

STANDARDS COMMITTEE

8 July 2024

Present:-

Councillors J Hart (Chair), I Chubb, A Connett,

Co-opted Members - I Hipkin, R Hodgins, A Mayes, R Saltmarsh

Apologies:-

Councillors P Maskell and C Slade

49 **Declarations of Interest**

Details of Councillor membership of other authorities can be viewed here – [County Councillor Membership of other councils.pdf \(devon.gov.uk\)](#)

There were no further interests declared.

* 50 **Minutes**

It was **RESOLVED** that the minutes of the meeting held on 18 March 2024 be agreed as a correct record.

* 51 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

52 **Revised Member Complaints Process**

The Committee received a Report on revising the current Member Complaints Process. This was part of the wider work being undertaken to review Governance procedures in the Council and discussions and views had been sought via the Member Development Days and through the Governance Working Group.

The aim of the work strand was to ensure that both the Council's Code of Conduct and the processes for reviewing and dealing with complaints against elected Members were appropriate and fit for purpose.

The proposal was based on the Local Government Association Model Code, and once approved would then be recommended to Council, prior to publication on the Council's website.

Suggestions from Members for revisions to the process through previous discussions included more flexibility, a hearings style approach, for Independent Persons to attend hearings, template documents, and decision notices.

The revised guidance set the context for complaints and how they should be submitted, addressed issues of confidentiality, the preliminary tests that will be applied including legal thresholds, initial assessments and the public interest.

The Director of Legal and Democratic Services highlighted that she felt that the proposed revised process was clearer than the one in place although the current one was safe.

Members discussion points raised:

- The process needed to be right for the complainant to have their complaint heard and properly investigated as well as supporting the subject member
- Concern about the officer investigation process
- Use of sanctions such as withdrawing facilities from the subject member and the unintended consequences that could have on residents within that councillor's division.

It was felt that there needed to be further consultation with Members and amendments to some of the wording in the revised process.

Therefore it was **MOVED** by Councillor Connett and **SECONDED** by Councillor Hart and **RESOLVED**

That the item be deferred until the next meeting in November.

* **53** **Ethical Governance Framework: Monitoring**

The Committee received the report of the Director of Legal and Democratic Services (LDS/24/30) summarising feedback from Co-opted Members of this Committee on their attendance at meetings of the Council, Cabinet and Committees since the previous meeting monitoring compliance by Members and Officers within the Council's ethical governance framework.

A total of 6 meetings had been observed and most of the feedback was positive. There were comments which included that it was well chaired with good participation, people spoke clearly, interesting debate, those online could only see half of the room for most of the time, the sharing of screens went very well and the presentations were clear and informative.

The Committee were pleased to note that there had been no areas of significant concern or any indication of actions or behaviours that might be felt to have resulted in a potential breach of the Code.

There were further comments that there had been an omission to acknowledge the coopted standards member who was observing the meeting and also highlighting what is seen by those watching online such as when those joining remotely put on their cameras even when not speaking. There was some confusion around how people's names joining virtually were also displaying on the screen.

Members were informed that there had been a recent update to the application being used for hosting hybrid meetings and this had resulted in some changes to the way people accessed the meeting remotely and how it displayed online. Democratic Services were working out the best way to manage these changes and further guidance on this would follow to help and advise all participants.

The Report was noted.

* **54** **Local Determination of Complaints**

The Director of Legal and Democratic Services reported that, since the last meeting, there had been 3 new complaints concerning an alleged breach of the Members Code of Conduct as shown in the table contained within the Report (LDS/24/29) and a further complaint had just come in which was yet to be determined.

The table highlighted the nature of the allegations including being rude, not declaring an interest, lack of action, no engagement and failure to declare a pecuniary interest.

All of these complaints had now been determined (shown as green in the table), including two complaints that were awaiting determination which had now been resolved, and it had been found that there had been no breaches of the Code.

Members were asked if they were content with the new table which had been introduced into the Report for this item and they agreed this covered the necessary details.

The Report was noted.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

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STANDARDS COMMITTEE
8/07/24

The Meeting started at 10.31 am and finished at 10.55 am