

National Assembly for Wales
Standards of Conduct Committee

**Report 02-16 to the Assembly under
Standing Order 22.9**

January 2016

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Standards of Conduct Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Tel: 0300 200 6565

Email: SeneddStandards@assembly.wales

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Standards of Conduct Committee

The Standards Committee was established on 22 June 2011. The Committee's role is to carry out the functions set out in Standing Order 22. These include: the investigation of complaints referred to it by the Standards Commissioner; consideration of any matters of principle relating to the conduct of Members; establishing procedures for the investigation of complaints, and arrangements for the Register of Members' interests and other relevant public records determined by Standing Orders.

Committee membership:



Mick Antoniw (Chair)
Welsh Labour
Pontypridd



Llyr Gruffydd
Plaid Cymru
North Wales



Mark Isherwood
Welsh Conservatives
North Wales



Eluned Parrott
Welsh Liberal Democrats
South Wales Central

Mick Antoniw resigned as Chair of the Standard Committee on 11 December 2015, in accordance with Standing Order 22.4 no substitution was made for the meeting of 12 January 2016.

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Finding and Recommendation

Finding of the Committee: Having reviewed the report from the Commissioner for Standards the Committee finds that a breach of the Code of Conduct has taken place by Ann Jones AM in relation to the improper use of Assembly resources. (Page 8)

Recommendation of the Committee: The unanimous decision of the Committee is to recommend to the Assembly, in accordance with 7.11(iii) of the Procedure for Dealing with Complaints against Assembly Members, that a breach has been found but no further action should be taken. (Page 9)

1. Introduction

1. The terms of reference of the Standards of Conduct Committee (“the Committee”) are set out in Standing Order 22.¹ In accordance with 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 Assembly under Standing Order 22.9 and paragraph 8.1 of the Procedure for Dealing with Complaints against Assembly Members³ (“the Procedure”), in relation to a complaint made against Ann Jones AM.

3. The report from the Commissioner for Standards (“the Commissioner”) on his investigation of the complaint is attached at Annexe 1. It sets out the details of the complaint and the findings of the Commissioner’s formal investigation.

4. This report sets out the details of the complaint and the way in which the Committee arrived at its recommendation.

¹ National Assembly for Wales, [Standing Orders of the National Assembly for Wales](#), Standing Order 22

² National Assembly for Wales, [Standing Orders of the National Assembly for Wales](#), Standing Order 22(i)

³ The National Assembly for Wales’ Procedure for Dealing with Complaints Against Assembly Members

2. Consideration of the Complaint

5. The complaint alleged that the Member concerned failed to comply with paragraph 10 of the Code of Conduct for Assembly Members, which states:

“Members are required to comply with the ‘Guidance for Members on the Use of Assembly Resources’ and any guidance on the use of Assembly resources specifically relating to an election campaign.”⁴

6. In this instance, a party political event was held in a meeting room in the Senedd, in the name of the Member concerned. Furthermore, the Member concerned was not present at the event. The Guidance provided to Assembly Members states that:

“rooms must not be booked solely for the purpose of promoting the work of any political party.”⁵

7. In a written statement the Member concerned stated that the booking had been made by her [Assembly Member] support staff (“AMSS”) without her knowledge, she said:

“I was made aware of the booking after the 15 May but before the event. I was not present at the event and it was only subsequently that I was made aware of the nature of it and that it was not as originally described.”⁶

8. The Member concerned acknowledged that she was “responsible for the conduct of her AMSS in respect of his actions on my behalf as an AM.”⁷

9. The Committee met on Tuesday 8 December 2015 to consider the report of the Commissioner. The Committee was satisfied that the Commissioner’s report contained sufficient information upon which to base its deliberations, and that it was not necessary to seek further written or oral evidence.

⁴ National Assembly for Wales, [Code of Conduct for Assembly Members](#)

⁵ Guidance on the Use of Conference, Meeting and Committee Rooms

⁶ Statement of Ann Jones AM, 18 November 2015

⁷ *ibid*

10. The Committee met again on Tuesday 12 January 2016 to agree its report in respect of this complaint.

Committee's Consideration of its Decision

11. The Committee considered whether the Member was in breach of Standing Order 22.2(i).

12. In considering whether a breach took place the Committee reviewed the information within the Commissioner's report and the Commissioner's opinion that a "clear breach" had taken place.

13. However, the Committee also noted the Commissioner's assertion that:

"It is an established practice that rooms are routinely booked by AMSS on behalf of the Member.

"The booking in question was made in the name of Ann Jones AM by her then AMSS, on 15 May 2015."⁸

Finding of the Committee - Having reviewed the report from the Commissioner for Standards the Committee finds that a breach of the Code of Conduct has taken place by Ann Jones AM in relation to the improper use of Assembly resources.

Committee's Recommendation - Sanctions available

14. In considering its recommendation the Committee noted that the room was booked by the Member's then AMSS. However, the Member was aware prior to the event that the room was booked in her name and did not attend.

15. The Committee considers that a breach by any Assembly Member is a serious matter. The reputation of the National Assembly for Wales as an institution, and the public's trust and confidence in it, rely upon Members demonstrating integrity and leadership by their actions.

16. However, whilst recognising the breach that has taken place the Committee accepts that the booking was made by the Member's AMSS without her knowledge, although it is clear the Member should have been in attendance.

⁸ Report of the Standards Commissioner

17. The Committee also recognises the comments made by the Commissioner regarding the clarity of the guidance relating to use of Assembly Resources and agrees with the changes suggested to ensure a declaration is made by AMSS when making a booking on behalf of an Assembly Member.

Recommendation of the Committee - The unanimous decision of the Committee is to recommend to the Assembly, in accordance with 7.11(iii) of the Procedure for Dealing with Complaints against Assembly Members, that a breach has been found but no further action should be taken.

18. A copy of this report has been provided to the Member concerned, who were also notified of their right to appeal under section 8 of the procedure.

19. The Committee Chair has tabled a motion (in accordance with Standing Order 22.11 and paragraph 9.1 of the procedure) calling on the Assembly to endorse the Committee's recommendation.

Annexe 1

From: Gerard Elias QC, Commissioner for Standards

To: The Committee on Standards of Conduct

FORMAL INVESTIGATION REPORT

Ann Jones AM

The Complaint

1. By email dated 1 July 2015, I received a complaint from [*name removed*] (the complainant) relating to the alleged improper use of National Assembly resources.
2. The complaint alleged that on 30 May 2015, an event had been held in a room in the Senedd which was a party political event, involving Welsh Young Labour. It pointed to the Guidance provided to Assembly Members that “***rooms must not be booked solely for the purpose of promoting the work of any political party***” (Annex 1 Guidance on the Use of Conference, Meeting and Committee Rooms).
3. On preliminary investigation, it appeared that Ann Jones AM, through the agency of her Assembly Member Support Staff (AMSS), [*name removed*], had booked a room to hold a “Young People’s Forum” for Saturday 30 May, between 2 and 4pm. The booking was made on 15 May. Further information suggested that the meeting had been attended by a Labour Party MP and a party candidate and had a strong party political content.
4. Therefore, I was satisfied that the complaint was admissible in that it raised issues about whether the event related to Assembly business or was a meeting primarily for party political purposes. I was further satisfied that the requirements of paragraph 3.1 (i)-(vi) of the applicable Procedure for Dealing with Complaints against Assembly Members (“the Procedure”) had been fulfilled. Accordingly, I moved to the Formal Investigation Stage.

Commissioner's Formal Investigation

5. On 6 July, I wrote to Ann Jones AM and in her reply of 15 July, she wrote:

- *"..the room booking was made in my name"*
- *"The meeting was for party political purposes"*
- *"I was not present"*.

She added that she was *"not made aware initially of the booking or indeed the content of the event....I was not aware it was for party political purposes and this came to light after the event."*

6. By a signed Statement dated 18 November 2015, Ann Jones confirmed the detail of her earlier letter and added that:

- She was aware of the booking after 15 May but before the event;
- That the event was not a "Young Peoples Forum" as described on the booking form;
- *"I appreciate that I am responsible for the conduct of my AMSS in respect of his actions on my behalf as an AM."*
- *This statement appended a copy letter dated 19 June from [name removed] to Ann Jones AM indicating that the AMSS had booked the room without consulting the Member and without informing her in advance of the nature of the meeting.*

7. I was provided with a copy of the relevant booking form together with emails to and from [name removed] to the responsible Assembly Commission staff.

Facts Found by Commissioner

8. The relevant facts which I find to be established are as follows:

- (i) The Guidance for Members in relation to the use of Meeting Rooms on the Assembly Estates stated that rooms must be booked:
 - By the Assembly Member.
 - The use must be related directly to Assembly business.
 - The room "must not be booked solely for the purpose of promoting the work of any political party";
 - The sponsoring Member (or another Assembly Member) must be present in person throughout the event.
- (ii) It is an established practice that rooms are routinely booked by AMSS on behalf of the Member.

- (iii) The booking in question was made in the name of Ann Jones AM by *[name removed]*, her then AMSS, on 15 May 2015.
- (iv) The event held on 30 May 2015 was a party political event.

Conclusions

- 9. I have no reason to doubt the Member's contention that she was not aware of the booking initially, nor that she was unaware of the real purpose of the event in question.
- 10. Likewise, I have no reason to doubt the account set out in his letter of 19 June by *[name removed]*, AMSS.
- 11. It is clearly the case that the Member was aware of the requirement that she attend an event booked in her name.
- 12. Further the Member accepts that she is responsible for the conduct of her AMSS, when acting in her name.
- 13. **In these circumstances, I am satisfied that there has been a clear breach of Paragraph 10 of the Code of Conduct by the Member concerned in that she failed to comply with the Guidance on the Use of Assembly Resources in that:**
 - A party political event was held in her name on the Assembly Estate and
 - She (or another AM) was not present at the event booked in her name.

and she thereby fall to be dealt with by the Committee on Standards of Conduct under Standing Order 22.2.

Requirements under the Procedure for Dealing with Complaints

- 14. I confirm that:
 - The Member concerned has been provided with a draft of my final report and wished to raise no factual inaccuracy contained therein.
 - Since her initial written complaint, the complainant has not responded to any communications from me.

Miscellaneous

- 15. I append to this report the following:
 - The original letter from the Member dated 15 July 2015
 - Signed Statement of Ann Jones AM dated 18 November 2015
 - Copy letter *[name removed]* to Ann Jones AM dated 19 June 2015
 - The original Completed Booking Form.

16. As indicated in the Member's statement and foreshadowed in her letter of 15 July, the Member proposes to pay to the Assembly Commission the sum of £250 to cover the cost of the room hire – this being something which should not be borne by the public purse.

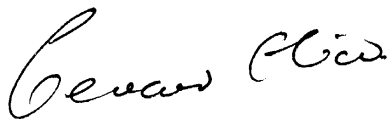
Other Matters

17. Whilst not affecting in any way my conclusions set out above, in the course of my investigations into this matter, and exercising my powers under Section 7(c) of the 2009 Standards Measure which governs my appointment, I have indicated to the Assembly Commission that I propose to make the following recommendations to the Committee:

- A. The Written Guidance in relation to the use of committee and other rooms be “sharpened” so as to underline that these are for use for matters related to Assembly Business only.

- B. Whilst not wishing to prevent AMSS from booking rooms on behalf of Members, that the Booking Form should contain declarations by the person booking, confirming the following:
 - **The meeting is for Assembly Business**
 - **The meeting is not for party political purposes**
 - **The Assembly Member in whose name the booking is made will be present at the event.**

18. I understand from the Clerk to the Assembly that these recommendations have been accepted and implemented.



Gerard Elias QC
28.11.2015

ANN JONES AM/AC
Vale of Clwyd / Dyffryn Clwyd



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Mr Gerard Elias, QC
Standards Commissioner,
The Pierhead,
Cardiff CF99 1NA

July 15, 2015

Dear Mr Elias,

Thank you for your correspondence July 6th 2015.

You have asked a number of questions relating to a complaint made and I will answer those as follows

1. I will confirm that the room booking was made in my name
2. The meeting was for party political purposes
3. I was not present
4. No formal written invitations were issued to my knowledge

Whilst answering those questions I would ask you to consider the following as mitigating circumstances;

I was not made aware initially of the booking or indeed the content of the event but was subsequently informed that a booking had been made for the 30th May. I was not aware it was for party political purposes and this came to light after the event.

██████ realises he did wrong and has apologised most sincerely for this serious lack of judgement. He also realises that this action will be subject to a formal disciplinary procedure.

██████ is a very talented young researcher who cares passionately about politics and the Assembly, I believe his enthusiasm and his eagerness to please his peers may have contributed to this serious lapse in judgement.

However, ██████ recognises that this does not excuse his actions.

As his employer, I realise that his actions are out-with the Assembly protocol and I have encouraged him to reflect upon the damage this has caused to his reputation, my reputation and the reputation of the Assembly as an institution.

ANN JONES AM/AC
Vale of Clwyd / Dyffryn Clwyd



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

As a step towards a resolution to this unfortunate incident I have suggested that the costs of hiring this room at the Senedd should be reimbursed.

Upon [REDACTED]'s return to work, he is aware that this serious lapse of judgement will be dealt with formally.

I hope that you can accept the above not as excuses but as mitigating circumstances relevant to the complaint made.

Regards

Ann Jones

Ann Jones AM

Annex B

STATEMENT of ANN JONES AM

- 1 I am the Assembly Member for the Vale of Clwyd.
- 2 As such, I acknowledge that I am aware of the Code of Conduct for Assembly Members and, in particular, in relation to this statement, the need to comply with Regulation 10 of the Code requiring my compliance with the Guidance for Members on the Use of Assembly Resources.
- 3 On the 15th May 2015, a booking was made for a room in Ty Hywel to hold what was described at the time as a "Young Peoples' Forum" on Saturday, 30th May.
- 4 The booking was made in my name by my AMSS, [REDACTED]
- 5 I was made aware of the booking after the 15th May but before the event.
- 6 I was not present at the event and it was only subsequently that I was made aware of the nature of it and that it was not as originally described.
- 7 I now know the meeting was for party political purposes.
- 8 In acknowledging that this was a misuse of National Assembly resources, I further confirm that I was in breach of the appropriate guidance in having a room booked in my name and not attending the event concerned.
- 9 I appreciate that I am responsible for the conduct of my AMSS in respect of his actions on my behalf as an AM.
- 10 My AMSS has apologised to me in writing (copy provided to the Commissioner for Standards) for his serious lapse of judgement in making a booking in my name which was not for the purpose he described.
- 11 Further, I understand that the cost of booking a 2 hour slot in a comparable venue in Cardiff Bay would be of the order of £250 and I propose to pay the Assembly Commission this sum because the room was used for party political purposes.

Signed.....

18.11.2015



19th June 2015

Dear Ann,

After having taken the time to reflect on the meeting held recently at the Assembly, during which we discussed my booking of the Media Briefing Room without consulting you, I would like to offer my sincere and unreserved apology to you.

I agree that allowing this meeting to go ahead without your knowledge was a serious lapse of judgement on my part, which may now cause significant problems for you. I am very sorry for this and take full responsibility for my actions.

I know that trust is a fundamental principle in our office and I accept and regret that I have broken this trust you have placed in me. I am anxious to restore that relationship of mutual trust. I can assure you that I will not repeat any such actions in the future. I very much hope we can restore our very positive and successful working relationship.

Yours,



Annex D

The screenshot displays a room booking application interface. The background shows a calendar grid for May and June 2015, with various rooms listed on the left: Committee Room 2, Committee Room 3, Main Debating Chamber, Oriel, Neuadd, Cwrt, Media Briefing, and Office 7. A 'Booking Properties' dialog box is open in the foreground, showing details for a meeting on 30/05/2015.

Booking Properties Dialog:

- General Tab:**
 - Type: General Meeting
 - Start: 30/05/2015 14:00
 - End: 30/05/2015 16:00
 - Task: APS Ref (49860)
 - Meeting: [Empty]
 - Size: 1
 - Notes:
 - Req: Laptop/PPT/Screen
 - [Redacted] to escort the externals TVP
 - Security made aware this meeting is taking place and confirmed bodies will be in place TVP
- Resources Tab:** [Empty]
- Attachments Tab:** [Empty]
- Questions & Answers:**
 - All Questions
 - Table with columns: Question, Answer

Questions & Answers Table:

Question	Answer
Meeting Title (Eng)	Young People's Forum
Meeting Title (Wel)	Young People's Forum
Attendance Numbers	30
Layout	Theatre
Members	Ann Jones
Refreshments	None
External Attendees	Yes
Number of External Atte...	25
Guidance	Not Necessary
Invitation reminder	Not Necessary
Organiser	[Redacted]
Date Booking Confirmed	15/05/2015

At the bottom of the window, a status bar indicates: "Booking made by Tracey on 15/05/2015 09:49 and last changed by hopebrownt on 12/06/2015 09:39". The system tray shows the time as 11:33 on 03/07/2015.