



FULL COUNCIL - INFORMATION REPORT

Date Written	27 th January 2020**
Report Author	Simon Jones
Service Area	Legal & Democratic Services
Exempt/Non Exempt	Non Exempt
Committee Date	26 th February 2020

To: Mayor, Ladies and Gentlemen

Report of Standards Committee Determination

1.0 SUMMARY OF THE REPORT

- 1.1 At a meeting of the Standards Committee on the 15th November 2019 and pursuant to paragraph 4.3(i) of the "Procedure for dealing with allegations that a Councillor has breached the Local Protocol for Merthyr Tydfil County Borough Council, the Chair of the Standards Committee gave consent in accordance with Stage Three of the aforementioned procedure for the Standards Committee to hear and determine a complaint that a Councillor had breached (1) Merthyr Tydfil County Borough Council's Social Media Policy for Members and (2) the Members Code of Conduct.
- 1.2 Following on from this a Hearing of the Standards Committee took place at the Civic Centre on Friday the 24th January 2020. After Hearing evidence and submissions from the complainant and the respondent councillor the Standards Committee determined (1) that there was a basis to the complaint and (2) that the respondent councillor had breached both the Council's Social Media Policy for Members and the Members Code of Conduct. The Standards Committee determined that the breach was such that the respondent councillor should not be censured although it was recommended that the respondent councillor undergo refresher training on both the Council's Social Media Policy for Councillors and the Social Media Guidance issued by the WLGA.

2.0 INTRODUCTION AND BACKGROUND

- 2.1 In October 2019, the Monitoring Officer received a complaint that a Councillor had breached the Council's Social Media Policy for Members and the Members Code of Conduct. Attempts to resolve the complaint informally proved unsuccessful so in accordance with the "Procedure for dealing with allegations that a Councillor has

breached the Local Protocol for Merthyr Tydfil County Borough Council (the procedure), the matter was referred to the Standards Committee for consideration. At a meeting of the Standards Committee on the 15th November 2019 and pursuant to paragraph 4.3(i) of the procedure, the Chair of the Standards Committee gave consent in accordance with Stage Three of the procedure for the Standards Committee to hear and determine the aforementioned complaint.

- 2.2 Directions were given at this Standards Committee meeting for the filing of witness evidence and for the matter to be heard by the Standards Committee on the 24th January 2020. The hearing duly took place on this date and after Hearing evidence and submissions from the complainant and the respondent councillor the Standards Committee determined (1) that there was a basis to the complaint and (2) that the respondent councillor had breached both the Council’s Social Media Policy for Members and the Members Code of Conduct. The Standards Committee determined that the breach was such that the respondent councillor should not be censured although it was recommended that the respondent councillor undergo refresher training on both the Council’s Social Media Policy for Councillors and the Social Media Guidance issued by the WLGA.
- 2.3 Paragraph 4.3 which details Stage 3 of the procedure sets out the three conclusions that can be made by the Standards Committee in these circumstances and they are:-
- (i) There is no basis to the complaint.
 - (ii) There is a basis to the complaint but no further action is required.
 - (iii) There is a basis to the Complaint and that the Councillor should be censured.
- 2.4 Paragraph 4.4 of the procedure states that the conclusion of the Standards Committee will be reported to Council for information whilst paragraph 5.1 states that “publicity will not be given to the name of the Councillor (*respondent*) involved unless it is decided to uphold the complaint and that the Councillor should be censured. The hearing before the Committee will be exempt”.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications associated with this report.

4.0 INTEGRATED IMPACT ASSESSMENT

4.1

	Positive Impacts	Negative Impacts	Not Applicable
1. Merthyr Tydfil Well-being Objectives	0 of 4	0 of 4	4 of 4
2. Sustainable Development Principles - How have you considered the five ways of working:	0 of 5	0 of 5	5 of 5

<ul style="list-style-type: none"> • Long term • Prevention • Integration • Collaboration • Involvement 			
3. Protected Characteristics <i>(including Welsh Language)</i>	0 of 10	0 of 10	10 of 10
4. Biodiversity	0 of 1	0 of 1	1 of 1
<u>Summary:</u>			
There are no main positive or negative impacts associated with this report.			

ELLIS COOPER
CHIEF EXECUTIVE

COUNCILLOR ANDREW BARRY
CABINET MEMBER FOR GOVERNANCE
& CORPORATE SERVICES

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
Does the report contain any issue that may impact the Council's Constitution?		No

Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.