

NOTICE OF MEETING



Eryri National Park Authority

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Meeting: Standards Committee

Date: Friday 19 September 2025

Time: 2.00 p.m.

Location: Eryri National Park Authority Office,
Penrhyndeudraeth and via Zoom

Members are asked to join the meeting 15 minutes before the designated start time

Councillors :
Elfed Roberts, Nia Owen;

Naomi Luhde-Thompson.

Independent Members
Mr. Mark Jones, Mr Robert Gwilym Lewis.

**This Agenda is also available in Welsh*



A G E N D A

Standards Committee

Page
Number

1. **Chair**
To elect a Chair of the Standards Committee
2. **Apologies for absence and Chairman's Announcements**
3. **Declarations of Interest**
To receive any disclosure of interest by members or officers in respect of any item of business.
4. **Minutes** 3 - 5
The Chairman shall propose that the minutes of the Standards Committee held on 11 April 2025 be signed as a true record (copy herewith) and receive matters arising, for information.
5. **Nomination of Members for the Single Status Grading Appeals Panel** 6
To submit a report by the Director of Corporate Services. (Copy herewith)
6. **Public Services Ombudsman for Wales** 7
To submit a report by the Director of Corporate Services. (Copy herewith)
7. **Grant of Dispensations** 8 - 12
To submit a report by the Director of Corporate Services. (Copy herewith)
8. **Complaints Monitoring Report** 13 - 15
To submit a report by the Head of Administration and Customer Care. (Copy herewith)
9. **National Standards Forum Committee – Monday 23 June 2025** 16 - 29
To receive minutes of the meeting, for information.



MINUTES
STANDARDS COMMITTEE
FRIDAY 11 APRIL 2025
National Park Office

PRESENT:

Members appointed by Gwynedd Council

Councillors Elfed Powell Roberts, Edgar Wyn Owen (*ex officio*);

Members appointed by Conwy County Borough Council

Councillor Nia Owen;

Members appointed by the Welsh Government

Independent Members

Mr. Martin J. Hughes, Mr. Mark Jones;

Officers

Iwan Jones, Eifion Jones.

The Deputy Chief Executive announced that the meeting would be recorded to assist with checking the minutes.

1. Election of Chairman and Vice-chairman

The Deputy Chief Executive explained that a Chairman had to be elected onto the Standards Committee following the retirement of the former chairman, Mrs Sharon Warnes.

Mr Martin Hughes was nominated and *elected* as Chairman.

Subsequently, as the Vice-Chairman had now been appointed Chair of the Committee it was necessary to elect a Vice-Chairman

Mr Mark Jones was nominated and *elected* Vice-chairman.

2. Apologies for absence and Chairman's Announcements

Noted: as we have not yet appointed the vacant position for an Independent Member that Ms Naomi Luhde-Thompson has been asked not to attend the meeting to ensure the necessary balance of members.

3. Declaration of Interest

There was no declaration of interest in any item from a member or officer.

4. **Minutes**

The minutes of the Members' Working Group meeting held on 20 September 2024 were *submitted*.

The minutes were *adopted*, and the Chairman signed them as a true record.

Matters arising from the minutes:

- The Deputy Chief Executive (DCE) welcomed Councillor Nia Owen to her first meeting of the Standards Committee;
- The DCE reported that interviews had been held to appoint a new Independent Member to the Committee following the retirement of Mrs Sharon Warnes; that a person has been nominated following those interviews, and that a report would be submitted to the Authority recommending his appointment to the post;
- He reported that he had been unable to attend the National Standards Forum Committee which had been held in January;
- He reported that an item had arisen in a recent Planning Committee where Members of Conwy County Borough Council used a general dispensation granted to them by the Standards Committee at the meeting of 20 September 2024 to participate in the discussions and the decision. He failed to inform the Independent Members before the meeting that the members would use the dispensation but pledged that a recording of the meeting would be sent to the Independent Members. Councillor Nia Owen reported that she had benefited from having the dispensation and that she was pleased to have been able to contribute to the discussion.

5. **Annual Report to the Authority's Annual General Meeting**

Reported: matters that must be reported to the Authority and the draft proposal of the issues that would be presented.

Discussed:

1. In response to a question asking whether the report was prepared only in consultation with the Chairman, the DCE explained that the current meeting was an opportunity for the whole committee to discuss the report and to propose improvements to it, as it was currently only in draft form.
2. That the draft report states that "there have been no cases during the year where the Authority's Local Resolution procedure has been implemented", but that the minutes of the Standards Committee's last meeting (20.09.24) state, "that the Authority did not have a Local Resolution Procedure". The DCE explained that they were referring to two different things: that the minutes discussed general complaints made to the Authority and that the report discussed minor disputes between Members. He acknowledged that the terminology was similar and therefore confusing and promised to amend the report to make it clearer.

Recommendation:—

1. Discuss the content of the report.
2. Agree on the content of the Annual Report to be submitted to the Authority as stated in Section 4 above subject to any additions/amendments that the Standards Committee may wish to make to it.

Resolved: to **accept** the Recommendation

6. Declarations of Members' Interests

Noted :

- that the Declaration of Interests of former member June Jones was not on the Website, but it was explained that her details had been removed from the Website because she was no longer a Member;
- that the declarations of interest submitted to the Committee were for the period between 1 April 2024 and 31 March 2025 and not between 1 April 2023 and 31 March 2024 as the agenda noted;
- that the date of release by the Standards Committee is incorrect on one form and that it is necessary to ensure that all the forms are up to date and that the correct forms are used.

7. National Standards Forum Committee – Monday 27 January 2025

The Chairman *reported:*

- that he has recently received the minutes of the National Standards Forum Committee and that they have now been distributed to the members of the Standards Committee;
- that the meeting had discussed many issues, and that it had been a beneficial meeting.

The meeting ended at 14:40

MEETING	Standards Committee
DATE	19 September 2025
TITLE	NOMINATION OF MEMBERS FOR THE SINGLE STATUS GRADING APPEALS PANEL
REPORT BY	Director of Corporate Services
PURPOSE	To appoint three members and two substitute members to the Single Status Grading Appeals Panel

BACKGROUND

On 15th June 2011 the Authority adopted a revised Scheme of delegation that included changes to the terms of reference of the Single Status Grading Appeals Panel. The revised arrangements provide that membership should comprise of three members plus two substitute members, all to be drawn from and chosen by the members of the Standards Committee. The terms of reference also provide that in appointing members to the Panel the Standards Committee shall have regard to the need for appropriate gender representation.

The role of the Single Status Grading Appeals Panel is to consider appeals from the decision of the job evaluation panel which is usually conducted internally at officer level. The calling of a meeting of the Single Status Grading Appeals Panel is a very infrequent occurrence. Historically, whilst the Authority was undertaking the job evaluation process, it is true to say that this Panel was at that time active. However, there is still a need for such a panel as an appeal could be lodged at any time by a member of staff who disagrees with the decision of the job evaluation panel.

When the Standards Committee last considered this matter on 20th September 2024 it resolved to appoint Councillor Elfed Roberts, Mr Mark Jones, and Mr. Martin J. Hughes as Members of the Single Status Grading Appeals Panel with Councillor Nia Owen and Ms Naomi Luhde-Thompson appointed as substitute members. The Standards Committee needs to consider the membership of the Single Status Grading Appeals Panel annually following the AGM of the Authority.

RESOURCE IMPLICATIONS

None

RECOMMENDATION:

To appoint three members and two substitute members from the membership of the Standards Committee to sit as members of the Single Status Grading Appeals Panel.

ITEM NUMBER 6

MEETING	Standards Committee
DATE	19 September 2025
TITLE	Public Services Ombudsman for Wales
REPORT BY	Director of Corporate Services
PURPOSE	To advise the Committee on developments applicable to this Authority

BACKGROUND

The Public Services Ombudsman for Wales publishes an Annual Report and Accounts.

The full report can be found on the Ombudsman's website (www.ombudsman.wales) under Publications and then Annual Report and Accounts.

Normally, only a very small minority of the total complaints received by the Ombudsman relates to the National Parks and I am pleased to report that the situation remains unchanged for 2024/25.

During this time, the number of complaints referred to the Ombudsman in relation to National Parks remained at one for 2024-25 as per 2023-24 despite the number of complaints having increased overall. In this instance the complaint did not concern Eryri National Park Authority with the Standards Committee of Ceredigion County Council, which considered the case on behalf of Powys, determining that it was appropriate to censure the Councillor. As the matter concerned a complaint that a Councillor of Powys County Council and Brecon Beacons National Park Authority had inappropriately e-mailed an Officer of the Authority to complain about the content of a personal Facebook post and copied senior colleagues into that e-mail there may be potential issues arising from this matter in general that the Standards Committee may wish to discuss.

RESOURCE IMPLICATIONS

None

RECOMMENDATION

1. To note the contents of the report.

ITEM NUMBER 7

MEETING	Standards Committee
DATE	19 September 2025
TITLE	Grant of Dispensations
REPORT BY	Director of Corporate Services
PURPOSE	To grant dispensations to the Members of Gwynedd Council and Conwy County Borough Council

BACKGROUND

The Standards Committee has previously granted dispensations on a number of occasions. On 20th September 2024, the Standards Committee resolved to grant a dispensation for Members appointed by Gwynedd Council to enable them to take a full part in the determination of issues relating to Gwynedd Council for a period up to 31st December 2025 unless further extended by resolution of this Committee prior to 31st December 2025. The Standards Committee also resolved to grant a dispensation for Members appointed by Conwy County Borough Council to enable them to take a full part in the determination of issues relating to Conwy County Borough Council for a period up to 31st December 2025 unless further extended by resolution of this Committee prior to 31st December 2025. As this period is due to expire before the Standards Committee is next scheduled to meet it is time to consider the matter further.

Prior to the grant of the dispensations referred to above and preceding grants of dispensation the adoption of the new Code of Conduct caused difficulties both in relation to quorum on the Authority and Planning and Access Committee and also from a loss of local knowledge as members had to withdraw from the meeting. Under the previous Code of Conduct members had been allowed to take part in the discussion and had often been a valuable source of information on various aspects of such applications.

When the Standards committee last considered this matter it had regard to the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 as amended by the Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 which allowed the Standards Committee of this Authority to grant a dispensation where:

“2 (a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;

- (b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;*
- (c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;*
- (d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;*
- (e) the interest is common to the member and a significant proportion of the general public;*
- (f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;*
- (g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;*
- (h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or*
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.*
- (j) it appears to the committee to be otherwise appropriate to grant a dispensation.*

3 (1) A dispensation granted by the standards committee of a relevant authority under section 81(4) of the Act on the grounds set out in regulation 2(j) and which remains in effect, must be reviewed by the standards committee once in every 12 month period from the date on which the dispensation is first granted.

(2) When conducting a review under paragraph (1) the standards committee must determine whether the dispensation should continue to have effect."

It was satisfied that that both paragraph (a) and (d) above provide sufficient justification for the granting of a dispensation to members appointed by Gwynedd Council to take a full part in the determination of issues relating to Gwynedd Council.

In relation to those members appointed by Conwy County Borough Council, it found that they are in a slightly different position as there are generally no issues relating to quorum. It found however that paragraph (d) above was equally applicable to both members appointed by Gwynedd Council and Conwy County Borough Council appointed members and on that basis granted a dispensation to members appointed by Conwy County Borough Council to take a full part in the determination of issues relating to Conwy County Borough Council.

It can be confirmed that the dispensations previously granted by the Standards Committee have worked well in practise with the Authority and Planning and Access Committee in particular benefitting from the same both in relation to ensuring a quorum and no loss of local knowledge in the determining of applications. During the operation of a previous dispensation between 2010 and 2012 there have been planning applications that were particularly contentious. One example involved an application for sheltered housing in the Llan Ffestiniog area on land in the ownership of Gwynedd Council. Members of Gwynedd

Council took a full part in proceedings. Officer recommendation was for approval. There were strong local objections to the proposed scheme and I received correspondence from members of the public voicing concern that members of Gwynedd Council were allowed to take part in the matter. However, on that occasion, following a site visit, the Planning and Access committee's decision was to refuse the application. This decision was the subject of an appeal which did not succeed and so members' views were exonerated.

Another contentious planning application involved an application by Gwynedd Council for a new area school. Once again officer recommendation was for approval and once again there was strong local opposition to the scheme. Part of that opposition centred on the fact that members of Gwynedd Council would be allowed to take part in the decision making process. Concerns were raised that some of those members had voted on the issue as part of Gwynedd Council's approval of its strategy. I took the view that no decision had been taken by Gwynedd Council on the actual planning application as this Authority is the Planning Authority for the area. The application was to decide on the planning merits of the application and the discussion at committee broadly followed the planning merits or otherwise of the application with the exception of a public speaker on behalf of the Applicant who referred to non-planning matters. On this occasion members decided to follow officer recommendation and planning permission was granted. The majority of members of Gwynedd Council voted in favour of the application but there were also abstentions and some also voted against the application. Even if all members of Gwynedd Council had declared and withdrawn from the meeting, on the assumption that the voting members remaining would not have voted differently, the application would still have been successful albeit on a reduced majority down from a majority of 9 in favour with 4 against to 5 in favour with 2 against.

Whilst there was undoubted concern in connection with this application I saw no evidence of irregularity by members of Gwynedd Council. Such applications are by their very nature generally contentious applications with a wide range of views but the final decision was one of approval in accordance with officer recommendation.

In September 2018 the Planning and Access Committee dealt with another contentious issue namely the application for planning permission for the Llanbedr relief road. In this matter members of Gwynedd Council declared an interest but relied on the dispensation granted by the Standards Committee and took a full part in deciding the application.

A complaint was subsequently received alleging a breach of the Members Code of Conduct by members appointed by Gwynedd Council in their consideration of the planning application.

The complainant raised concerns that members appointed by Gwynedd Council who were present at the meeting, despite having signed declarations of interest, were allowed to fully participate in the decision making process which culminated in the application being granted planning permission.

The complaint was not upheld as the Standards Committee, in their meeting of the 7th of July 2017 had granted a general dispensation to Members appointed by Gwynedd Council and Conwy County Borough Council in such circumstances, to enable the Authority to continue to conduct its business effectively. A full explanation was given to the complainant.

The complainant referred the matter to the Public Service Ombudsman for Wales, and also referred to the fact that only 10 members out of the possible 18 were present in the Planning and Access Committee on the day.

The Ombudsman explained to the complainant how the law regarding the granting of dispensations worked, as well as the quorate numbers required by law for a planning committee to proceed. Both had complied with legal requirements in this instance. The ombudsman therefore declined to investigate the matter further on the grounds that it was a properly made decision that a public body is entitled to make.

The Planning and Access Committee once more considered the Llanbedr Relief Road but on this occasion there were no complaints regarding the use of the grant of dispensation by members of Gwynedd Council.

There was one further planning application during 2021 when the dispensation was used. The application was a contentious one for the demolition of a former school building and for the erection of five supported living units at Dolgellau. On this occasion the committee resolved contrary to officer recommendation to refuse permission on the grounds that the development would result in the loss of a traditional building and negatively impact on the wider historic environment of Dolgellau. A second reason was also given namely that insufficient information had been submitted in relation for the need for the proposal in order for the local planning authority to make an informed decision on the impact of the development.

During the past 12 months the dispensation was used once in relation to a planning application for Sappers Bridge at Betws y Coed. The application was heard by the Planning and Access Committee on 5th March 2025. As reported previously to the Standards Committee on this occasion, whilst it was unfortunately not possible to notify members in sufficient time to enable them to attend the Planning Committee in person, notification was given thereafter so that members could look through the recording of the same to assess how the dispensation worked in practice and Councillor Nia Owen indicated that she had found the grant of the dispensation to be useful.

If the Standards committee is minded to grant a further dispensation it must be stressed that, as before, the granting of dispensations in such terms would not preclude the operation of any other part of the Code of Conduct so, for example, if a member appointed by Gwynedd Council was also the owner of land adjacent to the application land owned by Gwynedd Council then notwithstanding the fact that he/she had the benefit of a dispensation on his/her membership with Gwynedd he/she would of course still have to declare a prejudicial interest. The reason for this is that the decision would affect land in the Authority's area in which he/she has a beneficial interest and a member of the public with knowledge of the relevant facts would reasonably regard the personal interest as so significant that it is likely to prejudice his/her judgement of the public interest.

Having considered the issues, I consider that it would be in the interests of the Authority to grant dispensations to both members appointed by Gwynedd Council (Grounds 2 (a) and (d)) and Conwy County Borough Council (Ground 2 (d)) for a set period so that the Standards Committee can then revisit the matter and assess the situation once more.

RESOURCE IMPLICATIONS

None

RECOMMENDATION

- 1. To grant a dispensation for Members appointed by Gwynedd Council to enable them to take a full part in the determination of issues relating to Gwynedd Council for a period up to 31st December 2026 unless further extended by resolution of this Committee prior to 31st December 2026.**
- 2. To grant a dispensation for Members appointed by Conwy County Borough Council to enable them to take a full part in the determination of issues relating to Conwy County Borough Council for a period up to 31st December 2026 unless further extended by resolution of this Committee prior to 31st December 2026.**

BACKGROUND PAPERS

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016

MEETING	Standards Committee
DATE	19 September 2025
TITLE	Complaints Monitoring Report
REPORT BY	Head of Administration and Customer Care
PURPOSE	To report on the written complaints received by the Authority

1.0. BACKGROUND

- 1.1. All formal complaints are registered and monitored centrally, as part of our ongoing commitment to ensuring excellent customer care in our service provision. The Authority received 16 formal complaints directly relating to the Authority during the 2024/25 financial year.
- 1.2. Of the 16 complaints received, 10 related to the planning service, 2 complaints were received about Plas Tan y Bwlch, 1 complaint regarding the property service, 1 concerning the woodlands service, 1 complaint regarding using the name Eryri, and 1 complaint regarding advice to walkers on our website.
- 1.3. All complaints were thoroughly investigated, and all received a response within the target of 15 working days. Of the complaints investigated, 8 were upheld or partially upheld. No complaints were subsequently referred to the Public Service Ombudsman for Wales for investigation.
- 1.5. Where the Authority's standard of service has fallen short, we have duly apologised and taken steps to address the problems immediately.
- 1.6. Of the formal complaints concerning the planning service, 3 related to a breach of the Data Protection Act. Although each investigation concluded that there had been no data protection breach, names and or / e-mail addresses were not handled correctly. This reinforces the importance of the Authority's policy of mandatory annual online training for staff regarding Data Protection. Following these complaints and other issues that have arisen during the year, other measures are currently being developed to further assist planning staff on handling personal data correctly.

2.0. RECOMMENDATION

- 2.1. **That the Committee note the content of the report**

Summary of Complaints Upheld or Partially Upheld

PLAS TAN Y BWLCH

2 x Complaints regarding stay at Plas Tan y Bwlch (June 2024)

Two separate complaints were received regarding bed and breakfast stays at Plas Tan y Bwlch. The complaints concerned lack of facilities available and the condition of the rooms.

Both complainants were given apologies and a partial refund of their stays.

PROPERTY

Lack of Maintenance on the Mawddach Trail leading to flooding on agricultural land (September 2024)

The complaint was in relation to a blocked / failed culvert that had led to flooding on the complainant's land. An initial meeting and actions agreed did not resolve the problem, which led to a disagreement over the cause and therefore the remedial actions necessary to resolve the situation. A delay was experienced due to requiring a specialist contractor to survey the site. In the meantime, the complainant undertook unauthorised works to try and resolve the situation himself, which led to the Head of Property having to request legal advice on the situation. This led to further delays.

The investigation into the complaint discovered there was a lack of communication on both sides, which had been ongoing for 18 months. An apology was given to the complainant for the lack of timely response to correspondence and for the lack of timely action in securing relevant permissions and contractors to resolve the situation by the Head of Property. An action plan was put in place to resolve the situation as soon as possible.

PLANNING

3 x Complaints regarding breach of Data Protection Act (July and August 2024)

The first complaint concerned the publishing on the Authority's website, correspondence which included the name and e-mail address of an objector to a planning application. The second complaint (from 2 separate people) concerned a group e-mail that was sent to objectors to a planning application advising them of a new consultation on the application. The recipients were not added as a blind copy to the e-mail therefore making their e-mail addresses visible to all other recipients.

Both investigations carried out by the Data Protection Officer concluded that there had been no data protection breach, as objectors' details are public within the planning process and available to view at the office. However, in the first complaint, the correspondence should not have been published on the Authority's website (it was taken

down immediately); and in the second complaint, group e-mails should not be sent in such a way. All 3 complainants received an apology for our failures in this regard.

Complaint regarding the handling and processing of a planning application which had not received a decision after 14 months (August 2024)

A complaint was received by a planning agent who had submitted a householder planning application in May 2023. Due to this application being within the Afon Ddyfrdwy Special Conservation Area (SAC), Natural Resources Wales had confirmed that the Authority needed to consider whether the development was likely to have a significant impact on the SAC in terms of adding phosphate to the river.

This is a very specialist field that was not covered by the Authority's Ecologist, and which has very few external consultants available to undertake the work. The company commissioned with the work did not provide a complete report within a timely manner and were chased up by the Planning Officer numerous times. The report when received was inadequate, which resulted in a further delay in processing the application.

An additional aspect of the complaint by the planning agent regarded the difficulty in contacting the Planning Officer by telephone to discuss the matter during this time.

A full apology was given to the complainant. To address the difficulties of getting a specialist opinion in this field and to avoid future problems, the Authority's Ecologist has since undertaken training to enable her to carry out this work as part of her role.

Complaint regarding the delay in processing a change of use planning application which had not received a decision after 4 months (December 2024)

The delay in processing this application had occurred due to the Planning Officer being taken ill before the application could be determined. Due to capacity issues within the planning service, external consultants were used to deal with the Officer's applications. However, due to the consultant only working part-time (2 days per week) for the Authority, the backlog of cases had taken some time to process.

A full apology was given to the complainants.

Standards Committees Chairs Forum - Wales

Monday, 23rd June 2025 @ 2pm, via Teams

Notes

1. Notes of previous meeting – 27th January 2025.

Actions confirmed as completed. The Forum discussed notes 3(a) and 9 at today's meeting – See notes 2 & 3 below.

2. Future engagement with the Welsh Government (WG), Local Government Policy Division, Climate Change and Rural Affairs (item 3(a) from notes of previous meeting).

JC confirmed that she and CT had met with PL from the Welsh Government Policy Division and recommended that contact with the Chairs who were prepared to participate in consultation/feedback sessions organised by her Division would best be made via their respective Monitoring Officers.

3. Remuneration – update on engagement with the Democracy and Boundary Commission Cymru (D&BCC) (Item 9 from notes of previous meeting).

CW confirmed that he had written to the Chief Executive of the D&BCC outlining his frustration with the payments to co-opted Members i.e., that the rates had not been increased for some time and the inconsistency of how the payments were applied across Wales. The CEO confirmed that she would be pleased to attend a meeting of the Forum although that was unlikely to be at the June 2025 meeting. It was more probable to be the meeting thereafter, to allow for confirmation of the D&BCC work programme with her Commissioners, which included the responsibilities transferred from the IRPW.

4. Michelle Morris (MM), Public Services Ombudsman for Wales (PSOW) – Update.

MM updated the Forum on the following.

- a) Notification of a complaint (note 5c from previous meeting). The PSOW, following consultation with stakeholders, had from 1 April 2025, reverted to notifying Members at the point when they had been complained about and not later in the process, when an assessment had been made if there may be a case to answer.

b) Casework.

- Caseloads for code of conduct complaints were fewer than last year although the level remained high, 315 cases, compared to previous years.
- 60% related to Town and Community Councils (7% increase on the previous year) and 40% to Local Authorities. A lack of equality and respect was the main complaint theme.
- The PSOW investigated 49 cases during the previous year, of which 15 had been referred to Standards Committees or the Adjudication Panel for Wales. That remained at a high level despite being lower than 20 referrals the previous year. Notably 85% of the referred breaches were upheld which was a positive indicator for the PSOW i.e. the application of the two-stage test to indicate that there may be a case to answer was working effectively.
- The previous year, 2024- 2025 had been a busy one for the PSOW and a summary will be included in the Annual Report and published at the end of July 2025.

c) Local Resolution Protocols (LRPs).

- It was very important for low level issues to be resolved locally wherever possible.
- Local resolutions meant that matters would be dealt with quickly before relationships were affected and situations escalated unnecessarily. The more serious cases could then be dealt with by the PSOW which was a much better use of their resources.
- The PSOW were working on developing good practice with LAs including Monitoring Officers.

d) Responses to questions/observations from the Chairs.

- There was a concern that some cases were taking a long time to consider. MM acknowledged that some cases had been ongoing for more than a year, which was too long and the PSOW was working to reduce it. The reasons for this were due to a high number of complaints and not enough staff to process them. There was no funding for additional support although a temporary member of staff and one other staff member had been allocated to deal with the issue. A dedicated officer for assessment work was focussed on this area and it was hoped that next year, more cases would be dealt with within 12 months.
- For consistency, would it be better for a single “top-down” approach for a LRP model, rather than leave it to individual Standards Committees which inevitably resulted in inconsistent procedures. In response MM highlighted it was not straightforward because these matters were part of each Council’s constitution. The intention was

to issue best practice, as opposed to imposing a procedure, with a view to achieving consistency.

- MM will continue to try and make the PSOW Annual Report an “easy and interesting” read. MM will also check and confirm if it is possible to show trends over time i.e., to place current year figures into context, e.g., 315 code of conduct complaints compared to previous years.
- Points were raised by the Chairs about complaints involving Town and Community Councils; it was not clear how many had completed the One Voice Wales training and signed the civility and respect pledge, given the number of complaints in this sector, was it timely for the training to be reviewed; there were too many vacancies for Clerks and not enough candidates were standing for election as a T&CC councillor, should Welsh Government consider merging smaller community councils; where multiple Councils appoint a shared Clerk that can leave a significant gap if they leave, could a local authority employ a pool of Clerks to provide greater resilience and lastly a community review was underway in one area whereby a Council was reviewing the number and size of T&CCs. It was recognised that this was a sensitive area. The Forum were informed about the Welsh Government (LGH Committee) inquiry which was due to report on this area and the Welsh Government Democratic Health Task and Finish Group that focussed on improving participation and diversity in Town and Community Councils.

5. Matters raised by exception by the Chairs.

Dispensations, individual committee approaches: (CD, Chair Ceredigion Standards Committee).

- a) Are councillors required to attend to present their application; views on duration of dispensation e.g. annual/length of term; acceptance of late applications; any written advice to councillors on these aspects; delegated authority to the Monitoring Officer.**
- b) Is there written guidance for committee members on how to approach making a decision e.g., what to consider/allow e.g. when to allow voting or not.**
 - JC advised that there are differences between the way dispensations are dealt with in Wales and England.
 - Refer to the Local Government Act 2000 s.81(4) for a list of dispensations, lots of latitude – it is very wide.
 - In Wales procedures are a matter for local constitutions, and they do differ. Chairs confirmed this e.g., in some cases it is

mandatory for a Member to appear before a Standards Committee whereas in others it is not.

- Dispensations are granted for varying lengths of time e.g., a year and are subject to review, whereas in other cases they may be for longer or even for a single meeting.
- It is possible to make urgent decisions e.g., in consultation with Chair of Standards who discuss it with the Monitoring Officer.
- JH offered to circulate the standard form that is used in her Council.

Action JH to circulate via CT.

6. Recent cases of interest - Adjudication Panel for Wales (APW) and Public Services Ombudsman for Wales (PSOW) in previous 6 months – JC.

- a) Consistent with the Forum's purpose as a learning network, the Chairs appreciated the opportunity to discuss several cases of interest and learn from cross sector experiences.
- b) Chairs reiterated comments made at the previous meeting about the complexity and time commitment required for conduct hearings. Some Councils have a formal written protocol.

Action CD to share her Standards Committee Chair's briefing document for hearings. CT to circulate to the Forum.

- c). Important that Standards Committees are clear about the reasons for their decision. Some appeals are allowed because the decision has not been given properly in writing in full. The presentation slides of the former President of the APW (circulated with the notes of a previous meeting) were very helpful on this.

Action CT to re-circulate the APW slides.

Action JH to share her Committee's considerations when setting out their Hearing decisions.

- d). Some Chairs might appreciate a "buddy" approach with Chairs with previous experience of hearings.
- e). To avoid a case where the Monitoring Officer has a conflict of interest, they can pass the matter to their deputy or it is not unusual, as standard practice, for Deputy Monitoring Officers to receive a complaint initially to avoid this scenario.

7. Forum Chair

As indicated at the previous meeting CW will remain in the role as Chair until his successor is appointed at the next scheduled meeting on 26 January 2026. CW was thanked for performing the role as the Forum's first Chair since it was established. His commitment and support had ensured the Forum had got off to a good start by establishing itself as intended i.e., a learning forum for Chairs to share experiences from across the sector and developing best practice.

Action: JC and CT to facilitate the arrangements for the appointment of Forum Chair and Vice Chair with effect from 26 January 2026. Anyone interested in the role will be asked to submit a 250-word pen picture and it is likely the appointment will be for 2 years.

8. Dates of next meeting.

- Monday 26 January 2026, 2pm – 4pm on Teams.
- Monday 22 June 2026 or 29 June 2026 (to be confirmed), 2pm – 4pm online.

CHAIR'S HEARING AIDE MEMOIRE/COMMITTEE MEMBER BRIEFING

The process

- Important not to deviate from process we've chosen to adopt
- Process dictates what we can do and when and who can speak and when
- Today is not the time to question/criticize the process – we will review another time

Questions/Comments

- Everyone will have an opportunity to speak at the appropriate time in the process
- Important not to interrupt witnesses giving evidence/speakers making a presentation
- Make a note of anything you want to ask a question about so you don't forget it when the chance comes to ask questions
- Please make all comments/questions through Chair at appropriate time in hearing (unless for simple clarification e.g. please repeat as you didn't hear)
- Have you got your bundle? When asking questions/making comments it's helpful to reference page and paragraph number

Stages/decision making

- Please don't give your opinion on guilt/innocence during the public part of hearing and before you've heard all the evidence/submissions relating to each stage
- We'll only proceed through stages if each stage is proven
- Decisions made on balance of probabilities – not beyond reasonable doubt
- Decisions/discussions will be made in private sessions
- Decision given at end of hearing and full written reasons will follow
- Important you give reasons/evidence your views so others can understand
- Majority decisions are allowed
- The Advising Officer/Monitoring Officer does not take part in any vote.

Charges/Facts

- Each charge/fact will need to be considered individually

At the start of Hearing

- Read out usual Committee preamble (about recording/bilingual meeting etc)
- Introduce members and officers present
- State date/whether day 1 or 2 etc./and who hearing is about
- Check any individual requested adjustments have been met
- Hearings can be stressful/require concentration, schedule breaks and invite Member to ask if break needed

IT/Recording

- Advise everyone re appropriate use of IT – mute/camera on/notify any issues asap etc.
- State if hearing is recorded/live streamed

Witnesses

- If hearing is public witnesses may be allowed to stay after giving evidence

Press and public

- May need to exclude public or press from the hearing or parts of it
- Advise any public/press present that they will not be allowed to speak/contribute

Evidence

- If any new evidence or matter is raised that could have been raised before the hearing, the assumption will be that it will not be allowed unless there is good reason to do so.
- If Member questions any evidence without giving prior notice Committee will decide whether to allow new evidence and/or proceed with the hearing

Proceeding in absence

- Decide whether there is good reason for the hearing to proceed in the absence of any party, based on reasons offered for any absence and if satisfied that all parties were properly notified of the hearing date. Alternatively, to adjourn the hearing.
- To make arrangements to dispose of the matter fairly, in the event that the Committee is satisfied that any party (after receiving medical evidence) is unable to attend and is likely to be unable to attend for a long time.

Sanctions

- No action needs to be taken in respect of the failure to comply with the Code of Conduct
- The Member should be censured
- The Member should be suspended or partially suspended from being a member or co-opted member of his or her authority for a period not exceeding six months.
- Not bound by APW Sanctions Guidance but it is a useful document for the Committee

Written decision to include the following

- Who attended
- If Member did not attend but hearing went ahead in absence note the reasons for decision to continue in absence.
- Note whether or not the Member/representative spoke at the Hearing
- Summarise the arguments made by all parties
- Note which facts of the case were disputed/not disputed at the hearing
- Explain what information/evidence you have taken into account in reaching a decision and how much weight you have given to it
- If any evidence presented on the day state whether it was accepted or not and reasons why
- Do not conflate issues/allegations in your reasoning e.g. bullying and harassment – these are different things.
- Give separate reasons for each decision/allegations
- Identify which breaches of Code you deem to have happened and the evidence considered in making that decision
- If Member no longer in office explain what sanctions you would have applied had they still been in office
- Make a note of whether or not you have considered the APW sanctions guidance and if so which parts
- Identify anything of note that happened at the hearing e.g. upset/disruption

FLINTSHIRE COUNTY COUNCIL
APPLICATION FOR DISPENSATION TO THE
STANDARDS COMMITTEE

	Enter the details as described in italics in the first column in this column
Name of Councillor <i>Your name. Each application should be made separately.</i>	
Address <i>Your home address.</i>	
Name of Council <i>Of which Council are you a member?</i>	
Ward <i>The ward you represent.</i>	
Item for which dispensation is being sought <i>With what matter do you wish to be involved?</i>	
Level of Dispensation sought (e.g. to speak only or to speak and vote) <i>You may wish to seek dispensation for the options detailed in the opposite column. Please tick all that apply.</i>	<input type="checkbox"/> <i>To write to or speak with officers;</i> <input type="checkbox"/> <i>To write to, speak and/or answer questions at Council/Committee meetings;</i> <input type="checkbox"/> <i>To remain in the room during any debate;</i> <input type="checkbox"/> <i>To vote (please specify which meetings e.g. Council meetings, Planning Committee etc.)</i>
Relevant Paragraph under which Dispensation is requested (See overleaf)	
Details of the Prejudicial Interest <i>This should be a short explanation of all the relevant facts about how your interest arises and how significant it might be. The questions are a prompt not an exhaustive list:</i> <ul style="list-style-type: none"> <i>How does your interest arise? Will the business under discussion affect your well-being, your financial position, your family, etc?</i> <i>What other roles or memberships do you hold that give rise to an interest?</i> <i>Will you benefit personally from the business under discussion or is your interest purely from public service?</i> 	
Details of any Position of responsibility/control held on Council (e.g. Chairman/Vice-Chairman)	

Signed:	Date:
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Circumstances When A Standards Committee May Grant Dispensation

The Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 (as amended) specifies that the Council's Standards Committee may grant dispensations under Section 81(4) of the Local Government Act 2000 where:

- (a) no fewer than half of the Members of the Council or of a Committee of the Council (as the case may be) by which the business is to be considered has an interest which related to that business;
- (b) no fewer than half of the Members of the Executive of the Council (i.e. Leader and Cabinet) by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- (c) Members' inability to participate would upset the political balance of the Council, or any of its committees by which the business is to be considered, to such an extent that the outcome would be likely to be affected;
- (d) the nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the Council's business;
- (e) the interest is common to the Member and a significant proportion of the general public;
- (f) the participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;
- (g) the registerable interest relates to business, which is to be considered by an Overview and Scrutiny Committee of the Council, and the Member's interest is not a pecuniary/financial interest;
- (h) the business relates to the finances or property of a voluntary organisation of whose management committee or board the Member is a member otherwise than as a representative of the Council and the Member has no other interest in that business, provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (i) it appears to the Standard Committee to be in the interests of the inhabitants of the area of the Council that the disability should be removed; or
- (j) it appears to the committee to be otherwise appropriate to grant a dispensation.

Permission to appeal



The power

- designed to stop meritless applications to appeal the decisions of standards committees
- the application is to the President (who can delegate to another legal member)
- Statutory basis is The Local Government (Standards Committees, Investigations, Dispensations and referral)(Wales)(Amendment) Regulations 2016 No.85 (W. 39)
- Test is “does the appeal or part of it have a reasonable prospect of success” – take the Cllr’s case at its highest, which includes assuming that the Cllr’s version is correct unless conclusively disproved, entirely unsupported by reasonable argument or evidence, or can reasonably be viewed as fanciful allegations.
- done on the papers (a hearing is possible if special circumstances render a hearing desirable) – APW05 and Standards committee decision. No involvement by PSOW or committee. Future change to process?
- It cannot be appealed, other than judicial review.

Points to consider

- The reasons for what the committee decides are key - explain
- What happened at the hearing?
- Sanctions Guidance – and remember APW can recommend an increase...
- Generally sanction is up for debate (only refused three permissions historically)

Potential issues for standards committees

- Bias? By committee or PSOW
- No or little reasoning in standards committee decision e.g. bullying and harassment
- No explanation of what the arguments before it were or what happened
- Agreed facts and disputed facts – record carefully
- If Cllr has resigned, say what you would have done if they were still in post
- Failure to attend committee meeting by Cllr
- monitoring officers asking the APW for advice (remember we cannot extend time or give advice)