

STANDARDS COMMITTEE - FRIDAY, 21 JUNE 2024

MINUTES OF A MEETING OF THE STANDARDS COMMITTEE HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON FRIDAY, 21 JUNE 2024 AT 10:00

Present

Mr P Clarke – Chairperson

MJ Williams

G Thomas

P Baker

Present Virtually

Apologies for Absence

None.

Officers:

Kelly Watson
Michael Pitman
Oscar Roberts
Annie Ginwalla
Louise Morland

Chief Officer Legal, HR and Regulatory Services
Technical Support Officer – Democratic Services
Business Administration Apprentice – Democratic Services
Co-Team Manager and Deputy Legal Advisor, PSOW
Investigation Officer, PSOW

Declarations of Interest

None.

159. Urgent Items

Decision Made	None.
Date Decision Made	21 June 2024

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160. Exclusion of the Public

Decision Made	<p>The Committee considered whether to hold the meeting in closed session, considering recommendations from the Ombudsman that it should remain in open session as there was nothing within the Ombudsman's documentation that was not suitable to enter the public domain. Cllr Jones also expressed a desire for the meeting to be held publicly.</p> <p><u>RESOLVED:</u> Following consideration of the above, the Committee ruled to have the meeting held in open session noting that members of the Committee should not seek to unduly make meetings confidential when not required.</p>
Date Decision Made	21 June 2024

161. Ombudsman Investigation Under S69 of the Local Government Act 2000

Decision Made	<p>The Committee temporarily adjourned the meeting in order to determine whether invitees were allowed to be present for certain aspects of the meeting. It was determined that invitees would have to leave the meeting during initial stages of discussion and would be invited back in afterwards.</p> <p>The Committee considered representations from the Ombudsman's report relating to undisputed and disputed facts as well as the status of Cllr Jones as the quasi-employer of one of the subjects of the statements in question. The Committee also heard representations from the Defendant on the statements in accordance with the Committee's pre-hearing procedure.</p> <p>The Committee, in accordance with their adopted procedure dealt with the case in three stages. Their decision in relation to each stage is detailed below.</p> <p><u>Findings of Fact</u></p> <p>The Committee firstly considered the disputed facts. They heard submissions from the PSOW and the Member. Ms Jeanie Monks was also called as witness for the Member regarding the disputed fact as to whether the Member failed to comply with the PSOW requests in connection with the investigation. The</p>
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Committee unanimously found on the balance of probabilities that:

- The post about “chimps” was not directed at Councillor Farr as there were other members within the social media group and the Member had immediately messaged Cllr Farr to say the post was not about her. This fact was therefore not proven;
- The reference to “chimps” was not a texting error and was proven;
- The post about the Former Clerk was unacceptable and inappropriate and thereby the Committee determined this fact was proven;
- The Committee determined that on the evidence the fact was proven that Cllr Jones failed to comply with the PSOW’s requests in connection with their investigations.

Breach of Code of Conduct

Following the findings of fact, the Committee proceeded to hear representations from the PSOW as to whether the facts amounted to a breach of the Code of Conduct. They also heard submissions from the Member.

The Committee were satisfied that the Code of Conduct applied at the time of the incident as the Member was engaged in political activity. After careful consideration of all the evidence presented, the Committee determined that the Member had failed to comply with the following paragraphs of the Council’s Code of Conduct:

4(b) – show respect and consideration to others

4(c) – not use bullying behaviour or harass any person

6 (1)(a) – not conduct yourself in a matter which could reasonably be regarded as bringing your office into disrepute

6(2) – comply with any request of your authority’s Monitoring Officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

RESOLVED: The Committee determined that the post was clearly directed at the Former Clerk who as an employee of the Council had no public method of redress. The comments were disrespectful and aimed at damaging the reputation of the Clerk. The failure to remove the post or apologise caused continuous

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	<p>upset to the Clerk which amounted to bullying. In both findings the Committee also concluded that the Council was brought into disrepute. The comments had the potential to undermine the public's trust and confidence in the Council. In relation to paragraph 6(2) of the Code, the Committee determined there was a breach as Cllr Jones had disclosed information to his witnesses and the Committee did not accept they were acting in a formal capacity as his advisors. He had previously said that he hadn't shared information but later changed his position during the course of the hearing.</p> <p>In considering what sanction was appropriate, the Committee listened to representations from the PSOW and had due regard to the Sanctions Guidance issued by the Adjudication Panel for Wales. They also considered the mitigating and aggravating factors and heard representations from the Member.</p> <p>The Committee determined that a sanction was appropriate and having due regard to the aggravating and mitigating factors unanimously determined a two-month sanction. The Member, PSOW and the Monitoring Officer for Bridgend County Borough Council are notified of the Committee's decision by this Notice of Determination.</p> <p>The Committee will also be recommending to the full Standards Committee of Bridgend County Borough Council that they consider attending to observe meetings of Porthcawl Town Council.</p>
Date Decision Made	21 June 2024

The meeting closed at 14:58.