

ETHICAL GOVERNANCE FRAMEWORK MONITORING

Report of the County Solicitor

Recommendation: that the report be noted.

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1. The Standards Committee agreed previously that the independent, co-opted, members on the Committee should attend meetings of the Council, the Cabinet and Committees on an ad-hoc basis to observe and monitor compliance with the Council's ethical governance framework, in line with the agreed protocol.
2. Members have, since the report to the previous meeting, attended the following meetings and their views/feedback are summarised at paragraphs 3 to 6 below.

| Meeting                     |                  | Co-opted Member/Observer |
|-----------------------------|------------------|--------------------------|
| Development Management      | 24 October 2012  | Mrs Saltmarsh            |
| Health & Wellbeing Scrutiny | 27 November 2012 | Mrs Saltmarsh            |
| Development Management      | 28 November 2012 | Mr Bull                  |
| Joint Scrutiny              | 28 January 29013 | Mr Bull                  |
| Cabinet                     | 13 February 2913 | Mr Bull                  |
| County Council              | 21 February 2103 | Mrs Mayes                |

3. The following table summarises feedback received from Members on a number of general issues common to all meetings

| Observations:                                                                     | <i>1 = Very Poor and 5 = Very Good</i> |   |   |      |     |
|-----------------------------------------------------------------------------------|----------------------------------------|---|---|------|-----|
|                                                                                   | 1                                      | 2 | 3 | 4    | 5   |
| Punctuality and Attendance of Members                                             |                                        |   | ✓ | ✓✓   | ✓✓✓ |
| Appearance and presentation                                                       |                                        |   |   | ✓✓✓  | ✓✓✓ |
| Speeches: clear, relevant, understandable, audio levels, use of microphones etc., |                                        |   | ✓ | ✓✓   | ✓✓✓ |
| Use of appropriate language                                                       |                                        | ✓ |   | ✓✓   | ✓✓✓ |
| Members' Conduct & Behaviour                                                      |                                        |   |   | ✓✓✓✓ | ✓✓  |
| Clear identification and declaration of interests                                 |                                        |   |   | ✓✓   | ✓✓✓ |

|                                                    |  |  |   |   |       |
|----------------------------------------------------|--|--|---|---|-------|
| Effective Chairmanship/conduct of meeting          |  |  |   | ✓ | ✓✓✓✓✓ |
| Adherence to Agenda                                |  |  |   | ✓ | ✓✓✓✓✓ |
| Listening and responding to advice (from Officers) |  |  | ✓ | ✓ | ✓✓✓✓  |

4. While there were a number of other issues raised by Independent Members as part of their observations, as set out below, there were no reports of any specific actions or behaviors that might be felt to have resulted in a potential breach of the Code or warranted further action. There was one unfortunate isolated case of an unidentified member apparently uttering a mild swearword – which should not have happened - as was immediately recognised and regretted by the reaction of those present at that particular meeting.
6. Specific observations by Independent Members were that:
- Meetings had been well conducted and business dealt with appropriately;
  - there was robust questioning and challenge by Members of Reports and evidence submitted, but in a positive and constructive manner;
  - where late arrival of members was occasioned by, for example, significant traffic or severe weather events which resulted in concern as to whether or not the meeting might have been quorate, it may have been sensible for the Chairman to have delayed proceedings for a short while;
  - where members of the public and interested parties were permitted to attend and speak at certain meetings on specific matters they were treated with courtesy and respect – and quite obviously listened to;
  - the audibility of speakers/acoustics, particularly in the Council Chamber, continued to be a problem and at the budget meeting, in particular, it may not have been possible for those present or viewing the webcast to have heard all the declarations of interest at the beginning of the meeting. *[NB: (i) A replacement system is being purchased and (ii) all interests are recorded in the minutes of the meeting and on the Councils website so that a full record is kept and publicly available];*
  - firm, effective, Chairmanship was demonstrated in meetings, particular in relation to curtailing/avoiding 'separate meetings' or interruptions that might adversely affect the conduct of the meeting;
  - at Council meetings in particular there is a higher incidence of movement in and out the Chamber by Members and other which and be disruptive. .
7. This Report has no specific equality, sustainability, legal or public health implications that are not already covered by or subsumed within the detailed policies or practices referred to therein.

JAN SHADBOLT

**[Electoral Divisions: All]**

Local Government Act 1972: List of Background Papers

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| <b>Background Paper</b> | <b>Date</b> | <b>File Reference</b> |
|-------------------------|-------------|-----------------------|
|-------------------------|-------------|-----------------------|

Nil