached the Code of Conduct)

The Former Member recorded a video of himself verbally abusing the complainant and uploaded this video to his Facebook page before removing it a couple of hours later. In the video the Former Member can be seen making allegations regarding the complainant and his daughter. It is also alleged that he made inappropriate comments; he stated the complainant would be dead by the time of the next election and he called the complainant a derogatory term. The Ombudsman’s investigation considered whether the Former Member’s conduct may have breached paragraphs 4(a), 4(b), 4(c) and 6(1)(a) of the Council’s Code of Conduct.

Information was obtained from the Council including minutes confirming that the Former Member had resigned his post. Three witnesses, including the complainant, were interviewed.

In comments to the Ombudsman, the Former Member acknowledged the remarks had been inappropriate, although clarified his comment regarding the complainant’s death was a remark against his age rather than a threat of any physical harm. The Ombudsman accepted that the Former Member did not mean the reference to the complainant’s death to be interpreted as a threat on his life. The explanation he gave was credible. However, the comment was in reference to his age and failed to show regard to the principle that there should be equality of opportunity for all people, regardless of their age. The comments were

also disrespectful and his actions amounted to behaviour which may be capable of bringing his office or authority into disrepute.

The Ombudsman considered that the actions of the member were suggestive of a breach of paragraphs 4(a), 4(b) and 6(1)(a).

The Former Member has resigned as a member and apologised publicly and privately for his conduct and those apologies seemingly have been accepted by the complainant. The Ombudsman considered that his actions had addressed his behaviour and it would not be in the public interest to take further action.

The Ombudsman found that under Section 69(4)(b) of the Local Government Act 2000 no action needed to be taken in respect of the matters investigated.

## Promotion of equality & respect : Bannau Brycheiniog National Park Authority

### Report date

28/ 06/ 2023

### Subject

Promotion of equality & respect

### Outcome

CODE

### Case ref number

202106025

### Report type

CODE - No Evidence of Breach

### Relevant body

Bannau Brycheiniog National Park Authority

The Ombudsman received a complaint that a Member (“the Member”) of the Brecon Beacons National Park Authority (“the Authority”) had breached the Authority’s Code of Conduct (“the Code”). It was alleged that during 2 specific Authority meetings, the Member failed to treat a member of staff, an officer of the Authority, with respect and used bullying behaviour towards her.

The Ombudsman’s investigation considered whether the Member’s conduct may have breached paragraphs 4(b), 4(c) and 6(1)(a) of the Code. Information was obtained from the Authority, including relevant correspondence and emails. A video recording and transcript of a relevant meeting was obtained. Witness information was also obtained.

The Ombudsman’s investigation found that, with regard to the first Authority meeting, the Member was frustrated with the way in which the meeting was administered. The Member engaged in a robust discussion and voiced his concerns about the meeting’s administration. The Ombudsman found that such criticism of ideas and opinions is considered part of democratic debate. The Member’s comments were political in nature and therefore attracted enhanced protection under the ECHR. The Ombudsman acknowledged that the member of staff may have been upset at the criticism of the way in which the meeting had been handled, but the Ombudsman did not consider there was evidence that the Member’s comments were personally or gratuitously offensive. The Ombudsman found on the basis of the evidence and, in particular, the video recording of the first meeting, that the Member was not particularly forceful or aggressive, although it is clear he

was frustrated. The Ombudsman did not consider that the Member's comments were sufficiently offensive, intimidating or insulting to amount to bullying or disrespectful behaviour within the meaning of the Code. As a result, the Ombudsman was not persuaded that there was evidence to suggest a breach of paragraphs 4(b) or 4(c) of the Code.

In relation to the second meeting, the Ombudsman's investigation found that there was a disagreement between the Member and the member of staff about the working arrangements and governance in the Authority. The Ombudsman found, on the basis of the evidence, that the Member's comments during the second meeting were political comments about the Authority's policies and administration. The Ombudsman found that the Member's comments fell within the realms of freedom of expression and were not sufficiently offensive, intimidating or insulting to amount to bullying or disrespectful behaviour within the meaning of the Code. As a result, the Ombudsman was not persuaded that there was evidence to suggest a breach of paragraphs 4(b) or 4(c) of the Code.

The Ombudsman found that, in view of her findings above, there was also no evidence to suggest the Member had brought his office as Member or his Authority into disrepute.

The Ombudsman found that under Section 69(4)(a) of the Local Government Act 2000, there was no evidence of any failure to comply with the Code.

**Appendix 7****Code of Conduct - Selflessness and Stewardship**

**No outcomes to report for the search period 29 December 2022 to 31 August 2023**

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## AGENDA ITEM NO 7

**Update regarding the All Wales Standards Forum**

-

**Verbal update on the day**

Author: Sarah Watkins

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**FORWARD WORK PROGRAMME FOR  
STANDARDS COMMITTEE 2023/24**

<b>Expected Date of Report</b>	<b>Report Name</b>	<b>Purpose of Piece of Work</b>	<b>Information or Decision</b>	<b>Lead Director/ Contact Officer</b>	<b>Progress</b>
2 Oct 2023	Schedule of Observation Visits by Independent Members of Standards Committee to SWFRA Committees	To agree dates for Independent Members to observe FA Meetings.	D	ACO CS Contact Officer: Geraint Thomas	On agenda
2 Oct 2023	Public Service Ombudsman for Wales - Code of Conduct Casebook	To review the latest PSOW Casebook publications.	I	ACO CS Contact Officer: Sarah Watkins	On agenda
2 Oct 2023	Update regarding the All Wales Standards Forum	To update Members on progress.	I	ACO CS Contact Officer: Geraint Thomas	On agenda
26 Feb 2024	Public Service Ombudsman for Wales - Code of Conduct Casebook	To review the latest PSOW Casebook publications.	I	ACO CS Contact Officer: Sarah Watkins	
26 Feb 2024	Feedback report following Observations Visits by Independent Members of Standards Committee to SWFRA Committees	For Members to share observations.	I	ACO CS Contact Officer: Geraint Thomas	

<b>Expected Date of Report</b>	<b>Report Name</b>	<b>Purpose of Piece of Work</b>	<b>Information or Decision</b>	<b>Lead Director/ Contact Officer</b>	<b>Progress</b>
26 Feb 2024	Standards Conference Wales 2024	To furnish Members with detail of the annual conference.	I	ACO CS Contact Officer: Sarah Watkins	
26 Feb 2024	Adjudication Panel for Wales – Annual Report 2022/23	To provide Members with an overview of the APW Annual Report 2022/23.	I	ACO CS Contact Officer: Sarah Watkins	
26 Feb 2024	Independent Remuneration Panel for Wales’ Draft Annual Report - February 2024	To provide Members with an overview of the IRPW Annual Report.	I	ACO CS Contact Officer: Geraint Thomas	
26 Feb 2024	Public Services Ombudsman for Wales – Annual Report and Accounts 2022/23	To provide Members with an overview of the PSOW Annual Report.	I	ACO CS Contact Officer: Sarah Watkins	
26 Feb 2024	Public Service Ombudsman for Wales – Updated Guidance on the Code of Conduct	To provide Members with an overview of updated guidance.	I	ACO CS Contact Officer: Sarah Watkins	
26 Feb 2024	Draft Standards Committee Annual Report	For Members to review and agree the draft Annual Report of the Standards Committee	D	ACO CS Contact Officer: Sarah Watkins	

## AGENDA ITEM NO 9

**To consider any items of business that the Chairperson deems urgent  
(Part 1 or 2)**

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1.	Apologies for Absence	
2.	Declarations of Interest	
	Members of the Fire & Rescue Authority are reminded of their personal responsibility to declare both orally and in writing any personal and/or prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Fire & Rescue Authority's Standing Orders and the Members Code of Conduct.	
3.	Chairperson's Announcements	
4.	To receive the minutes of:	
	<ul style="list-style-type: none"> <li>• Standards Committee held on 30 January 2023</li> </ul>	3
	<b>REPORTS FOR INFORMATION</b>	
5.	Schedule of Observation Visits by Independent Members of Standards Committee to SWFRA Committees	9
6.	Public Services Ombudsman for Wales' - Code of Conduct Casebook	39
7.	Update regarding the All Wales Standards Forum <b>verbal update on the day</b>	75
8.	Forward Work Programme for Standards Committee 2023/2024	77
9.	To consider any items of business that the Chairperson deems urgent	79