



Blaengwrach Community Action Group

End Conflict of Interest in Local Authority Constitution

Dear David,

Thank you for the opportunity to reply on the latest comments regarding this petition. Given the last replies from the RTPI, the Public Services Ombudsman for Wales and from Mr Alun Davies, I would like to summarise my main points as follows:

1. There is a vast amount of guidance available to members of Local Authorities, in the form of frameworks, policies and guidelines. What the entire system lacks, however, is a definitive form of **governance**. Mr Alun Davies certainly points out the existence of such policies and the responsibilities of certain senior roles to enforce these guidelines, however the emphasis remains on promoting the good behaviours **rather than having any real power to police 'the bad'**.

2. The Internal Audit Office of our local authority also assumes some responsibility to investigate complaints where breaches of the code of conduct has taken place. Again there seems to be no governance on how these investigations take place and how much power this office has. In my own experience as a member of the public with a complaint, I have had to request the Wales Audit Office to investigate where the Internal Audit Office would not.

3. The Public Services Ombudsman for Wales will not get involved in speculative investigations about misfeasance or fraud or personnel matters such as running private enterprises in council time. In my own experience as a member of the public who raised a complaint; my case was dismissed partly on the grounds of not providing enough evidence. Yet no further proof was actually requested before the rejection was issued, although even if it had I feel that the required level of proof would not be available to me as a member of the public. The latest reply also highlights how the Ombudsman has no powers in potential matters of fraud and corruption resulting from a conflict of interest.

4. It is of great concern that any real governance over the code of conduct, seems to be passed to the private organisation RTPI, of which it is **voluntary** for planning officers to become members. **Surely, the governance for our Local Authority mandates should stay within our Local Authority?**

5. The comments from the RTPI on this matter, should highlight to you the steady annual **increase in the number of complaints being received**. While I, as a member of the public, am not aware of their investigative remit or powers to enforce the Local Authority policies for employees, I see this as clear evidence that more needs to be done **within our Local Authority** to prevent such instances that escalate to a complaint. It is not enough for a third party such as the RTPI to simply recommend that their members *"take all steps to limit the perception of conflicts of interest"*.

6. The outlined statistics as reported by the RTPI, are the number of **reported cases** they receive and I would put it to you, the committee, to consider the number of **unreported cases** that must also be a factor. As a member of the public, neither I, nor my ward councillor, would think of appealing to the RTPI to enforce the Local Authority code of conduct. Our local authority has certainly never made me aware of addressing my concerns to such an organisation.



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In summary, I would urge the Welsh Government to take action **to aid our local authorities in enforcing the policies and guidelines** that have taken much time and resource to create and put in place. By far the easiest and most efficient way to promote a corruption free environment in our public office is to take simple measures to remove obvious conflicts of interest from such powerful decision-making bodies. By doing this, you are not only protecting the public, but also the employees in such roles in our local authorities. (For example, when there is public backlash against officers on social media channels who run private firms and in the same office hours.) The current system in place for recording and monitoring 'declared conflicts of interest' uses precious public resources (if employed correctly) simply to facilitate the private financial gain of arguably well paid public officials.

Conflicts of interest, such as allowing planning officers to run private planning consultancy firms creates temptations (for example in fraud and collusion) that are much harder to prove when they affect residential communities with planning decisions made for private benefit. Once these situations have arisen, there is little or no authority to prove and judge these cases. The private sector does not allow for conflict of interest, so why then, are we so intent on allowing this in our public positions of power?

As a Welsh resident who is active in my local community, I can tell you, without doubt, that the general public is not aware that this practice is facilitated. If it were to be made general knowledge, I am confident that public opinion would be overwhelmingly in favour of this petition. We need to feel that decisions affecting our homes and schools are made beyond reproach, which is simply not possible when local councillors or key planning officers also run consultancy firms just outside the same town borders.

I humbly ask, that the Welsh Government intervenes, on behalf of the Welsh public, to change the Employee Code of Conduct in our Local Authorities, to disallow such Conflicts of Interest, particularly with regard to such positions of power as Planning Officers and Ward Councillors.

Please also find enclosed with my reply, a report prepared by Transparency International on the mounting risks of corruption within UK local government. In particular, I would draw your attention to the section on 'revolving door risks' (page 26) which I regard as highly relevant to this particular matter.

I thank you for your time and consideration.

Yours sincerely

Emma Eynon

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