

believe that attainment of high ethical standards is a crucial element of the work of any public body and the transparent robust application of those in public service is particularly important. This summary report shows how the Committee has undertaken those tasks during the previous 12 months but also how it continues to contribute to and offer the necessary direction to shape the governance culture and ethos of the organisation.

The County Council's Standards Committee comprises eleven persons, five of whom are co-opted, with the other seven Members being Councillors (not Cabinet Members) who represent the membership of the Council .

Standards Committee Members:

County Councillors:

*Councillor Radford (Chair)
Councillor Asvachin
Councillor Bloxham
Councillor Polly Colthorpe
Councillor Brian Greenslade
Councillor John Mathews
Vacancy*

Co-opted Members:

*Anne Mayes
Ruth Saltmarsh
Ray Hodgins
Sir Simon Day
Mr Hipkin*

Members of the Committee work together to promote the importance of high standards of behaviour and systems of governance to create a climate where complaints or problems rarely arise. The Chair of the Committee is held automatically by the Chair of the County Council recognising the traditional impartiality of that role. The County Council has long recognised the added value brought by an independent voice on its Standards Committee. More information about the Committee and its terms of reference, is set out in the Council's Constitution, and can be seen on the Council's [website](#).

The Standards Committee acts as champion and guardian of the County Council's ethical standards and is responsible for promoting and maintaining high standards of conduct by elected Members and co-opted Members of the Council. Article 3 of the Council's Constitution makes it clear that any member of the public may complain to the Monitoring Officer about an alleged breach of the Members' Code of Conduct which is set out in Part 6 of the County Council's Constitution available on the Council's website at: http://www.devon.gov.uk/index/your_council/decision_making/constitution.htm.

The Committee met 4 times in 2017/18 with 3 ordinary meetings and 1 convened to consider the outcome of an investigation. Co-opted Members attended a further 15 meetings of the Council, Cabinet or Committees to observe and monitor compliance with the Council's ethical governance framework. A number of practical observations were made about speaking, use of microphones, identification, use of nameplates and punctuality, but no specific behaviours were observed which might have resulted in a breach of the code or would warrant further action. Steps were taken to address those practical matters identified.

The Council has put in place arrangements for dealing with complaints against Members and to deal with any allegations that Members may have breached the Code of Conduct. The Council has appointed 'Independent Persons' in line with the requirements of the Localism Act 2011, one of whom has to be consulted and their views taken into account before reaching any decision about an allegation. More information about the Council's processes, the Code of Conduct and the complaints process can be found on the Council's website at: <https://new.devon.gov.uk/democracy/councillors-nav/making-a-complaint-about-a-devon-county-councillor>

The Committee also approved additional guidance to help the Council deal with complaints about sensitive personal issues, such as alleged harassment (including sexual harassment), bullying or victimisation alongside issues of confidentiality and / or anonymity of the complainant. This included an acceptable conduct and guidance note to be read alongside the Members' Code of Conduct and the Council's Acceptable Behaviour Policy.

A total of 8 complaints were received under the Members Code of Conduct alleging breaches of the code relating variously to Councillors failing to treat others with respect, speaking rudely to staff, exercising undue influence and bullying and failure to deal with a constituent enquiry. Following an initial assessment of each complaint involving the Independent Person appointed by the Council, no further action was taken on 6 of the complaints on the basis that either there had been no material breach of the code that would warrant further investigation or the allegations would not constitute a breach of the Code of Conduct and therefore could not be investigated. In one case, the subject Member was not a Councillor at the time of the alleged incidents.

There were 2 cases where a formal investigation was required. The first was an allegation that at a meeting of a Council Committee, the subject Member failed to apply one or more of the Principles of Public Life set out at paragraph 1.2 of the Council's Code of Conduct for Councillors and, in particular, breached the specific provisions set out at paragraphs 4 and 5 (a), (c), (d), (g) and (h) in the Code in that they failed to treat others with courtesy and respect and generally that their actions could be characterised as bullying or intimidation and/or a potential abuse or misuse of power and that they had conducted themselves in a manner to bring their office and/or the Council into disrepute. The outcome was heard by the Committee in August 2017, that the allegations were not proven and there was no breach of the Code of Conduct, however a number of recommendations were made for further training in Governance issues and meeting procedures. The second case is ongoing and has not formally reported yet.

No individual dispensations were granted to Members of the Council to allow them to speak and vote on any matter before the Council or a Committee. However, the general dispensation was extended to include business owners when discussing the budget and fees and charges.

The Committee monitors the operation of the Council's feedback and complaints processes and receives reports on compliments, representations and complaints received under the corporate feedback system. While acknowledging there was always room for improvement, the highly satisfactory results of that monitoring were again commendable. The last report received by the Committee (Q2 of 2017/2018) showed an increase in the items of feedback received and also 14 fewer complaints received across the Council in Q2 compared to Q1 (465 compared to 479). The annual report for 2016/2017 (considered by the Committee in July 2017) showed that overall there had been a reduction not only in the number of individual items of customer feedback received but also in the numbers of complaints and complements received over the previous year.

The Committee acknowledged that no procedural issues had been raised by the **Local Government Ombudsman** following complaints made to them or of any question of probity by elected Members or officers during 2016/2017. There had been a decrease in the number of complaints to the Ombudsman in 2016/17 to 118 (148 in 2015/2016) which was a positive shift. In 2016/2017 only 25 complaints that received decisions were upheld.

The Committee made representations to the Government's Consultation on the Disqualification Criteria for Councillors and Mayors.

Looking Ahead: While much of the work of the Committee is demand led, it will continue to monitor elected Members performance at meetings of the Council, Cabinet and other Committees and adherence to the Council's ethical governance framework; to monitor and receive reports on compliments, representations and complaints received under the corporate feedback system; to monitor and consider any feedback arising from complaints to the Ombudsman and any issues raised by them about complaints handling and to identify and support provision of regular training and refresher events for elected Members of the Council (particularly on the importance of the Code of Conduct and high standards of ethics and probity). The main issue for 2017/18 was ensuring that the new Council was conversant with the Council's governance framework, its interpretation and application of the Code of Conduct and the Council's own working practices to ensure compliance. A number of training and induction events were held covering these matters.

During 2017/18 the Monitoring Officer held 'open house' sessions for Members prior to each Council meeting to discuss issues around ethical governance including:

- meetings procedures / rules of debate and speaking*
- declarations of Members' Interests & Conduct Issues*
- representing the Council on other organisations*

A [third] ethical governance audit and self-assessment survey of Councillors and Officers is planned for the end of the first year of office of the new Council – to gauge both the understanding of newly elected Members and the effectiveness of Induction Training and Member Development provided following after the 2017 elections.

The Agenda and Minutes of the Committee, together with Reports considered at the meeting are published online.

Prepared by Devon County Council's Monitoring Officer.

Copies of this Report may be obtained from the Democratic Services & Scrutiny Secretariat at County Hall, Topsham Road, Exeter, Devon, EX2 4QD or email committee@devon.gov.uk and is also available on the County Council's website.