

believes that attainment of high ethical standards is an essential 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 not only how the Committee has undertaken those tasks during the previous 12 months but 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, four of whom are co-opted, with the other seven members being Councillors (but not who represent the membership of the County Council Members of this Committee work together to promote high standards of behaviour and systems of create a climate where complaints or problems rarely Chairmanship of this Committee is held automatically the County Council recognising the traditional role. The County Council has long recognised the by an independent voice on its Standards Committee. about the Committee and its terms of reference, also Council's Constitution, can be seen on the Council's

<https://new.devon.gov.uk/democracy/councillor/committee/standards/>

### Standards Committee Members:

#### County Councillors:

Andrew Moulding (Chairman)

Caroline Chugg

Polly Colthorpe

Alan Connett

George Gribble

Roy Hill

John Mathews

#### Co-opted Members:

Anne Mayes

Ruth Saltmarsh

Ray Hodgins

Sir Simon Day

Cabinet Members) as a whole. the importance of governance and to arise. The by the Chairman of impartiality of that added value brought More information set out in the website at:

*The Committee met 3 times in 2016/17 and, in addition, 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. While a number of practical observations were made about speaking, use of microphones, identification, use of nameplates and punctuality, no specific actions or behaviours were observed which might have resulted in a breach of the code or might warrant further action but steps were taken to address any practical or procedural matters identified.*

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](http://www.devon.gov.uk/index/your_council/decision_making/constitution.htm).

The Council has put in place arrangements for dealing with complaints against Members and deal with any allegations that Members may have breached the Code. The Council has also appointed 'Independent Persons' one of whom has to be consulted upon and their views taken into account before reaching a decision about any allegation. More information about the Council's processes, the Code of Conduct and the complaints process can be found on the County Council's website at:

[http://www.devon.gov.uk/index/councildemocracy/county\\_councillors/councillorcomplaints.htm](http://www.devon.gov.uk/index/councildemocracy/county_councillors/councillorcomplaints.htm)

A total of 5 complaints were received under the Members Code of Conduct alleging breaches of the code relating variously to councillors not acting in the public interest, declaring relevant interests, failing to treat others with respect, exercising undue influence, bullying or intimidation, misuse of power or authority and bringing their office or the Council into disrepute.

Following an initial assessment of each complaint\* involving an Independent Person appointed by the Council, as appropriate, no further action was taken on any 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 could not therefore be investigated.

[\*One complaint was felt to have warranted further investigation but it was subsequently withdrawn and while the Monitoring Officer may continue with an investigation if it was felt to be in the public interest to do so- that was not deemed necessary in this instance although the subject member was spoken to about the allegations by way of a form of local settlement.]

There were, therefore, no cases where a formal investigation or formal hearing of the Committee was required.

*No dispensations were granted to any individual Member of the Council to allow him/her to speak and vote on any matter before the Council or a Committee but a general dispensation was issued for all Members in receipt of a state pension to permit them to discuss matters of a general nature relating thereto*

The Committee also monitors the operation of the Council's feedback and complaints processes and continues to receive reports on compliments, representations and complaints received under the revised corporate feedback system. While acknowledging there was always room for improvement, the highly satisfactory results of that monitoring were again commendable. While the general trend for the number of complaints appeared to be inexorably upwards, this was felt to be as much a reflection of general societal attitude and expectations and the positive work

being undertaken by the Council to encourage feedback from members of the public rather than an increase in wrongdoing or failure of performance. It was pleasing to note that, conversely, the number of compliments received across service areas also increase over the previous year.

The Committee acknowledged that no procedural issues had been raised by the Local Government Ombudsman following complaints made to her or of any question of probity by elected members or officers. While the number of complaints to the Ombudsman had increased – partly due to a revised reporting methodology and national awareness campaigns – the percentage of such complaints which had been upheld or which injustice or fault was identified (12%) compared favourably to the previous year (17%)

It was hoped that 2017/18 would see progress within the publication of legislation for the creation of a single Ombudsman for Public Services and greater clarity around how that would work and impact upon Council's in particular.

Looking Ahead: While the work of the Committee is demand led, it will continue to monitor elected members performance at meetings of the Council, Cabinet and 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 her 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 will be in ensuring that the new Council is conversant with the Council's governance framework, it's interpretation and application of the Code of Conduct and the Council's own working practices to ensure compliance therewith. A [third] ethical governance audit and self-assessment survey of County Councillors and Officers is planned for the end of the first year of office of the new Council – to gauge both the understanding of any newly elected Members and the effectiveness of Induction Training and Member Development provided after the 2017 elections.

*During 2016/17 the Monitoring Officer held a number of 'open house' sessions for Members prior to each County Council meeting to allow Members to raise and discuss issues around ethical governance including:*

- speaking at meetings*
- Members' Interests & Conduct*
- availability of Information to Members*
- representing the Council on other bodies*

Finally, the Committee would wish to record its appreciation to Mr Vincent Sullivan for his contribution to the work of the Committee; Mr Sullivan having stood down in November for personal reasons.

The Agenda and minutes of this Committee together with any Officers' Reports considered at the meeting are published online on the Council's Website at <http://www.devon.gov.uk/cma.htm>

*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 by ringing 0845 155 1015 and is also available on the County Council's website at: <https://new.devon.gov.uk/democracy/councillor/committee/standards/>*