

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **STANDARDS COMMITTEE** held on 13 October 2021 at 6.00 pm

### **Present**

#### **Councillors**

C J Eginton (Chairman)  
R M Deed, Mrs F J Colthorpe, C R Slade,  
Mrs M E Squires, L D Taylor, Mrs N Woollatt  
and A Wyer

### **Also Present**

#### **Councillor(s)**

Mrs C P Daw, S J Penny and B G J Warren

### **Also Present**

#### **Officer(s):**

Karen Trickey (District Solicitor and Monitoring Officer),  
Carole Oliphant (Member Services Officer) and Sally  
Gabriel (Member Services Manager)

### **Also in**

#### **Attendance:**

John Smith (Independent Person)

## **15 APOLOGIES AND SUBSTITUTE MEMBERS (00-03-38)**

Apologies were received from Rob Jeanes (Independent Person).

## **16 PROTOCOL FOR HYBRID MEETINGS (00-03-47)**

The protocol for hybrid meetings was noted.

## **17 PUBLIC QUESTION TIME (00-03-59)**

There were no questions from members of the public present.

## **18 MINUTES (00-04-17)**

The minutes of the previous meeting were approved as a true record and signed by the Chairman.

## **19 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-05-13)**

Members were reminded of the need to make declarations of interest when necessary.

## **20 CHAIRMAN'S ANNOUNCEMENTS (00-05-36)**

The Chairman welcomed Karen Trickey (District Solicitor and Monitoring Officer) to her first meeting of the committee.

## 21 **MODEL CODE OF CONDUCT (00-05-57)**

The Committee had before it the \*notes of the Standards Working Group meeting which was held on 15 September together with a draft Code of Conduct that was created following that meeting for consideration..

The District Solicitor (Monitoring Officer) informed the meeting that the working group had considered whether to adopt the Model Code together with the guidance provided by the Local Government Association or keep with the original code or whether a compromise could be reached by amending the existing code. She had provided the meeting with a draft amended code and drew attention to amendments in line with the model code, that of an increase in the limit of any gifts and hospitality to £50 and a cross reference to the guidance with regard to non disclosable pecuniary interests.

Consideration was given to:

- The need to not over complicate the code as it was hoped that the Mid Devon code would be adopted by the Parish Councils
- The amended version of the existing code would fit with other tiers of Local Government
- Whether the Model Code would be easier for all tiers of Local Government to follow
- The need to review the adopted Code on a regular basis (particularly in view of any change to the legislation)

It was therefore:

**RECOMMENDED** to Council that the existing Code of Conduct (as amended) be adopted.

(Proposed by the Chairman)

Note: \*Notes and draft Code previously circulated copy attached to minutes.

## 22 **OUTCOMES OF THE GOVERNANCE REVIEW (00-14-34)**

The Committee considered issues raised within the Governance Review in particular the membership of the Audit Committee and the outcome of any discussions from the Programming Panel meeting.

The Audit Committee at its meeting on 21 September 2021 had made the following recommendation:

*That it is recommended to the Standards Committee that it consider increasing the Audit Committee size from a membership of 7 to a membership of 9 (in line with the membership of the Policy Development Groups).*

The Programming Panel had met on 20 September 2021 and made no recommendations to the committee.

The Chairman invited the Chairman of the Audit Committee to address the meeting: Cllr S Penny requested that the membership of the Audit Committee be increased from 7 to 9 as the committee had a heavy workload, much of which was legally required to be completed on an annual basis, it was one of the smallest committee's in terms of size yet had significant responsibility and was technical in nature and training was required before any member could sit.

Consideration was given to:

- Members needed to understand the role and remit of the committee
- The need for the Committee to be politically balanced
- There was no need for members to have a financial background to sit on the committee, but there was a need to have an understanding of the remit, the right mindset and for Members to be prepared to ask appropriate questions of the officers
- The need for members of the committee to be specifically trained
- The need for any increase in membership to take place from the Annual Meeting in May 2022 which would allow any additional members to receive the required training.

It was therefore:

**RECOMMENDED** to Council that the membership of the Audit Committee be increased from 7 to 9 to take effect from May 2022 subject to all Committee Members and substitutes receiving the relevant training and that the Constitution be amended accordingly from that date.

(Proposed by the Chairman)

Further consideration was also given to the other outcomes of the Governance Review in particular the work of the Policy Development Groups (PDGs) and the Scrutiny Committee; the meeting was informed that the PDGs and the Scrutiny Committee had all held informal workshops and had considered their work plans, regular items such as Performance and Risk and Financial Monitoring and items to be noted had been removed from agendas and the need for each PDG to develop policy had been considered.

The Chairman of the Scrutiny Committee stated that the Programming Panel meeting had been effective and that all the current Chairmen were keen to work together.

## 23 **STANDARDS - UPDATE TRAINING (00-38-25)**

The District Solicitor (Monitoring officer) stated that the Committee was under an obligation to promote and maintain high standards of conduct amongst all the Council's members and that regular training was good practice. As an amended Code of Conduct had been considered earlier in the meeting this was an opportunity to run refresher training. She suggested specific themes involving and engaging with officers and that small in person workshops could take place.

Consideration was given to:

- That any training should involve all of the membership of the Council

- There was a need for interactive, interesting sessions to draw members to the training.
- The involvement of the Independent Persons in the training sessions

**RESOLVED** that the Committee support the implementation of training with regard to ethical standards and that it was the expectation that all members of the Council attend training when invited to do so.

(Proposed by Cllr C R Slade and seconded by Cllr R M Deed)

Note: Cllr Mrs F J Colthorpe requested that her abstention from voting be recorded.

## 24 COMPLAINTS

The Chairman indicated that discussion with regard to this item, may require the Committee to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Committee would need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 respectively of Part 1 of Schedule 12A of the Act, namely information relating to an individual

(Proposed by the Chairman)

The Committee considered information from the District Solicitor (Monitoring Officer) with regard to complaints before returning to open session.

## 25 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (00-52-12)

It was suggested that the following items be added to the agenda for the next meeting of the Committee to be held in February 2022:

- To consider the complaints process and whether a shortened, clearer process could be created
- Complaints update
- Training update.

(The meeting ended at 6.55 pm)

**CHAIRMAN**