

ANNUAL REPORT

April 2024 – March 2025

UPHOLDING
REPUTATIONS



SAFEGUARDING
STANDARDS



ADDRESSING
CONCERNS



The Senedd Commissioner for Standards is an independent person appointed by the Welsh Parliament, to safeguard standards, to uphold reputations, and to address your concerns.



Douglas Bain CBE TD
Senedd Commissioner for Standards

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1. Introduction

1. This is my fourth annual report as Senedd Commissioner for Standards. The report outlines how I performed the functions of that office during the year ended 31 March 2025.

2. After setting out the relevant statutory provisions it gives information on the number and subject matter of complaints received and how they were processed. Information is also given on other work undertaken in 2024-25, the expenditure of the Commissioner's office and what is planned for 2025-26.

2. Functions and duties of the Commissioner

3. There were no changes to the functions and duties of the Commissioner during the reporting year. The office of Senedd Commissioner for Standards was created by section 1(1) of the National Assembly for Wales Commissioner for Standards Measure 2009 ('the Measure').¹ Section 5 of the Measure provides for the independence of the Commissioner from the direction or control of the Senedd.

4. The functions of the Commissioner are set out in sections 6 and 7 of the Measure and may be summarised as being –

- To receive any complaint that a Member has failed to comply with a requirement of the Code of Conduct² (the Code') or other relevant provision and to investigate and report to the Standards of Conduct Committee ("the Committee") on those that are admissible;³
- To advise Members and members of the public on the process for making and investigating complaints;
- To give advice to the Senedd on any matter of general principle relating to the standards of conduct of Members, the procedure for investigating complaints or any other matter relating to promoting, encouraging and safeguarding high standards of conduct in the public office of Member of the Senedd.

5. Section 19 of the Measure requires the Commissioner, as soon as possible after the end of each financial year, to submit a report to the Senedd on how the functions of the Commissioner have been exercised during that year.

¹ <http://www.legislation.gov.uk/mwa/2009/4/contents>;
<http://www.legislation.gov.uk/mwa/2009/4/contents/enacted/welsh>

The title of the post was changed from National Assembly for Wales Commissioner for Standards by the coming into effect of section 7 of the Senedd and Elections (Wales) Act on 6 May 2020.

² <https://www.assembly.wales/en/memhome/code-conduct-mem/Pages/default.aspx>

³ As defined in section 6(3) of the Measure.

3. Complaints

Introduction

6. By far the greater part of my time during the year was spent dealing with complaints against Members of the Senedd. Further information about them is set out in the following paragraphs.

Complaints carried forward from 2023-24

7. At the start of the reporting year there were no complaints that were awaiting a decision on admissibility. The investigations of two admissible complaints were ongoing at the start of the year.. The complaints were almost identical and my reports regarding these investigations were submitted to the Committee in July 2024.⁴

New complaints

8. During the year 136 new complaints, were received. All these complaints were dealt with in accordance with the Procedure.

9. The sources, subject matter and reasons for inadmissibly of these complaints is shown in the following Tables.

⁴ Seventeenth report to the Sixth Senedd under Standing Order 22.9 - Andrew RT Davies

Table 1: Complaints received, source and admissibility

	2020-21	2021-22	2022-23	2023-24	2024-25
Received	216	44	71	190	136
% by Public	94	91	58	89	92
% by Member against Member	4.5	0	0	0.5	2
% by Member against self	0.5	0	7	1.5	1
% by Clerk of the Senedd	1	9	35	9	5
% not admissible	41	80	49	84	82
% admissibility not decided by year end	9	5	0	1	3

Table 2: Complaints by subject matter

	2020-21	2021-22	2022-23	2023-24	2023-24
Conduct on social media	60	6	8	53	44
Misuse of resources	25	4	5	3	5
Standard of service	7	16	5	17	15
Failure to register/declare/update an interest	95	7	27	24	12
Outside remit (conduct in plenary or Ministerial conduct)	12	3	20	29	22
Other conduct⁵	17	8	6	64	38
TOTAL	216	44	71	190	136

⁵ Complaints are received in many different areas and this section has included complaints ranging from the acceptance of donations to a Member's actions in response to perceived threatening posts on social media. Others subjects complained about included Welsh Government policies, comments by Members on broadcast media complaints about staff working on elections during office hours.

Table 3: Reasons for inadmissibility

Reason number	Descriptor	2020-21	2021-22	2022-23	2023-24	2024-25
1	Not in writing (Procedure paragraph 4.2(a))	0	0	0	0	0
2	Complainant not named (Procedure paragraph 4.2(b))	0	0	0	0	0
3	Not about conduct of a named Member (Procedure paragraph 4.2(c))	2	2	0	9	1
4	Act or omission complained of not stated (Procedure paragraph 4.2(d))	86	33	1	9	2
5	Insufficient supporting evidence (Procedure paragraph 4.2 (e)(i)) ⁶	-	-	3	40	22
6	Conduct, if proved, not a breach of relevant provision (Procedure paragraph 4.2(e)(ii))					
	a. Conduct in plenary or Committee (Code paragraph 3) ⁷	-	-	13	17	12
	b. Ministerial Conduct (Code paragraph 7(ii)) ⁸	-	-	7	12	10
	c. Standard of service (Code paragraph 7(iii)) ⁹	-	-	4	17	27
	d. Other	-	-	7	54	35
7	Not within period allowed (Procedure paragraph 4.2(g))	1	0	0	1	2

10. Of the 20 admissible complaints, 7 were referrals by the Clerk to the Senedd. All related to minor failures by Members to notify a change to their registered interests within the time allowed under Standing Orders. In all instances, as the Members accepted their error and had

⁶ Where Complainants initially fails to provide sufficient evidence or information to support a potentially admissible complaint, they are allowed at least 14 days to provide it.

⁷ Paragraph 3 of the Code provides that the conduct of Members during plenary sessions the Senedd and in committees is normally dealt with by the Llywydd and the chairs of Committees through the application of Senedd Standing Orders. The Commissioner may investigate a complaint of such conduct only if it is referred for investigation by the Llywydd or the committee chair.

⁸ Section 8 of the Measure and paragraph 7(ii) of the Code make clear that the Commissioner has no role in relation to complaints of alleged misconduct by Members when acting exclusively in their Ministerial capacity. The complainants who alleged ministerial misconduct were directed to the office of the First Minister.

⁹ Paragraph 7(iii) of the Code provides that it does not apply in relation to the standard of service and outcomes received from a Member.

rectified it, I recommended to the Committee that I should not continue my investigation. All such recommendations were accepted.

11. I brought my investigation of one of the admissible complaints to an end, in accordance with paragraph 5.1(c) of the Procedure, when the Complainant informed me that he did not wish to continue with his complaint.

12. I commenced a full formal investigation of eleven of the other admissible complaints. My reports on three of these investigations were submitted to the Committee during the year. In all of these reports I gave my opinion that there had a breach of relevant provision. The Committee agreed with all of these opinions.^{10 11 12}

13. I recused myself from investigating one of the admissible complaints due to my involvement with the parties during my investigation of another compla.int. In accordance with section 4 of the Measure, Melissa McCullough the Northern Ireland Assembly Commissioner for Standards and the Pan-Islands Commissioner for Standards, was appointed as an Acting Commissioner. The report of her investigation was submitted to the Committee in March 2025.¹³

Complaints carried forward to 2025-26

14. At the year-end my investigation of eight remaining admissible complaints received during the year was ongoing.¹⁴

15. Four complaints were suspended with the admissibility yet to be decided. I suspended these complaints because they were almost identical to complaints already being investigated. The suspended complaints will be dealt with when I submit my report to Committee on the linked complaints.

Consideration

16. I am satisfied that overall the conduct of Members continues to be of a high standard.

¹⁰ Fourteenth report to the Sixth Senedd under Standing Order 22.9

¹¹ Eighteenth report to the Sixth Senedd under Standing Order 22.9

¹² Nineteenth report to the Sixth Senedd under Standing Order 22.9

¹³ Twentieth report to the Sixth Senedd under Standing Order 22.9

¹⁴ all these investigations have been completed and reports on seven of them have been submitted to the Committee

17. The reduction of 59 in the number of complaints received was to a large extent due to a significant reduction in complaints made against the two Members who in 2023-24 were the subjects of 58 complaints.

18. There was no major change to either the percentage of complaints made by members of the public or the percentage of complaints that were not admissible.

19. The largest single reason for complaints being held to be inadmissible was because they were about the allegedly poor service provided to constituents by their Member. Paragraph 7 of the Code of Conduct provides that the Code does not apply *"in relation to the service and outcomes received from a Member."* The view had been taken that the remedy for poor service from a Member lay at the ballot box at the next election. With the introduction of the closed list proportional representation system under the Senedd Cymru (Members and Elections) Act 2024 that remedy will no longer be available.

20. I appreciate that social media is a key tool for some Members. It is, however, disturbing that despite the warnings given both at the awareness sessions for Members and their staff and the by the Committee complaints about conduct on social media continue to be so numerous. I have recommended to the Senedd Commission that bespoke training is provided for the Members and their staff of the use of social media. This is particularly necessary due to the high proportion of new Members likely to be elected in 2026.

4. Other work

21. In the course of my consideration of complaints I again identified several areas in which improvements could be made to the Code and the Procedure. I was pleased to note the Welsh Government has now given a commitment to implement some of my previous recommendations including giving the Commissioner power to initiate an investigation without the need for a complaint and the appointment of independent members to the Standards of Conduct Committee.

22. I made submissions to that Committee in connection with its inquiries into Individual Member Responsibility - Deliberate Deception and Dignity and Respect.

23. Work on the new website was completed. It is much more user-friendly and provides a great more information than the version it replaced. A new complaints form is available as well as information on the complaints process and the support available to all those involved in the complaints process.

24. I attended the Standards Network in Belfast and had useful exchanges with attendees from England, Scotland, Northern Ireland, the Isle of Man and the Channel Islands. In addition, I met, usually remotely, with a number of key players in the standards sphere including the Chair of the Committee on Standards in Public Life, the Parliamentary Commissioner for Standards, the Northern Ireland Assembly Commissioner for Standards and the Public Service Ombudsman for Wales.

25. During the year I received correspondence on a wide range of matters outside my remit as Commissioner. In each case it was explained to the person why I could not assist them and they were sign-posted to the appropriate organisation to deal with their issue.

5. Expenditure

26. Under section 3 and paragraph 5 of the Schedule to the Measure, the Senedd Commission must pay to the Commissioner the salary and allowances agreed in the terms and conditions of appointment. The Commission must also pay all reasonable expenses lawfully incurred by the Commissioner in employing staff, securing the provision of goods or services, and paying allowances or expenses to witnesses.

27. The expenditure by the Commissioner's office for the year ended 31 March 2024 is shown in Table 4.

Table 4 – Expenditure of Commissioner's office

	2020-21	2021-22	2022-23	2023-24	2024-25
	£	£	£	£	£
Commissioner employment costs (Note 1)	0	30,538	34,692	48,847	39,137
Commissioner T & S	0	1,014	4,264	5,199	24
Commissioner other costs	0	0	0	0	0
Acting Commissioner employment costs (Note 1)	42,517	0	0	0	2,940
Acting Commissioner T & S	105	0	0	0	0
Acting Commissioner other costs	0	0	0	0	0
Total Commissioner and Acting Commissioner expenditure	42,622	31,552	38,955	54,045	42,101
Employment costs (Note 2)	92,834	70,874	71,115	74,448	75,848
Staff T & S	0	0	0	0	520
Staff other costs	0	0	0	0	0
Total Staff costs	92,834	70,874	71,115	74,448	76,368
Other liabilities incurred¹⁵	25,259	4,957	9,524	5,498	8,555
TOTAL COMMISSIONER OFFICE EXPENDITURE	160,715	107,383	119,595	133,992	127,025

Note 1 - Commissioner remuneration + employer NIC

Note 2 - Staff salary + employer NIC + employer pension contribution

28. The cost of running the Commissioner's office depends very largely on the number of complaints received and how many of them are admissible and so require investigation. Whilst the number of complaints received in 2024-25 was 54 less than the previous year, more time had to be spent on investigating those that were admissible. With the agreement of all concerned, substantial savings were made by using Microsoft Teams to conduct interviews. Overall, the expenditure was 5% lower than the previous year and almost 21% less than in 2020-21.

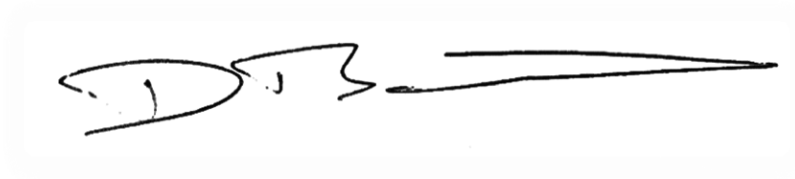
¹⁵ This included payments for legal services, transcription, media handling.

6. The year ahead

- 29.** In addition to dealing with complaints, I shall during 2025-26 continue to work closely with the Committee and its staff to make the complaints process more effective and efficient by identifying anything in the Measure, the Code and the Procedure that could be improved.
- 30.** I shall continue to contribute to the Committee's inquiries.
- 31.** I shall engage with party leaders and attempt to agree a process for dealing with complaints of poor service by Members.
- 32.** I shall consider the implications for my work of the proposed legislative changes likely to come into force at the start of the Seventh Senedd.
- 33.** I shall offer further awareness sessions for Members and their staff to all the parties and prepare for the provision of sessions for the many new Members to be elected in May 2026.
- 34.** I shall continue to liaise with those undertaking similar work in other jurisdictions with a view to identifying and introducing best practice.

7. Acknowledgements

35. Jonathan Thomas, my Investigations and Complaints Manager, again fully utilised his more years of experience of supporting every Standards Commissioner since the post was created in 2009. Without his unwavering assistance my task would have been very much more difficult. I am most grateful to Meriel Singleton, the Clerk to the Standards of Conduct Committee, to Sean Powell of the Senedd Commission's ICT and Broadcasting Department for his painstaking work and assistance with the new website and to the many other Senedd Commission staff who helped me to discharge my duties.

A handwritten signature in black ink, appearing to read 'Douglas Bain', written on a light blue background.

Douglas Bain CBE TD

Senedd Commissioner for Standards

11 July 2025





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