

**BRIDGEND COUNTY BOROUGH COUNCIL**  
**REPORT TO THE STANDARDS COMMITTEE**  
**16 JANUARY 2015**

**REPORT OF THE MONITORING OFFICER**

**GUIDANCE ON THE CODE OF CONDUCT FOR LOCAL AUTHORITY MEMBERS -  
PUBLIC INTEREST TEST**

**1. Purpose of Report**

- 1.1 The purpose of the report is to inform the Committee of proposals made by the Ombudsman to revise the Guidance on the Code of Conduct for Local Authority Members.

**2. Connection to Corporate Improvement Plan / Other Corporate Priority**

- 2.1 There are no direct links to the Corporate Improvement Plan and Corporate Priorities.

**3. Background**

- 3.1 In determining whether to investigate a complaint regarding a Member or whether to continue an investigation of a breach of the Code of Conduct to the stage of referring the matter to the Adjudication Panel or a Standards Committee, the Public Services Ombudsman for Wales has applied a two stage test.
- 3.2 The first stage is to establish whether there is evidence that a breach of the Code actually took place. The second test is whether the breach alleged would be likely to lead to a sanction.

**4. Current situation / proposal**

- 4.1 Whilst the local resolution processes within County or County Borough Councils appear to have had the effect of resolving many of the low level member versus member code of conduct complaints, the Ombudsman remains concerned about the number of frivolous, trivial and vexatious complaints being received. It is therefore proposed that a further public interest test be considered when deciding whether to investigate a complaint or whether to continue an investigation of a breach of the Code to the stage of referring the matter to the Adjudication Panel for Wales.
- 4.2 The paper attached at **Appendix 1** outlines the proposed new test which will be incorporated into the Ombudsman's revised Guidance on the Code of Conduct for Local Authority Members in the New Year.
- 4.3 The Ombudsman has indicated that he would be grateful to receive feedback from Monitoring Officers regarding the proposal.

## **5. Effect upon Policy Framework& Procedure Rules**

5.1 There is no impact on the policy framework and procedure rules.

## **6. Equality Impact Assessment**

6.1 There are no equality implications arising from this report.

## **7. Financial Implications**

7.1 There are no financial implications.

## **8. Recommendation**

8.1 The Committee is recommended to note the report.

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## **Background Documents**

None