

## ETHICAL GOVERNANCE FRAMEWORK MONITORING

Report of the County Solicitor

**Recommendation:** that the report be noted.

1. The Standards Committee agreed previously that the independent, co-opted, members of 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 below.

Meeting		Co-opted Member/Observer
South Hams HATOC	11 November 2016	Mrs Mayes
Exeter HATOC	14 November 2016	Mr Hodgins
East Devon HATOC	30 November 2016	Mrs Saltmarsh
Devon Education Forum	16 January 2017	Mrs Saltmarsh
Exeter HATOC	17 January 2017	Mrs Mayes
SACRE	8 February 2017	Mrs Saltmarsh
Cabinet	8 March 2017	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 ( <i>where so declared</i> )				✓	✓✓✓✓
Effective Chairmanship/conduct of meeting			✓✓	✓	✓✓✓✓
Adherence to Agenda				✓✓✓	✓✓✓✓

Listening and responding to advice (from Officers)				✓	✓✓✓✓✓
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4. While there were a number of other issues raised by co-opted members in 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
  
5. Specific observations by the independent co- opted members were:
  - continuing instances of members having 'separate conversations' or making 'asides' during debates which are not only discourteous to speakers but reflect poorly on the conduct of the meeting, particularly when meetings are webcast – the chair should be more pro-active in advising members to cease and desist!;
  - the same need for courtesy to be shown by any Councillors attending meetings 'under standing orders' and sitting at the back of the room .. to similarly desist from holding private conversations and/or noisily using their smartphones or tablets devices ... thereby distracting or preventing any public attending from hearing what was being said in the meeting proper; moreover any persons viewing a webcast may not differentiate between members of the Committee itself and such other members;
  - while generally meetings were conducted in a very professional, focused manner there was one instance of a 'Chairman' not being firm enough ... either in relation to the contributions of members of the Committee and in 'managing' the debates and dealing with interjections from the public attending ... which led to a very confused and confusing meeting; this example will be used in future training/induction for members;
  - a number of other contentious meetings were observed - which were well chaired - and while adequate opportunity was provided for those present to speak and contribute - irrespective of the outcomes – the obvious frustrations felt by a number of interested parties might possibly have been overcome by with earlier communication and explanation of the proposal considered at the meeting(s);
  - Officers' written reports and presentations were clear and concise;
  - in some cases (due to the venue used) microphones were not available and, again, in some cases nameplates were not available/used either - which does not aid the understanding of those public present: Democratic Services Officers will be reminded strongly of the need for the latter to be provided and used at all public meetings;
  - Members and Officers should avoid the use of first or given names (of other Members and/or Officers) when speaking at or addressing or referring to each other at meetings: this is not good practice and may create – for members of the public at the meeting - an impression of over-familiarity;
  - Members must also refrain from using any inappropriate or uncivil language - no matter how mild or inoffensive it may be regarded by today's standards and/or common usage;
  - finally, and perhaps inevitably, as the County Council elections approach a degree of 'demob' fever seems to have infected some members .. albeit not necessarily a bad thing as it has also meant meetings have been conducted in a less febrile atmosphere!
  
6. This Report has no specific equality, sustainability, legal or public health implications that have not already been assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements relating to the conduct of meetings, to safeguard the Council's position.

JAN SHADBOLT

[Electoral Divisions: All]

**Local Government Act 1972: List of Background Papers**

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<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil