

<b>SUBJECT:</b>	<b>CODE OF CONDUCT GUIDANCE</b>
<b>MEETING:</b>	<b>STANDARDS COMMITTEE</b>
<b>DATE:</b>	<b>MONDAY 13<sup>TH</sup> JUNE 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>ALL</b>

1. **PURPOSE:** To advise members of the Standards Committee of the latest draft guidance produced by the Public Services Ombudsman for Wales (“the Ombudsman”) to help elected members in their understanding of the Code of Conduct for Members.
2. **RECOMMENDATIONS:** To note the contents of the draft guidance.
3. **KEY ISSUES:**

Attached to the report at appendix 1 and 2 is the latest draft guidance produced by the Ombudsman for elected members. The guidance has been produced to take account of the recent amendments to the Code of Conduct that were reported to the last meeting of Standards Committee and adopted by the council on 12<sup>th</sup> May 2016.

Members will note that the Ombudsman produces 2 versions of the guidance, one for county councils and the other for town and community councils. This is the fourth version of the guidance produced by the Ombudsman. This version explains the revised two stage test that the Ombudsman will consider when deciding whether to investigate or to continue with an investigation of a breach of the Code of Conduct to the stage of referring the matter to a standards committee or the Adjudication Panel for Wales. It also includes further guidance on the use of social media and political expression, and aims to provide assistance to members on the issue of interests which some members find challenging. Helpfully, it contains examples drawn from recent cases considered by the Ombudsman, standards committees across Wales and the Adjudication Panel for Wales.

The Ombudsman once again reiterates his wish that low level member on member complaints are dealt with at a local level by the individual council concerned through the council’s local protocol and process, so that he can target his resources on more serious allegations of breaches of the Code. Monmouthshire has adopted a Protocol for Self-Regulation of Member Conduct on 10<sup>th</sup> January 2013.

The draft guidance is full of useful examples of what the Ombudsman considers acceptable behaviour on the part of elected members and when he would be minded to investigate any allegations of breaches of the Code. Of particular note are his comments on paragraph 4(b) of the Code and the use of “political expression”.

The Monitoring Officer will make the guidance available to elected members when the Ombudsman releases the final version.

4. **REASONS:** To make Standards Committee aware of the latest draft guidance on the Code of the Ombudsman.
5. **RESOURCE IMPLICATIONS:** None
6. **SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:** None
7. **SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:** NONE
8. **CONSULTEES:** None
9. **BACKGROUND PAPERS:** None
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