

Twenty third report to the Sixth Senedd under Standing Order 22.9

October 2025



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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:
Hannah Blythyn MS
Welsh Labour



Mick Antoniw MS
Welsh Labour



Tom Giffard MS
Welsh Conservatives



Peredur Owen Griffiths MS
Plaid Cymru

The following Member attended as a substitute 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 22.¹ 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”).

3. Mick Antoniw MS recused himself from consideration of this matter and John Griffiths MS acted as a substitute.

4. This report sets out the details of the complaint and the Committee’s deliberations in arriving at its decision.

5. A copy of this report has been provided to the Member and the Complainant.

6. The Procedure requires the Committee to anonymise reports from the Commissioner in those cases where a complaint has been ruled admissible but no breach has been found. In such cases, rather than redacting information, the Committee produces a summary of the relevant parts of the Commissioner’s report and the Committee’s consideration of it.

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

- 7.** The Commissioner received a complaint about the conduct of a Member on social media. The Complainant set out that the posts on the X (formerly Twitter) account of the Member disseminated misinformation about them and had “engaged with an account known for racist, divisive, and Islamophobic content.”
- 8.** The Complainant also asserted that following the posts, numerous threatening and abusive comments had been made about the Complainant and its staff and that these had been referred to the police.
- 9.** The Commissioner stated in his report that the complaint was admissible and after engaging with the police, he was informed that they were content that his investigation would not prejudice any police investigation.
- 10.** The Committee met on 16 September, 7 October and 13 October 2025 to consider the Commissioner’s report and reach its conclusion in respect of this complaint.

3. 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 findings of the Commissioner as set out in his report.

13. The Member did not avail themselves of the opportunity to make written or oral representations to the Committee.

14. The Complainant alleged that the Member breached the following rules:

- **Rule 1:** Members must uphold the Overarching Principles (specifically the Respect, Selflessness and Integrity principles);
- **Rule 3:** Members must not act or behave in a manner that brings the Senedd or its Members generally, into disrepute; and
- **Rule 4:** Members must not engage in unwanted behaviour, harassment, bullying, or discrimination.

15. The Complainant also stated that the Member disseminated misinformation and “shared information” about the Complainant, “unfairly misrepresenting its activities and mission.” The Commissioner set out that, if proved, such conduct might amount to a breach of the Honesty principle in Rule 1 and of Rule 2 (duty to act truthfully).

16. It was established by the Commissioner that a member of staff employed by the Member had posted videos and text in response to a link shared by an organisation. The version of the video shared by the member of staff had originated from a platform that contained “grossly offensive posts”.

17. It was further established that, with the Member’s permission, the staff member had, for several years made a significant proportion of posts on the Member’s social media accounts. The member of staff was also aware that previous complaints against the Member, stating very similar words, had been held to be inadmissible and dismissed.

18. The Commissioner noted that the video had been downloaded and shared by many far-right social media groups and individuals and that following this, the organisation, its staff and volunteers were subject to abusive and threatening posts on social media.

19. In the Commissioner's view:

“... the evidence was clear the Member did not post either of the tweets that are the subject of the complaint. There is nothing in the Code of Conduct making a Member vicariously responsible for the conduct of their staff. That being so, I am clear that the Member did not breach any of the above provisions of the Code.”

20. He went on to say that he considered whether to extend his investigation to include a potential breach of Rule 24 which requires Members to “take reasonable measures to ensure that their staff, when acting on their behalf, also uphold and act in accordance with these Rules and the Overarching Principles”⁴, but concluded:

“I decided against doing so. The staff member had been the Member’s senior adviser for the last three of the nine years [they] had been employed by the Member. One of [their] main work areas was communications and [they were] experienced in the use of social media. Although [they were] unaware that the video and text on the [name] account referred to in Finding S could be accessed by means of the blue button on the videos [they] posted, I am satisfied that the link function by means of the button was not widely known and would not have been covered in any social media training.”

21. In relation to paragraph 109 of the guidance⁵ to the Code of Conduct, which states: “*It is not permissible for Members to seek to bypass the Code by asking their staff to undertake actions that the Code would prevent them from undertaking themselves*”, the Commissioner said:

“I was satisfied that there was no attempt to bypass the Code provisions. It is clear from the evidence that in a discussion between the Member and [their] staff member earlier that week, it had been agreed that there should be a focus on the Member’s long-term opposition to [a Welsh Government policy] which was a live issue in parts of [their] constituency. It was left to the staff member to decide how best to do that. It was also clear that the Member was in full agreement with the text posted by [their] employee which was very similar to text that

⁴ [Code of Conduct on the Standards of Conduct of Members of the Senedd. Rule 24](#)

⁵ [Guidance on the Code of Conduct for Members of the Senedd. paragraphs 109](#)

had been posted on several previous occasions. Complaints about these previous posts had been dismissed because, although inaccurate, they were neither untruthful nor dishonest. I did not consider that the Complainant's assertion that describing the videos as 'propaganda' was "disseminating false information." The videos were one sided and fell within the customary definition of propaganda."

22. With regards to the content of the posts, the Commissioner determined:

"Because the posts were not made by the Member and so could not amount to a breach of the Code, it was not necessary for me to form an opinion about the truthfulness and honesty of the text or whether by unwittingly providing a link to the [name] account and its undoubtedly offensive content there had been a breach of a relevant provision. For the same reason it was unnecessary for me to consider whether the threats and abusive messages referred to in Finding U were because of the posts, or as I suspect much more likely, the offensive material and videos on the [name] and other extremist sites such as [name]."

23. On the facts established, the Commissioner concluded:

"It is my opinion that no breach of any relevant provision has been established"

24. However, the Commissioner recommended to the Committee that on a matter of principle:

"Although I am clear that there was no attempt by the Member to avoid the Code provisions, the absence of any provision making Members responsible for the conduct of their staff provides a loophole that could be exploited by any unscrupulous Member. The Committee may wish to consider how this loophole could best be closed."

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. Lessons learnt from this complaint

25. The Committee agreed with the finding of the Commissioner that this complaint did not engage Rule 24 as the member of staff was acting in accordance with the request of the Member. However, consideration of this complaint has prompted the Committee to reflect on the need to explicitly state that the responsibility of information published in Members' names lies with them.

26. The guidance associated with Rule 24 currently states:

"Members are ultimately responsible for making themselves and their staff aware of the content of the Code and all related guidance and additional information. Ignorance of the Code's provisions is not a valid reason for breaching them."

"It is not permissible for a Member to seek to bypass the Code, by asking their staff to undertake actions that the Code would prevent them from undertaking themselves."⁶

27. It is for the Member to decide the autonomy given to their staff in which to act on their behalf. However, when members of staff are acting explicitly in the name of the Member and it appears to the public as if it were the Member themselves (for example posting on a social media account in the Member's name), then ultimately the Member should take responsibility for any such actions being in accordance with the Code. Exonerating Members of responsibility when information is published explicitly under their name goes against the spirit of the Code, and may inadvertently provide Members with a means to by-pass relevant provisions. It is the expectation of this Committee that Members take responsibility for regulating any information put out in their name, as it will be the public's perception that it is published by the Member personally.

28. The Committee would also like to take this opportunity to remind Members about the negative impact their actions can have on individuals and organisations. Members who attach their names to posts such as the one under investigation in this report, have a responsibility to examine their sources properly, knowing that their name and position as elected office holders gives credence to the messages they are relaying.

⁶ Guidance on the Code of Conduct for Members of the Senedd, paragraphs 108 and 109

29. In his report to the Committee, the Commissioner stated the subjects of the post:

“... were subjected to a large number of abusive messages. These messages included what the [organisation] described as “racial slurs, Islamophobic hate speech, and explicit death threats”.

30. We accept that the content of the posts have not been subject to investigation in this instance, but the harm done as a consequence of the posts is of great concern to the Committee.

31. It is therefore our intention to consider the introduction of a new standalone rule in relation to the use of Members social media accounts, to make clear that Members are responsible for information released in their name – whether it is published by Members themselves, or staff acting on their behalf.

32. Any changes to the Code of Conduct require the agreement of the Senedd, and the Committee intends to bring forward recommendations in this area as part of its wider review of the Code before the end of the Sixth Senedd. With that in mind, and until these changes have been agreed and published, any future complaints of this nature will be considered in line with the conclusions set out in this report. This means that a Member will not be able to absolve themselves of responsibility by relying on the fact that a member of staff has posted on social media on their behalf. We will write to all Senedd Members, drawing their attention to the finding of this report, and setting out our expectations until those changes have been published.

33. With the proximity to the upcoming elections, and Members more likely to take to social media as part of their campaigning, this report is especially timely and emphasises the need to be clear about expectations in this area.