

Appendix

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Our ref 1179/201001935

Your ref:

Date: 29 September
2011

Ask Annie Ginwalla
for:

 01656 644201

 Annie.Ginwalla@ombudsman-wales.org.uk

Strictly Private & Confidential

Councillor Elwyn Schofield
Olgra
Marianglas
Anglesey
LL73 8PL

Dear Councillor Schofield,

Code of Conduct Complaint

Further to the above matter, I now enclose copies of the evidence obtained during the investigation.

I also attach some questions for your attention. I would be grateful if you could also respond to the attached questions, by **20 October 2011**.

I would also ask that you also bear in mind that any comments provided may be attached to any report on the investigation which the Ombudsman may refer to the Authority's Standards Committee, or to the President of the Adjudication Panel for Wales. I therefore advise you not to discuss the evidence or any comments that you may be intending to make in response to my questions with anyone other than the Interim Monitoring Officer, his staff or other relevant officers of the Council or anyone who may be representing you.

I should advise you that if no response is received from you, the Ombudsman may infer that you are unable to provide satisfactory answers to the questions.

Yours sincerely

Annie Ginwalla
Investigator

List of enclosures:

Questions	
Appendix 1 of questions	Declaration and undertaking
Appendix 2 of questions	Attendance note of meeting of 28 August 2009
Appendix 3 of questions	Copy of complaint
Appendix 4 of questions	Statement of Councillor Clive McGregor
Appendix 5 of questions	Paragraph 85 Letter
Appendix 6 of questions	Joint statement
Appendix 7 of questions	Minute of meeting of Executive of 10 December 2009
Appendix 8 of questions	Statement of Lynn Ball
Additional Evidence	Minute of meeting of Executive of 16 July 2007
	Minute of meeting of Executive of 10 September 2007
	Minute of meeting of the Council of 18 September 2007
	Minute of meeting of Executive of 8 September 2008
	Full copy of "detailed rebuttal" letter of 10 June 2009
	Responses to questions received from Mr. Alan Carr
	Statement of Councillor Robert Parry
	Statement of Thomas Dylan Edwards
	Statement of Gwilym Williams
	Responses to questions received from Professor Zoe Radnor
	Statement of David Bowles - <i>unassigned - signed to follow</i>
	Handwritten interview notes - Gwilym Williams
	Handwritten interview notes - Lynn Ball
	Handwritten interview notes - Councillor Clive McGregor
	Handwritten interview notes - Thomas Edwards
	Handwritten interview notes - Councillor Robert Parry
	Handwritten interview notes - David

	Bowles
	Minute of meeting of Executive of 8 December 2008
	Minute of meeting of Executive of 9 February 2009

Questions - Councillor Elwyn Schofield

1. Please confirm when you became a member of the Isle of Anglesey County Council.
2. Please confirm that the attached signed declaration of acceptance of office is one signed by you on 2 May 2008.
3. Please confirm that the attached signed undertaking to abide by the terms of the Code of Conduct is one signed by you on 19 May 2008. Both documents are attached at Appendix 1.
4. Please confirm your understanding of the following paragraphs of the Isle of Anglesey County Council's Code of Conduct for members;

Paragraph 4(c)

Paragraph 6(1)(a)

Paragraph 6(1)(d)

Paragraph 7(a)

5. What training on the Code of Conduct have you been offered since your election and by whom?
6. What training have you attended on the Code of Conduct and when?
7. Prior to becoming a member of the Isle of Anglesey County Council, what experience did you have as an elected/co-opted member of any other Council?
8. Would you describe yourself as an experienced member?

If so, please explain.

9. In his complaint Mr. David Bowles submitted a record of a meeting of 28 August 2009 he had with you. I attach a copy of the same at Appendix 2.

Do you agree the content of this document?

If not, please explain why.

10. Please refer to paragraphs 3.12.1 to 3.12.9 (inclusive) of Mr. Bowles's complaint to this office against you. A copy is attached at Appendix 3. These paragraphs set out a summary of the allegations made by you on 28 August 2009 which relate to Miss Ball. Dealing with each in turn, please explain the basis for each of these allegations.

Please also provide details of any evidence that you have in support or which justify you in making these allegations.

11. Please provide details of any communication or meetings you may have had with the auditors from PriceWaterhouseCoopers whilst they conducted their investigation of the "Craigwen" matter.
12. Please refer to the statement of Councillor Clive McGregor, attached at Appendix 4. In his statement Cllr McGregor indicates that in December 2008 you provided him with typed notes setting out your issues of concern relating to some of the Council's Senior Officers. He states that these notes were used to form part of the letter commonly referred to as the "paragraph 85" letter (a copy is attached at Appendix 5).
 - a) Please confirm when and why you provided the typed note to Councillor McGregor.
 - b) Please provide a copy of the typed note.
 - c) Please explain the basis for any concerns which are expressed within this note, providing evidence where possible.
13. Please refer to paragraph 3.7.20 of Mr. Bowles's complaint to this office against you. This paragraph refers to your refusal to sign the "Resolution of the Issue of the Paragraph 85 letter" commonly referred to as the "joint statement" (Appendix 6). Please explain why you refused to sign this document.
14. Please detail any consequences which ensued as a result of your refusal.
15. I refer to the minute of the meeting of the full Council on 10 December 2009 which contains the following statement, (a copy of the minute is attached at Appendix 7):

"He [Councillor Schofield] wished to make it clear that he had never made a complaint about any Officer or Member within this Authority."

- a) Did you make this statement?
 - b) Please explain why you made this statement.
 - c) Do you still consider this statement to be true? If so please explain.
16. Please refer to the statement of Miss Ball attached at Appendix 8. Miss Ball makes reference to an impromptu conversation which occurred in her office in December 2010.
- a) Do you recall this conversation?
 - b) Please provide details of the conversation which followed providing direct quotes where possible.
 - c) Did you make the comments as suggested by Miss Ball?
 - d) If so, please explain.
17. Do you consider that your conduct as detailed in Mr. Bowles' complaint since your election in 2008 amounts to a breach of the Code of Conduct for members as alleged?
- If not, please explain why.
18. Do you consider that your conduct towards Miss Ball is capable of amounting to a breach of paragraph 4(c) of the Code of Conduct for members? If not please explain.
19. Do you consider that your conduct as set out in the complaint is capable of amounting to a breach of paragraph 6(1)(a) of the Code of Conduct for members? If not please explain.
20. Do you consider that your conduct as set out in the complaint is capable of amounting to a breach of paragraph 6(1)(d) of the Code of Conduct for members? If not please explain.
21. Do you consider that your conduct towards Miss Ball is capable of amounting to a breach of paragraph 7(a) of the Code of Conduct for members? If not please explain.
22. Please add any other comments you consider may be relevant to the investigation of the complaint.

PLEASE RESPOND BY 20 OCTOBER 2011