

Eleventh Report to the Sixth Senedd Under Standing Order 22.9

May 2024



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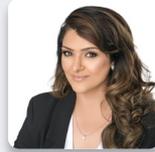
About the Committee

The Committee was established on 23 June 2021. Its remit can be found at:
www.senedd.wales/SeneddStandards

Current Committee membership:



**Committee Chair:
Vikki Howells MS**
Welsh Labour



Natasha Asghar MS
Welsh Conservatives



Mark Drakeford MS *
Welsh Labour



Peredur Owen Griffiths MS
Plaid Cymru

* Did not participate in any of the considerations of the complaint.

The following Member was also a member of the Committee during this inquiry:



John Griffiths MS
Welsh Labour

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1. Introduction

1. The terms of reference of the Standards of Conduct Committee (“the Committee”) are set out in Standing Order 22¹. In accordance with the functions set out in Standing Order 22.2, the Committee must:

“investigate, report on and, if appropriate, recommend action in respect of any complaint referred to it by the Commissioner for Standards.”²

2. This report is made to the Senedd under Standing Order 22.9 and paragraph 8.23 of the Procedure for Dealing with Complaints against Members of the Senedd (“the Procedure”)³ in relation to a complaint made to the Commissioner for Standards (“the Commissioner”).

¹ Standing Orders

² Standing Order 22.2(i)

³ The Senedd’s Procedure for Dealing with Complaints Against Members of the Senedd

2. Consideration of the Complaint

- 3.** The Commissioner received a complaint in relation to a Member's failure to declare a relevant interest.
- 4.** The Complainant set out their view that the Member should have declared an interest before making a 90 Second Statement, due to the fact that a Member of their support staff was also working for a consultancy that provided services to an organisation that was central to the subject of the statement. In doing so therefore, the Member failed to comply with Standing Order 13.8a.
- 5.** The Commissioner took representations from the Member and Complainant before making the complaint admissible.
- 6.** The Committee met on 15 April 2024 to consider the Commissioner's report and reach its conclusion in respect of this complaint.
- 7.** The Committee has included the relevant parts of the Commissioner's report within this report to protect the anonymity of those involved in this complaint in accordance with the procedure.
- 8.** This report sets out the details of the complaint and the Committee's deliberations in arriving at its decision.
- 9.** A copy of this report has been provided to the Member concerned and the Complainant.

3. Committee's Consideration of its Decision

- 10.** The Committee considered whether the Member was in breach of Standing Order 22.2(i).
- 11.** In considering whether a breach took place, the Committee reviewed the findings of the Commissioner as set out in his report.
- 12.** The Member and Complainant made written representations to the Committee.
- 13.** The Commissioner's report set out that the Member made a 90 Second Statement in 2020 and did not preface it with a declaration of a relevant interest. At the time of the statement being made, the Member employed a Member of staff who was also retained by a consultancy for a period of time between 2019 and 2020. The consultancy had a contractual arrangement for six months in 2018 with the organisation associated with the Member's 90 Second Statement (made in 2020).
- 14.** The Commissioner concluded that:

"... the Member did not have any relevant interest which she was under a duty to declare before making [the] 90 Second Statement and that [the Member] did not fail to comply with Standing Order 13.8A or with any other relevant provision.

Having considered the information available and all the representations, the Committee agreed with the conclusion of the Commissioner that there was no breach of the Code of Conduct.

4. Matters of General Principles

15. This complaint was made in the first instance to the Llywydd as it related to Senedd business.

16. The Llywydd referred the complaint to the Commissioner for investigation in accordance with paragraph 3 of the Code of Conduct. This was the first occasion on which the Llywydd had referred such a complaint. The Procedure does not set out a provision for dealing with such referrals under the Code, and as such the Commissioner sought legal advice on how to proceed. The Commissioner was advised to regard both the Complainant and the Llywydd, unless she did not wish it, as complainants. On 30 November 2023 the Llywydd informed the Commissioner that she did not wish to be considered as a complainant.

17. The Committee noted representations from the Member about the process for verifying the identity of complainants, and will consider this matter separately.