

Report on Standards Committee Hearing

In relation to a complaint against Councillor Patricia Hart of Conwy Town Council

Date of Hearing - 9th November 2020

In attendance:

Members of Conwy County Borough Council Standards Committee

Iain Moore
Anne Mellor
Clive Wolfendale
Councillor Delyth McRae
Councillor Frank Bradfield

At the Hearing, the Standards Committee heard from:-

- two representatives of the Ombudsman;
- a member of staff of Conwy Town Council
- a representative on behalf of Councillor Hart
- a former employee of Conwy Town Council
- the Clerk to Conwy Town Council and
- Councillor Patricia Hart

The hearing was convened as a consequence of the Report of the Public Services Ombudsman for Wales ("the Ombudsman") on the investigation of complaints made against Councillor Hart as a member of Conwy Town Council of potential breaches of the Council's statutory Code of Conduct for members.

The allegations were as follows:

- (i) that Councillor Hart breached Paragraph 11(1) of the Code of Conduct on 26th March 2018, 29th May 2018, 14th June 2018, 25th June 2018, 6 August 2018, 3rd September 2018 and 15th October 2018 when she failed to declare an interest at those meetings.
- (ii) that Councillor Hart breached Paragraph 14(i)(a)(ii) of the Code of Conduct by failing to withdraw from the room where the above meetings were taking place
- (iii) that Councillor Hart breached Paragraph 14(i)(c) and (d) of the Code of Conduct by seeking to influence the decision of the meeting on 14th June 2018 by making oral representations

After consideration of all the evidence and the representations made by all parties, the Committee found as a matter of fact that Councillor Hart had a personal and a prejudicial interest in staffing matters relating to a former member of staff and to a

current member of staff. This was by virtue of ongoing grievances and appeals raised against Councillor Hart and another Member who is also a member of Conwy Town Council.

The Committee also found as a matter of fact that Councillor Hart failed to declare her personal and prejudicial interest in all of the meetings referred to above and further that in the meeting on the 14th June 2018 Councillor Hart made oral representations and sought to influence decisions made in that meeting.

The Committee considered the representations made by Councillor Hart's representative that this meeting was not one which was convened to discuss anything other than wider issues within the Town Council. However, after considering the Minutes of this meeting and the report which was presented to it, it is clear that the grievances were both referred to in the report and discussed in the meeting. Further, it is clear that the prejudicial interest extended to discussion of any staffing matter affecting those with whom a dispute existed. Accordingly, Councillor Hart should have declared a personal and prejudicial interest and withdrawn from the room.

The Committee concluded that all the allegations referred to above were proven and that Councillor Hart had therefore failed to comply with the Code of Conduct on those occasions.

The Committee took a very serious view of the breaches noting the number and the long period of time over which they occurred in addition to the potential prejudice which may have occurred due to Councillor Hart's presence at the meetings. Further, the Committee felt that Councillor Hart appeared to have a lack of insight into her actions and the potential consequences of them.

The Committee accepted that during the period when the breaches occurred, there was a chaotic atmosphere within the Town Council where procedures may not have been correctly followed. However, the ultimate responsibility to comply with the Code of Conduct lies with Councillor Hart herself.

The Committee therefore determined that Councillor Hart should be suspended from being a member of Conwy Town Council for a period of one month. The Committee also strongly recommends that Councillor Hart undertake training on the Code of Conduct at the earliest opportunity.

The suspension came into effect on 2nd December 2020 and will expire on 1st January 2021