

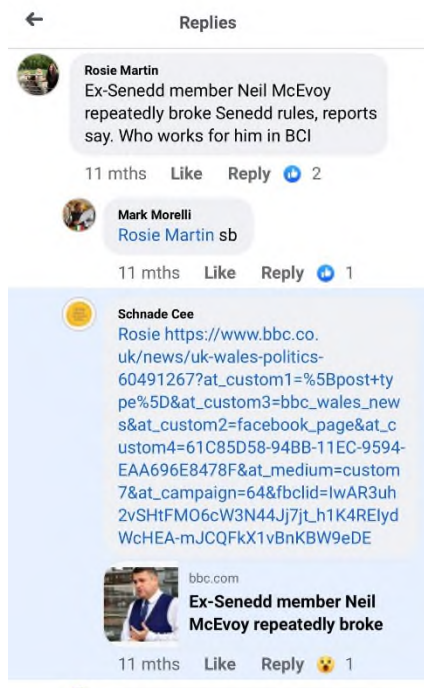
Representation to Standards Committee

PSOW Case: 202204885

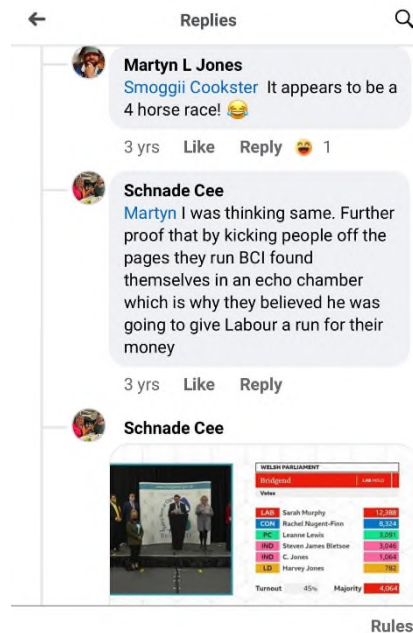
Firstly, I request that my hearing is postponed pending further information that I have requested from the Public Services Ombudsman’s Office.

It has been very widely and publicly reported that a senior member of the PSOW staff was first suspended and subsequently resigned after it emerged that she had made derogatory statements on social media under a fake identity. Much of that press coverage has been centred around “anti-Tory” messages, however the senior officer in question, Ms Sinead Cook made numerous derogatory comments about me personally during my time as a candidate and Councillor on Facebook forums. These were not as “salacious” as those that were reported on the news, however, they were equally biased and showed that she was prejudiced against me, under what she believed to be a “safe” pseudonym.

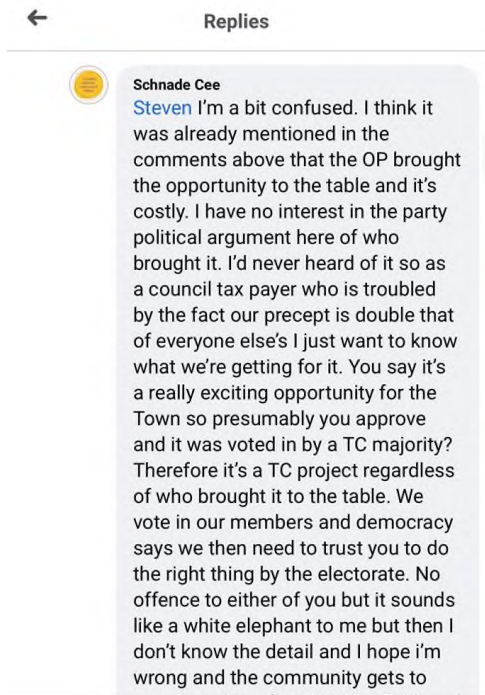
Evidence



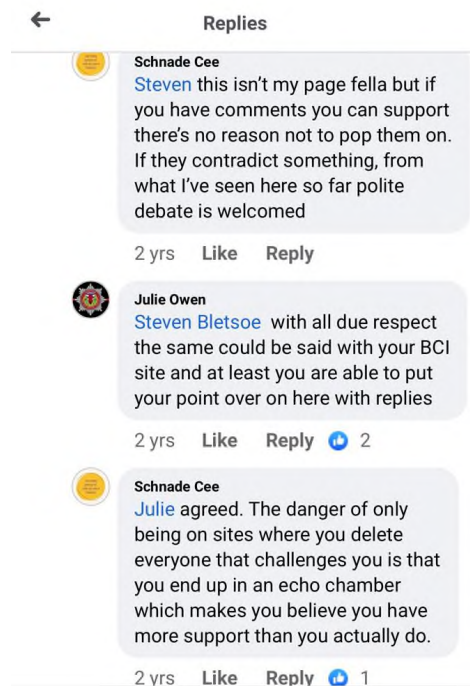
Community Councillor Rosie Martin states that there is a person “in BCI” who works for Neil McEvoy MS (at the time). Mark Morelli states “sb”, referring to Steven Bletsoe. Schnade Cee (Sinead Cook) then links to a story about Neil McEvoy MS. This was on a Facebook forum.



Martyn L Jones talks to a person called Smoggii Cookster (Sinead Cook) stating that it appears to be a “4 horse race” which is in relation to a claim from the BCI Group that the Senedd election was a “2 horse race”. Schnade Cee (the name that Sinead Cook changed to) responds as shown, including a link to my result, where I finished fourth.



Schnade Cee (Sinead Cook) engaging with me over the administration of a social media page Tyr Ardd by Bridgend Town Council and stating that it was a “white elephant”



Schnade Cee (Sinead Cook) engaging in an online debate with me over the purchase of where she goes on to again restate her “echo chamber” statement



Schnade Cee (Sinead Cook) engaging with me in a negative way over my Senedd campaign.

These five instances are a small selection of over 50 occurrences where the senior officer at the Public Services Ombudsman for Wales office has either been critical of either myself, my group or my employer (at the time) under what they thought was a protected fake identity.

Given the above I submitted the following email to the Public Service Ombudsman:-

On today's date of Monday 11th March 2024 and under the Freedom of Information Act 2000 I am making a full Subject Access Request to your organisation under the terms below:-

My name is Steven James Bletsoe, residing at [REDACTED]. I have used email addresses [REDACTED], [REDACTED] and [REDACTED] in correspondence with your office.

I have been elected to Bridgend Town Council for the Morfa Ward since May 2017, to Litchard Ward of Coity Higher Council since May 2022 and Bridgend Central of Bridgend County Borough Council since May 2022.

I am requesting all internal and external communication of any nature that would relate to myself from Public Services Ombudsman for Wales employee Sinead Cookster since my election to public office or the commencement of the employee with the PSOW office, whichever is earlier.

Under the guidance from the ICO I am advised to consider stating the reason for my request. I have extremely important reasons for this request, which I would insist are kept confidential. If they are required to justify my application then I would be willing to discuss further and why I wish for them to remain confidential in the first instance.

To confirm and for clarity. I request all correspondence sent by PSOW employee Sinead Cookster, both internally and externally, including any private messaging services that may be used between PSOW employees.

Please let me know if I can clarify my request any further as this is an extremely important matter that the Ombudsman herself may require to be made aware of and intervene. I will be making Welsh Government, the Minister and Shadow Minister for Local Government and the Standards Commissioner aware of my request.

Thank you in anticipation

On 10th April I received a response from the Public Services Ombudsman stating:-

We aim to share information wherever it is possible and lawful to do so. However, we must comply with the law we work to. A search of our internal systems has been undertaken for all information held about you in relation to your specific request. This has included a search of our case management system, emails, team meeting notes, staff supervision notes and conversations on Teams. We do not use private messaging services and therefore do not hold or have any access to any private messaging services that PSOW employees may use outside of work.

We hold information about you because you either made a complaint to us or we received a complaint that you had allegedly broken your local authority's Code of Conduct. A summary of the cases we hold linked to your name is provided at the end of this letter. This also shows whether any of the requested information is held on those specific records. As you will see from the summary Mrs Cook had some involvement in 5 of the 16 cases. This was for the purpose of case allocation and participation in internal case discussions and progression. She was the case owner for case reference 202301955.

Read the Privacy Notice on our website to find out more about how we process your personal information. I can confirm that we hold information about you relevant to your request in:

- *Correspondence directly between you and Mrs Cook. This is related to one case (202301955) and a copy of the correspondence is attached.*

- *Correspondence with external parties for the purpose of considering complaints raised with us. In terms of Mrs Cook's communications with external parties this Page 3 of 4 was limited only to case reference 202301955. She sent a copy of the decision letter to the Council's Monitoring Officer and the Accused Member. Copies of this correspondence is included in the attached, although I have redacted the postal address for the Accused Member.*

- *Internal communications for the purpose of documenting case discussions and progression as required by our complaints processes.*

We are unable to share any internal communications with you. The LGA requires that our consideration of complaints to be carried out in private. We are therefore only able to share information if it is for one of the reasons set out in section 69E.

None of those reasons is satisfied to enable me to share the information with you. The DPA says that we do not have to share information if to do so would likely prejudice our ability to carry out our function.¹ Internal discussions remain ongoing until the final decision on the complaint has been agreed and issued. Disclosure of this information would therefore prejudice our being able to consider complaints effectively in the future. Where required by the legislation a copy of the final decision has been shared with you. Where we have investigated a complaint against you we have shared with you the evidence we obtained as per the requirements of the LGA.

On 14th April, I requested a review of the decision as follows:-

Good afternoon and thank you for the email responding to my request.

I would like to formally request a review of the decision to exempt items from your response on the basis of being in the Public Interest. I acknowledge the need to protect certain individuals from releasing their information, however, given that PSOW employee Sinead Cook was suspended from her position given her public social media posts, which include direct references to me and the confirmation that she has been involved in cases brought by me and about me then I believe that the Public Interest in the emails that relate to me far outweigh any rights to exemption.

Any correspondence from individuals to Sinead Cook can be fully redacted, however, given the clear and obvious prejudice against me which has been played out in public, under a fake name, and the PSOW's public declaration that her office "now needs to rebuild trust in the work of the organisation on complaints against Councillors" then I would state that this release of redacted information is part of that process.

If my request for a review is unsuccessful then I will immediately refer this matter to the Information Commissioners Office for their consideration as their website states that "If there is a plausible suspicion of wrongdoing, this may create a public interest in disclosure. And even where this is not the case, there is a public interest in releasing information to provide a full picture. Arguments based on the requester's identity or motives are generally irrelevant"

As I have stated, Sinead Cook was suspended, she later resigned. There is a very large public interest in the accusation that the PSOW has had Senior Members of staff with a political bias, there is clear plausible suspicion of wrongdoing and clear public interest. Therefore I formally request a review of your decision to exempt the information.

Thank you and I look forward to a timely response to this request.

On 17th April I received the following response

Dear Councillor Bletsoe

Thank you for your request to review the handling of your data subject access request received on 15 April 2024, which is currently being considered. You should expect a response by 15 May 2024.

With kind regards

On the 16th April 2024 I wrote to the Public Services Ombudsman for Wales asking:-

For the attention of Michelle Morris

Thank you for your letter dated 9th April 2024, I have noted all of its contents.

In relation to the opening paragraph:-

“It may also be helpful for me to confirm that Sinead Cook has not managed our Code of Conduct Team since the end of August last year. She had no involvement in your case after this time and in accordance with our investigation process, more senior officers oversaw the investigation.”

Can you please confirm:-

why Ms Cook was removed from the Code of Conduct Team at the end of August,

what involvement she had in my case up until that time

and who were the more senior officers who oversaw the investigation

Thank you for this, as the information is required for my representation to the Standards Committee of BCBC in May.

I have not yet received a response.

Therefore, given that there is evidence that the Senior Investigator at the Public Services Manager was suspended, later resigned and there is a full Independent external investigation into her conduct and influence during her time at the office. Plus, the confirmation that Sinead Cook had direct input into this case up until August 2023 I believe that the information I have requested has a material impact into the investigation and the report. This is why I requested the information and continue to make the case for it to be released. If the review is unsuccessful then I will immediately refer the matter to the Information Commissioner Office and request that my hearing with the Standard Committee is postponed until that information is made available to me and members of the committee.

The legal test for bias, applied by the courts in the United Kingdom, is whether a “fair-minded and informed observer would conclude that there was a real possibility that the decision maker was biased”. It is therefore the perception of bias that matters. Sinead Cook’s conduct has serious ramifications my case. Given the senior role she held, the public can’t have confidence in any decisions taken by the Ombudsman while she was in the post and overseeing my investigation up until August 2023. The influence she had over others in her team, and the culture she set, means

they too, through no fault of their own, were unable to act with the impartiality required. Having made such explicit comments in a public forum, it is highly unlikely that Ms Cook would not have made similar, potentially worse comments, privately. It is therefore imperative that the information I have requested, plus a full Independent investigation into her actions whilst in her post and in charge of my complaint are carried out. The public can have no faith in the system where she has publicly expressed prejudice against myself, my group and my then employer has not shown bias against me.

I have spoken to many Councillors who find themselves in the same situation with current and recent investigations who are also considering their legal options, on the basis of bias of investigations. Therefore, and for this reason alone, I ask that the hearing is postponed until this situation is resolved to ensure openness, transparency and fairness for all involved in the process.

If the Committee is not minded to postpone the hearing then I will make myself available to participate in the proceedings as requested, on the understanding that I reserve the right to legally challenge any decision after the event. On this basis I would ask that, given the finding that I attempted to lead a Councillor in a meeting, I am able to call Councillor Ian Spiller as a material witness in the hearing so that the Committee can ask him for his version of events. I will cover the reasons why further in this representation.

For the most part in the hearing I will rely on my written submission to the PSOW office to their draft report, given that there are very few differences between the draft and final report there is very little reason to go over them all again. I hope that this response from me to the PSOW will be in your reports, if it is not, then I am happy to provide it to you.

My first concerns is around the case law quoted for justification of the investigation, and to remind you, the decision to investigate was taken whilst Ms Sinead Cook was in place of Senior Investigations Manager and had a part in this process. The case quoted is not similar to the one that I am accused of. It relates to a relationship between an elected member and a paid employee of the Council, where a financial benefit would be received. This investigation is about two elected members on their own basis, one of whom was the Chair of the Committee in question. I would present the complaint about me made to the PSOW, reference number 202301955/SC/SW, following the BCBC AGM, where I was accused of not declaring an interest in the seconding the nomination of Councillor Freya Bletsoe as Chair of SOSC2. That complaint was not investigated and it was found that there was no case to answer.

My main concern around that investigation and the report is the poor quality of investigation that has been carried out. Where there is doubt then the PSOW has consistently failed to accept my version of events, where there is conjecture it is consistently found against me, where there are gaps in evidence it has not been sought. As a brief example, there is an accusation that I colluded with Councillor Ian Spiller before the Regeneration Meeting and influenced him during the meeting. The PSOW has failed to interview Councillor Spiller to substantiate either of these accusations and whilst accepting that there is no evidence in collusion has stated that I "could" have influenced him. This is conjecture and could have easily been resolved if the PSOW had called Councillor Spiller as a witness to give evidence, they did not and assumed the resolution put forward in their report. This is why I have called Councillor Spiller as a witness, so that the Committee can undertake the investigation that the PSOW should have done. I must point out that this is **one** example of my statement that the investigation is not a complete or reliable one. There are many to be found in the report itself, they are far too many to list in the response, but are referenced in my reply to the draft report, and I will be relying on these in my hearing. I make the statement that the PSOW investigation into me shows clear bias against me, this can be evidenced and given the bias show against me by the Investigations Manager I believe that the entire investigation has been compromised.

There is reference in the findings that whilst the PSOW accepts that I was unable to seek advice from the Bridgend Town Council Clerk and Deputy Clerk on potential conflicts of interest, as per the interview and my answers, it goes on to state that I could have sought advice from the BCBC Monitoring Officer. During the investigation or the interview the PSOW did not question me on this and sought no answer as to why I did not do this, this is a yet another failure of the investigation, as there was a reason why I did not do this and the PSOW did not seek out or understand the reason why, the finding simply states that I should have done, without any investigation. This is yet further evidence of a poor investigation by the PSOW that shows clear bias against me as the investigated.

I was the Chair of the Regeneration meeting in question, under the requirements of Chairs of committees I was required to sign them as being a true and accurate record. I knew that they were not true or accurate and included inaccuracies that were taken from notes produced by a complainant in a separate complaint against a Councillor who was in that meeting. All I ever sought to do, despite what the PSOW or the complainant and witness in my case try to state was my motivation, my sole and only motivation at all times was that the minutes were a true and accurate account of the meeting that I chaired, so that I could sign them as a true and accurate account. I was (and am) a democratically elected member of Bridgend Town Council and the other Councillor in question was (and is) a democratically elected member of Bridgend Town Council. The characterisation of my motives are not true, and the poor investigation has failed to address this, instead it has chosen to decide its outcome and make their chosen evidence to fit that. No Councillor who attended that meeting was requested to be interviewed by the PSOW, evidence was provided in the format of leaked WhatsApp messages confirm that the proposed minutes were wrong. My statement that the minutes were wrong has proven to be correct, that fact has been totally ignored by the PSOW, who would rather incorrect minutes have been approved than the processes that led to that point. A major problem in my opinion. As I stated in my evidence, truth is important.

Finally, for this representation, alongside the concerns over the quality of the investigation, I also have extremely grave concerns over the precedent that this finding would set going forward for Councils. The facts are that minutes were produced by a Clerk that had inaccuracies in, inaccuracies that I knew to be wrong. I as the Chair of the Committee knew that they were wrong and needed to ensure that they were a true and accurate record. If this finding is upheld then it will create something extremely dangerous, either a Councillor who is closely related to another Councillor cannot challenge the accuracy of minutes where statements are attributed to that Councillor, meaning that the accuracy of minutes is not protected, or the Councillor will seek out other members of the committee to "do their bidding" in meetings, outside of the public scrutiny and therefore against the principles laid down in the Nolan Report. The Public Services Ombudsman for Wales has stated in their report that process is more important than truth, and that simply cannot be allowed to be the case.

It is stated that complaints against Councillors are to be seen through the prism of whether a "reasonable informed member of the public" would consider it to be the case, but I would like to remind the members of the Standards Committee, that no member of the public made this complaint. This complaint has been made against me by the Clerk of Bridgend Town Council, because she felt that my actions "weakened" her separate complaint against another Councillor on the Council. No member of the public, who I serve, has made a complaint over my actions

So, members of the Committee, I ask that my hearing is postponed until I receive the information that I have requested from the PSOW, or my complaint to the ICO as there are material considerations in those documents. It has been confirmed that a member of the PSOW team, who has shown clear prejudice against me was involved in my case, that information held has been

“exempted” which I have challenged on the grounds of public interest. I have laid out the legal definition of bias in investigations and am trying to uncover if any bias has occurred, which is being withheld from me. I hope that you as a committee will see my values on openness and transparency, which I carry through my public life and will continue to bring when I am asked to sit in front of you and answer your questions.

Additional Information

As detailed to a BCBC Legal Officer, I had written the above reply on Tuesday 23rd April 2024. I subsequently received an email from Marilyn Morgan, at the PSOW Office with a copy of a letter written by Michelle Morris to Kelly Watson, Monitoring Officer at BCBC for the consideration of the Standards Committee. In this letter it details that the person suspended and later resigning from the PSOW “Ms Cook was responsible for the file allocation and regular oversight of Ms Morland’s progression of the case until the end of August” 2023. It goes on to state that “On 1 September 2023, as happens from time to time in accordance with the operational needs of our office, we rotated our team leaders and Ms Cook moved to manage a different team in PSOW. On this occasion, the rotation occurred as a result of the retirement of a team leader who managed a Public Service Complaints Investigation Team.” It does not however explicably state that this was the reason for this particular move, just that it happens from “time to time”. As you have seen in my reply above, I have asked the PSOW specifically for the reasons for the move from my case, despite being promised an answer, this has not been forthcoming. I have also had an SAR request for all correspondence by Sinead Cook, which has been declined, has been requested to be reviewed on the basis of public interest and I await this official response. If the request is unsuccessful then I will escalate the matter to the Information Commissioners Office. The PSOW claims that it is exempt from release because “We are unable to share any internal communications with you. The LGA requires that our consideration of complaints to be carried out in private.” However, given the clear and evidenced bias shown against me in public, by someone who had “regular oversight of Ms Morland’s progression of the case until the end of August” put alongside United Kingdom case law which states that “fair-minded and informed observer would conclude that there was a real possibility that the decision maker was biased” then it is incumbent on the PSOW to release all internal communications that relate to me and this case investigation to me and to this committee. I do not believe that this committee can properly consider the case, without it. In legal cases, the defence would have access to all information held on them under “disclosure”.

I would also like to bring the recent Welsh Senedd debate on the situation with impartiality, which passed unanimously and was passed to the Finance Committee (which was held in private session)

Committee, given all of the above, and the additional information from the email sent by the PSOW this week, I ask that this hearing is postponed until I am able to seek the information that the PSOW office clearly hold and are refusing to release. There is clear public interest along with information that you as a committee may feel is material to the case.