

**MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE  
HELD AT FOLLATON HOUSE, TOTNES ON WEDNESDAY, 28 MAY 2008**

**MEMBERS**

\* Mr M Winterton - Independent Chairman

\* Cllr B E Carson

\* Mr R Allison (Independent Member)

\* Cllr G Date

\* Mr P Dredge (Parish Representative)

\* Denotes attendance

Officers in attendance:

All items: Deputy Monitoring Officer and Legal Assistant

S.1/08      **MINUTES**

The minutes of the meeting of the Committee held on 11 February 2008 were confirmed as a correct record and signed by the Chairman, subject to it being recorded that Mr Allison's name was incorrectly spelt.

S.2/08      **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

S.3/08      **MONITORING OFFICERS ANNUAL REPORT TO STANDARDS  
COMMITTEE**

Members considered a report which informed them of performance levels in the area of Standards and Members' conduct in the past year. Members were informed that on the whole the new Code of Conduct had operated well and was being used responsibly.

During discussion, particular reference was made to:-

- a) Member training. Members felt that it was crucial for all Members to receive training on the Code of Conduct to ensure that avoidable mistakes were not made. In response, officers informed Members that a training DVD would be available in the Members Quiet Room and could be shown at an informal Council meeting. Members requested that Member training remain under review;
  
- b) Dartmouth Town Council. Members were informed that the Deputy Monitoring Officer had been instructed by the Standards Board for England to resolve on-going issues at Dartmouth Town Council. The Standards Board for England had suggested utilising mentoring, training and conflict resolution techniques and expected a follow up report to be presented within three months. Members suggested that a respected suitable individual, who was authoritative knowledgeable and independent of the Town Council, would be the best form of mentor in

this instance. Members requested that the Deputy Monitoring Officer report back to the Group before reporting her follow-up findings to the Standards Board for England.

### **RESOLVED**

That the report be noted.

S.4/08

### **THE NEW PROCESS FOR DEALING WITH COMPLAINTS ABOUT MEMBERS**

Members considered a report which sought to inform them about the new procedures for investigation of complaints against local Councillors and the consequent amendments that had to be made to the Council's processes. Members were informed that previously complaints were submitted to the Standards Board for England who would decide whether an investigation was required. However, the Standards Board for England had decided that complaints should be dealt with locally. It would therefore be the responsibility of the Standards Committee to assess and review complaints. The Standards Board for England had suggested that sub-committees should be established to consider complaints and should comprise of three Members. Members were informed that due to the recruitment process to appoint additional Members being time consuming, it was proposed that South Hams District Council share Members with the equivalent Standards Committees at West Devon Borough Council and Teignbridge District Council. This would ensure that any review decisions would be made without knowledge of any previous issues or conflicts.

During discussion, particular reference was made to:-

- a) committee size. A Member noted that the neighbouring authorities had a greater number of Members on their respective Standards Committees. In response, officers informed Members that this was the case and that if the number of complaints were significantly higher than expected then consideration would be given to further increasing the committee size;
- b) the number of Members required for a Hearing. Members were informed that if Members sat on an assessment sub-committee, they would not be precluded from any subsequent Hearing. Members expressed the wish for all Hearings to take place with the full committee membership invited;
- c) the proposed Assessment Sub-Committee dates as presented in the report. Officers informed Members that these dates were only suggestions and could be changed. Furthermore, all dates would be subject to cancellation if there were no items of business to be considered;
- d) recommendation 3 as stated in the presented report. A Member queried whether the recommendation should make provision to authorise both the Monitoring Officer and Deputy Monitoring Officer to recruit and co-opt independent Members on to the Committee. It was subsequently **PROPOSED** and **SECONDED** and upon being put to the vote declared **CARRIED:-**

**RESOLVED**

That:-

- 1a) an Assessment Sub-Committee comprising a minimum of three Members, drawn from Members of the Standards Committee, including an Independent Member as Chairman and a Parish Representative (if the matter relates to a parish or town council) be appointed, with the functions outlined in the presented report;
- 1b) a Review Sub-Committee comprising a minimum of three Members, drawn from Members of the Standards Committee including an Independent Member as Chairman and a Parish Representative if the matter relates to a parish or town council be appointed, with the functions outlined in the presented report;
- 1c) the provisional list of dates for meetings be approved.

That Council be **RECOMMENDED** to:-

- 2a) accept and adopt the proposal for joint reciprocal carrying out of the review function for complaints against Members with Teignbridge District and West Devon Borough Councils;
- 2b) delegate to the Standards Committee the function of reviewing assessment decisions taken by the Standards Committees or sub-committees of Teignbridge District and West Devon Borough Councils; and
- 2c) authorise the Standards Committee to refer to Teignbridge District or West Devon Borough Council the function of reviewing assessment decisions taken by the South Hams Standards Assessment Sub-Committee;
- 2d) authorise the Head of Corporate Services to amend the Constitution to reflect these arrangements;
- 3) authority be delegated to the Monitoring or Deputy Monitoring Officer, in consultation with the Chairman, to recruit and co-opt up to two additional independent members for

this Committee from the membership of the Standards Committees of Teignbridge District and West Devon Borough Councils and that Council be asked to endorse the reciprocal arrangements for the review function on a joint basis.

(Meeting commenced at 9.30 am and concluded at 10.40 am).

---

Chairman