

**Agenda for Standards Committee  
Tuesday, 19th January, 2021, 10.00 am**



**Members of Standards Committee**

Councillors C Gardner (Chair), M Goscomb, D Barrow,  
P Twiss, B Nelson, P Stott, E Rylance and  
S Bond

East Devon District Council  
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**Venue:** Online via the Zoom app

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(or group number 01395 517546)

Monday, 11 January 2021

**Important - this meeting will be conducted online and recorded by Zoom only.**

**Please do not attend Blackdown House.**

**Members are asked to follow the [Protocol for Remote Meetings](#)**

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<https://www.youtube.com/channel/UCmNHQruge3LVI4hcgRnbwBw>

Public speakers are now required to register to speak – for more information please use the following link: <https://eastdevon.gov.uk/council-and-democracy/have-your-say-at-meetings/all-other-virtual-public-meetings/#article-content>

1 Public speaking

Information on [public speaking](#) is available online

2 Minutes of the previous meeting (Pages 3 - 6)

3 Apologies

4 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 Matters of urgency

Information on [matters of urgency](#) is available online

6 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the Press) have been excluded. There are no items which officers recommend should be dealt with in this way.

- 7 East Devon Standards Regime (Pages 7 - 13)
- 8 Code of Conduct complaint update (Pages 14 - 34)
- 9 Forward Plan

[Decision making and equalities](#)

**For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546**

**EAST DEVON DISTRICT COUNCIL****Minutes of the meeting of Standards Committee held at On line via the Zoom App. on 13 October 2020****Attendance list at end of document**

The meeting started at 10.00 am and ended at 1.10 pm

**18 Public speaking**

There were no members of the public who wished to speak.

**19 Minutes of the previous meeting**

The minutes of the meeting held on 21 January 2020 were agreed as a true record.

**20 Declarations of interest**

Cllr Phil Twiss, Personal, - Minute 23 – Member of Devon County Council Standards Committee & Governor at the RD&E NHS Hospitals Trust.

Cllr Bob Nelson, Personal – Minute 23 – Chairman of Broadhembury Parish Council and Deputy Chairman of Blackdown Hills AONB Partnership

**21 Matters of urgency**

There were no matters of urgency.

**22 Confidential/exempt item(s)**

There were no confidential/exempt items.

**23 East Devon's Standards Regime**

Members considered the report of the Monitoring Officer which provided a review of the current standards regime in East Devon and considered it in the context of possible forthcoming changes and recommended best practice following the Committee for Standards in Public Life report of January 2019. It was noted that the Chairman of the Committee had requested an update on whether local authorities were adopting the best practice recommendations. It also explained the complaints process and invited the Committee to consider whether it wanted to review the complaints process as well as the nature of interests that were required to be declared and the level of information disclosed on a member's register of interest form. The report considered 15 points of best practice put forward by the Committee for Standards in Public Life which the Committee went through individually.

During the lengthy discussions the following points were noted:

- The definition of bullying in the Code of Conduct should be revised to make it clearer and to include some of the wording from the LGA draft model code which was currently being consulted on.

- Code of Conduct should also include harassment along with a definition of what harassment was.
- There seemed little point in including wording in the Code of Conduct requiring Members to comply with a standards investigation and prohibiting trivial or malicious complaints.
- There should be stakeholder engagement on the appropriateness of the Code of Conduct and that this could be carried out roughly every three years.
- The Code of Conduct was readily accessible but use of the East Devon App could be investigated.
- Public interest tests were in the Council's complaint procedures.
- Appointing a second Independent Person was desirable.
- That there was a balance to strike on publishing decision notices which seemed best struck in publishing breach decisions only.
- That it would not be right to require complaints by Clerks to be made by the Chair or members of a town or parish council.
- Conflicts of interest were capable of being managed.
- Importance of the introduction of a Standards Assessment Sub Committee to improve public confidence in the system
- Concern over the budget implications the proposed additional member of staff referenced in the report could have.
- Consideration be given to establishing a Working Party to discuss the proposed changes contained in the report.
- Benchmarking with other Council's was not considered appropriate in this case.
- Add more mediation into the Standards regime process.
- That it is important to distinguish member interests from the interests of a relevant person but in addition as much information as possible be added to the Councillors Register of Interest form and the form be made easier to add this information.
- It was noted that there had been additional advice from the LGA on the Standards regime.

**RESOLVED:**

1. that the Monitoring Officer write a letter, to be agreed with the Chair of the Standards Committee, in reply to the Chairman of the Standards in Public Life correspondence asking about the Council's implementation of their best practice recommendations;
2. that further investigation be undertaken into the practicalities of setting up a Standards Assessment Sub Committee;
3. that a revision be made to the Register of Interest forms to distinguish member interests from relevant person interests and that there be a further report on whether other changes could be made to enable more information to be given;
4. that a review be undertaken on the nature of interests that are currently required to be declared in the Code of Conduct, with a further report to be made to the Committee on implementing a possible additional 'personal and prejudicial' interest;
5. That consideration of whether to revise the standards process, the size of the Standards Committee and possible extra resourcing be deferred until a future meeting to be considered in relation to the report on a Standards Assessment Sub Committee;

**RECOMMENDED** to Council

6. that the Member's Code of Conduct be revised to include harassment (with a definition) and that the wording in relation to bullying be revised to include wording

from the LGA draft model code of conduct ensuring that the wording relating to coercion is retained with the Monitoring Officer to provide the revised wording to Council for approval;

7. that two Independent Persons be recruited to be appointed at Annual Council in May 2021;
8. that the Standards Complaints Procedure be revised so that decision notices where a breach is found by the Monitoring Officer are published on the website.

## 24 **Dispensation request by Cllr Paul Hayward**

Members noted that Cllr Paul Hayward had requested a dispensation to permit him to participate in and vote on matters in which he has a pecuniary interest, namely the Clerk for three parish councils within the administrative area of East Devon and the employment in the NHS of a relevant person. It was for the Committee to decide whether to grant Cllr Hayward a dispensation.

Members considered Cllr Hayward's request for a dispensation and some concern was expressed over the future precedent this may set. There was also discussion over how dispensations operated within the legal framework. The committee considered that there were two dispensations in effect, one for Cllr Hayward's role as a clerk and one for the employment of his wife, who is a relevant person. The Committee did not agree to a dispensation in relation to the employment of Cllr Hayward's wife, following which Cllr Hayward withdrew his request in relation to his own role.

**RESOLVED** not to agree to grant Cllr Paul Hayward's dispensation request under s33 of the Localism Act 2011.

## 25 **Code of Conduct complaint update**

The Committee considered and noted the report of the Monitoring Officer, which provided an update for the Committee on Code related cases received from 1 January 2019 – 3 & 1<sup>st</sup> January 2020 to date. There was a brief discussion on disclosable pecuniary interests and the circumstances when they might be referred to the Police. The Monitoring Officer noted that it could be both a criminal matter and also a civil matter (as a breach of the Code of Conduct). Members noted that allegations involving breach of DPI rules, if considered to be made out, could be referred to the police for action.

**RESOLVED** that the report be noted.

## 26 **Forward Plan**

The Committee agreed there were no additional items to add to the Forward Plan.

### **Attendance List**

#### **Councillors present:**

C Gardner (Chair)

D Barrow

P Twiss

E Rylance

S Bond

**Co-opted members present:**

M Goscomb  
Cllr B Nelson  
Cllr P Stott

**Councillors also present (for some or all the meeting)**

A Moulding  
P Arnott  
P Millar

**Officers in attendance:**

Henry Gordon Lennox, Strategic Lead Governance and Licensing  
Sarah Jenkins, Democratic Services Officer  
Christopher Lane, Democratic Services Officer  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

**Councillor apologies:**

Chair .....

Date: .....

Report to: Standards Committee

Date of Meeting 19<sup>th</sup> January 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



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## East Devon Standards Regime

### **Report summary:**

This report follows on from the report to the October 2020 committee. It asks members to consider what approach it would like to adopt in relation to East Devon's Members' Code of Conduct in light of the adoption of the LGA Model Code of Conduct and other factors, including what members should be including on their register of interest and declarations at meetings.

The report also details some of the practicalities around the introduction of a Standards Assessment Sub Committee and steps required to achieve this and for a view to be taken on whether this should be progressed towards adoption at Annual Council in May 2021. It is noted that consideration will need to be given about whether there should be stakeholder engagement on any proposed changes.

The report also addresses the issue of sanctions, responsibilities in relation to them and the monitoring of compliance.

Finally, the report addresses the question of co-opted member voting rights in light of a recent question from one of the Town / Parish Council representatives.

### **Recommendation:**

**That the Committee:**

- 1. Note the content of the report in relation to the LGA's Model Code of Conduct and East Devon's Members' Code of Conduct and decide whether there should be a further review on the content of the Members' Code of Conduct with a view to possible adoption of a new or revised Code at the Annual Meeting in May 2021.**
- 2. Consider asking the Portfolio Holder for Democracy & Transparency to convene her portfolio team to give detailed consideration to what interests should be required to be disclosed on a Member's Register of Interest.**
- 3. Decide whether it wants to require the Monitoring Officer to bring a report to April's meeting with revised arrangements for dealing with complaints with a view to introducing a Standards Assessment Sub-Committee together with related revisions to the Constitution (including size and representation on the Standards Committee) and complaint handling procedure.**
- 4. Note that if members agree to having a further report proposing revised arrangements along the lines detailed in the report it is probable that the Monitoring Officer will be requesting to be provided with extra resources in the likely form of a Grade 7 post (whether full time or part time to be determined).**

5. The need to consider obtaining the views of stakeholders on the appropriateness of the Code of Conduct, any potential changes to be made in relation to it and the complaint process / procedures.
6. Confirms that where a training requirement is imposed as a sanction that the training requirement is to be specified and that the Committee will monitor compliance with sanctions through the complaint updates presented to Committee.
7. Note that co-opted members of the Standards Committee are precluded from voting on the committee or any sub-committee and consider whether it wishes to introduce an informal vote to obtain their views prior to the formal decision being taken.

That the Committee recommends to Council:

8. That the Council will not be responsible for paying for any training imposed by way of sanction and that the complaint process be amended to make this clear.

### **Reason for recommendation:**

To appraise the Committee of the current position in relation to standards at East Devon and to enable the Committee to consider whether it wants to make any changes to the existing process or review other matters further

Officer: Henry Gordon Lennox, Monitoring Officer

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Portfolio(s) (check which apply):

- Climate Action
- Coast, Country and Environment
- Corporate Services and COVID-19 Response and Recovery
- Democracy and Transparency
- Economy and Assets
- Finance
- Policy Co-ordination and Regional Engagement
- Strategic Planning
- Sustainable Homes and Communities

### **Financial implications:**

The report identifies additional staffing resource will be required if members approve the revised complaints process. This request will come in further report and if approved will be a recommendation to Council for a staffing budget. At a grade 7 post this has a salary range of between £29,577 and £32,234, with on costs the full cost will be between £38,450 and £41,904 for a year as a full time post. This resource is not included in the 2021/22 draft budget proposed.

### **Legal implications:**

The legal position is detailed in the report and there are no further implications requiring comment.

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk

**Links to background information**

[13<sup>th</sup> October 2020 Standards Committee meeting](#)

[LGA Model Code of Conduct](#)

[Local Government Ethical Standards – Committee on Standards in Public Life, Jan 2019](#)

[Adopted Member's Code of Conduct](#)

[East Riding of Yorkshire Council Constitution](#)

[East Riding of Yorkshire Standards Committee Assessment Sub-Committee webpage](#)

[Wiltshire Council – arrangements for dealing with alleged breaches of the Code of Conduct](#)

[Standards Hearing Sub Committee decision 12<sup>th</sup> October 2020](#)

[Transcript of Taylor v Honiton Town Council & Anor \[2016\]](#)

[EDDC Complaint procedure](#)

**Link to [Council Plan](#):**

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

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**Report in full**

1. The Standards Committee received a report on the East Devon Standards Regime at its meeting of 13<sup>th</sup> October 2020 which provided background on how the standards regime operates locally (report can be accessed from the background links). This report follows on from the decisions taken at that meeting and addresses matters raised and debated by the Committee or which have transpired subsequently and have a bearing on standards related matters.
2. In terms of outcomes from the meeting; the East Devon response to the correspondence from the Chairman of the Committee on Standards in Public Life has been sent, Council agreed to the Members' Code of Conduct being updated to revise the wording in relation to bullying and harassment and that the complaint procedure be modified in relation to publication of breach decision notices, both of which have been done. Council also agreed to the recruitment of two Independent Persons to be appointed at Annual Council, we are now looking to commence the recruitment process together with the recruitment for the Independent Representative vacancy. The revisions to the Member's Register of Interests form, specifically to provide a clear distinction between the member and a relevant person is work in progress. The remainder of the resolutions are picked up below.

**LGA Model Code of Conduct**

3. Members will recall from the October meeting that one of the recommendations from the Committee on Standards in Public Life report 'Local Government Ethical Standards' from January 2019 (see background links) was that a model code of conduct be developed by the Local Government Association. The report noted that at that time of writing this was work in progress. That work has now been completed and the LGA have produced and, through a decision of their Board on 3<sup>rd</sup> December 2020, have adopted the final model code (see background links). Unfortunately the LGA have already advised that there is a need for some further guidance to be produced to assist in interpreting the Code which they are working on.

4. There is no obligation on a Council to adopt the model code or if they do to adopt it in its entirety. It can be adopted and amended to suit local requirements or a Council can continue with its current Code. Our Members' Code of Conduct is contained in the background links to enable comparison.
5. Interestingly the LGA Model Code of Conduct does not address all of the recommendations from the Committee on Standards in Public Life (specifically a requirement that Members do not make malicious or trivial allegations for example) and on the whole there is a large degree of synergy with the content of our Code of Conduct. That said, what is determined to be a personal interest and should be contained on a Member's register of interest is reduced in comparison, although there is enhanced detail about when disclosures at meetings should occur and how to deal with them in terms of continued involvement at the meeting. It also has a slightly different approach to disclosure of gifts and hospitality in terms of an increased preclusion in accepting them, a threshold of £50 when compared to East Devon's of £25 and also that rejections of offers should also be included.
6. On 21<sup>st</sup> October 2020 Council debated a motion on 'Towards Gender Equality at East Devon District Council' and one of the resolutions was that Council '*refer to the Standards Committee the Fawcett Society's recommendation that new clauses in the Code of Conduct against sexism be introduced*'. The Code of Conduct now includes revised wording in relation to what constitutes harassment and also has a general obligation in terms of treating others with courtesy and respect but it does not have specific wording in relation to sexism.
7. This Committee, at the October meeting, also concluded that a further report be made on the possibility of implementing a 'personal and prejudicial' interests category in addition to disclosable pecuniary and personal interests. The Committee also resolved to consider whether changes could be made to the Register of Interests to require further information to be included. Members will appreciate that what is contained in the Register of Interest is as a consequence of the requirements of the Code of Conduct.
8. In light of the adoption by the LGA of the Model Code of Conduct, with the differences outlined above taken together with the decisions of Council and this Committee at the last meeting, it is considered that Members should determine whether they consider that the LGA Model Code of Conduct is something that they may wish to adopt and, if so, request a further detailed report specifically on this which will pick up the other points mentioned above. This would come to the next meeting in April and if there is to be a revised / new Code of Conduct then it could be included within the Constitutional amendments presented to Annual Council.
9. In light of the issue surrounding the content of the Register of Interest and link to the requirements of the Code of Conduct, it is recommended that the Committee consider how best to determine what the requirements of the Code of Conduct should be such that it is clear what information should be included on the Register. In this regard the Committee may wish to ask the Portfolio Holder for Democracy & Transparency to utilise her Portfolio Team for this purpose. In passing it should be noted that if Members do wish to see changes to the Code of Conduct / content of Register of Interests, that this may well impact on the delivery of the revised Register of Interests form.

#### Assessment Sub-Committee

10. At the meeting on 21<sup>st</sup> October the Committee resolved;

*'2. that further investigation be undertaken into the practicalities of setting up a Standards Assessment Sub Committee*

*5. That consideration of whether to revise the standards process, the size of the Standards Committee and possible extra resourcing be deferred until a future meeting to be considered in relation to the report on a Standards Assessment Sub Committee'*

11. The Committee had considered the implementation of a Standards Assessment Sub Committee based on the East Riding of Yorkshire Council arrangements (see background links). While all of the Devon authorities use the same approach as East Devon in the sense of the Monitoring Officer acting as the initial arbiter without member involvement (there is a degree of local variation thereafter) and as does Cornwall Council and Somerset County Council, arrangements similar to East Riding are used at Wiltshire Council. Although perhaps a useful exercise, in the view of the Monitoring Officer this is not a decision that should be determined by benchmarking information. Crucially, it is about members deciding what process best suits their requirements in terms of how complaints are handled locally.
12. The fundamental difference in approach centres around the role of the Monitoring Officer. Under our current arrangements the Monitoring Officer carries out an initial assessment and, if the matter progresses, then determines whether there has been a breach. With an Assessment Sub-Committee outside of an initial consideration as to whether basic requirements are met (e.g. person was a councillor at the time and remains a member of a council within the administrative area, a code of conduct was in force and that if proven the allegation could amount to a breach of the code of conduct) the decision making on complaints sits with the members of the sub-committee. The specific detail of this process will vary and can be tailored to suit, but essentially the key question for members is whether they are happy with the current arrangements or whether they wish to take the decisions on all complaints that make it past the initial sift.
13. If the Council wants to adopt revised arrangements similar to East Riding of Yorkshire or Wiltshire Councils, then the following practicalities will need to be considered and addressed;
  - a. Constitutional changes to establish the Standards Assessment Sub-Committee. Logically it would sit under the main Standards Committee as the current Standards Hearing Sub-Committee does, which of itself would not therefore affect the political balancing requirements. It is likely that there will need to be rules precluding members sitting on both the Standards Assessment and Standards Hearing Sub-Committees in relation to the same case.
  - b. Consideration of increasing the size of the Standards Committee (both by District Council members and the Independent and Town / Parish Council Representatives) to ensure the effective running of the Assessment Sub-Committee and to avoid the possibility of not being able to ensure appropriate representation on the sub-committees (for reasons such as conflict or previous involvement). Given the interest shown in previous recruitment efforts it is not envisaged that this should be problematic. The previous report identified that East Riding of Yorkshire's Standards Committee comprised six district members and three each of town / parish and independent representatives. Both of their sub-committees had three district members and one each of the town / parish and independent representatives. These seem sensible and workable numbers although if the preclusion around sitting on both assessment and hearing sub-committees is agreed then it would make sense to have seven members from the District Council to ensure potential conflicts don't prevent being able to convene a hearing sub-committee.
  - c. Adopting a revised complaint process to reflect the change in approach to decision making.

- d. Adopting local assessment criteria (to guide Monitoring Officer and Assessment Sub-Committee).
- e. If it is agreed to increase the size of the Standards Committee with additional Independent and Town / Parish Representatives, recruitment for these will need to be carried out.

14. In the view of the Monitoring, all of the above could be achieved with a view to the arrangements coming into effect at, or shortly after, Annual Council in May 2021. Subject to what follows, this Committee could recommend the changes to Council at its meeting on 13<sup>th</sup> April with Council considering them at the 21<sup>st</sup> April meeting. Council could agree the revised arrangements with all changes being agreed as part of adopting the Constitution and making of committee appointments in May.

15. It should be noted that the Best Practice Recommendations from the Committee on Standards in Public Life advised regularly seeking the views of the public, community, organisations and neighbouring authorities and East Devon's response confirmed we were committed to doing this in the near future. The Committee may therefore wish to consider the need to undertake a consultation / engagement exercise as part of this process (and also in relation to any potential revisions to the Code of Conduct).

16. Should members wish to progress the changes identified above then position in relation to resourcing remains as detailed in the previous report which is set out below for ease:

*'Finally, the other aspect that the Committee will need to consider is resourcing. There is no doubt reading the process that there will be in an increased burden in terms of the administration of the process not least as this will be a formal committee that Democratic Services co-ordinate but more specifically because of the need for the formal report writing process and investigation of complaints that is more involved initially than is currently the case. This can be seen by looking at East Ridings webpage for the Standards Committee Assessment Sub-Committee (see background links). As is noted above there has been an increase in the number of complaints needing to be dealt with. Dealing with these complaints has taken up a lot of time of the Monitoring Officer in terms of dealing with and progressing complaints. It is therefore requested that if there is a recommendation to Council to adopt a similar approach that there is also a recommendation for budget to recruit further support for the Monitoring Officer to enable the duties to be fulfilled. It should be noted, although no doubt Members are already aware, that the Council is under a legal obligation 'to provide [the Monitoring Officer] with such staff, accommodation and other resources as are, in his opinion, sufficient' for the performance of his duties. Is it considered that, subject to job evaluation, this should be no more than a Grade 7.'*

17. Members should therefore note that if the decision is to progress changes then the report to come back in April will include a request for extra resource to support the Monitoring Officer.

### Sanctions from Standards process

18. The Standards Hearing Sub-Committee in October 2020 (see background links) determined that one of the sanctions should be that the subject member undertake training. It should be noted that the Sub-Committee did not specify what that training should be. In passing, Members may recall that East Devon was involved in High Court litigation (*Taylor v Honiton Town Council & Anor* [2016] – see background links) with the purpose of seeking confirmation that training as a sanction was lawful, which was indeed confirmed. In that case East Devon had recommended to Honiton Town Council that it should require Cllr Taylor to undertake training.

19. The question that has arisen now is whose responsibility it is to ensure that appropriate training is undertaken. This is because in the most recent case the training requirement was imposed on a District Councillor. There are two aspects to this specifically. Firstly, what training is

required? Secondly, ensuring that the sanction is complied with – this is wider than just training and goes to all sanctions. Specifically with respect to training, if the Sub-Committee require a member to undertake training, should the District Council pay for it?

20. The first aspect is relatively easily dealt with in that whoever imposes training as a sanction should be specific about what that training should cover or address. Whether the Monitoring Officer or Standards Hearing Sub-Committee (as things currently stand) the decision should be specific about the training requirement. In relation to the second aspect, the recommendation is that the Standards Committee should, as part of the complaint update, receive details about whether sanctions have been complied with and, if so, whether sufficiently. Bearing in mind that the procedure has now changed so that breach decisions are published, it is not considered that this should cause any difficulties although it will only relate to new complaints. In relation to training specifically, it is also recommended that where the training requirement cannot be delivered internally or at no-cost, then the responsibility for paying for the training should rest with the individual concerned and not the District Council. This is particularly pertinent in relation to decisions in respect of Town or Parish Councillors given the number within the district and therefore the potential cost exposure. Moreover there is the argument of why public money should be spent on what will in all likelihood be seen as punitive steps. If this position is agreed then it is recommended that the complaint procedure is updated to reflect this.

#### Co-optee voting rights

21. Cllr Bob Nelson (Town / Parish Council representative) has asked about the voting rights of co-optees. There are four co-optees on the Standards Committee, being the two Independent and two Town / Parish Council Representatives. All of the co-optees sit on the main committee and (again as things stand) one of each sit on the Standards Hearing Sub-Committee.

22. The Standards Committee is appointed by virtue of Section 102 of the Local Government Act 1972 and that section permits the appointment of non-Council members, also known as co-opted members, to any committee. This is the power used to appoint the co-optees to the Standards Committee. Unfortunately, Section 13 of the Local Government and Housing Act 1989 specifically precludes co-opted members on any committee appointed by virtue of Section 102, or any sub-committee appointed by it, from having voting rights either on the committee or sub-committee appointed by it. So unfortunately the co-opted members are not permitted to vote on either the Standards Committee or on the Standards Hearings Sub-Committee. This position is reflected in our current arrangements.

23. It is acknowledged however that the input of the co-opted members can be extremely important and their views should be respected. If members were so minded it would be possible to introduce an approach of 'informal voting'. This would mean the committee taking an initial informal vote including the co-optees (which could be minuted) so that the co-optees are able to demonstrate their views particularly to the Council members. There would then be a second formal vote which would be the formal decision of the voting members of the committee. Naturally, voting members would not be bound by the informal vote and would be free to change the way they vote in the formal decision, not least because of having seen how the co-optees voted in the informal vote. While it might be permissible for an informal vote to take place when the Standards Hearing Sub-Committee is retired, it should be noted keeping a record of this would not be appropriate and care would need to be taken to ensure that the rules around natural justice were not infringed. This would require further consideration and therefore it is considered that if agreed the approach should initially be limited to the main Standards Committee.

24. An approach such as set out above wouldn't require any formal agreement beyond the Standards Committee agreeing it as a way forward.

Standards Committee

Item \*\*\* - Code of Conduct complaints update 1<sup>st</sup> January 2020 to 31<sup>st</sup> December 2020.

\* indicates case which has been updated since the update presented to the October 2020 meeting.

Case #	TC/PC or EDDC member	Relevant paragraphs in Code of Conduct it is alleged has been breached and nature of complaint	Monitoring Officer assessment and outcomes following consultation with Independent Person
2020/C01  12.2.2020	TC	<p>Alleged that subject member accused the complainant of personal agendas to undermine proper process and accusation of cover ups to protect staff.</p> <p>4. You must -                      (a) treat others with courtesy and respect including fellow council members, staff and members of the public.</p>	<p><b>Independently investigated.</b></p> <p><b>Complaint not upheld.</b></p> <p><b>Case closed.</b></p>
2020/C02*  28.2.2020	EDDC	<p>Alleged that the subject member has been disrespectful towards and about council officer showing a lack of courtesy and respect. Alleges that the Cllrs behaviour is insulting offensive and humiliating and brings the council into disrepute.</p> <p>Breach of the Code:                      4(a) You <u>must</u> - Treat others with respect and                      5(c) You <u>must not</u> – Bully any person</p>	<p><b>Referred for independent investigation.</b></p> <p><b>Breach found that subject member had failed to comply with paragraphs 4(a), 5(c) and 5(h).</b></p> <p><b>Not accepted and unable to resolve.</b></p> <p><b>Standards Hearing Sub-Committee concluded; Breach of paragraphs 4(a) (courtesy and respect) and 5(h) (bringing office into disrepute). No breach of paragraph 5(c) (bullying).</b></p> <p><b>Sanctions imposed;</b></p>

		5(h) You <u>must not</u> – conduct yourself in a manner to give the impression that the office or council has been brought into disrepute.	<b>Training in relation to member / officer relations including mentoring; Given seriousness of breach a suitably worded apology to the Chief Executive with wording to be approved by the Chair of Standards Committee and the Monitoring Officer.</b>
2020/C03 28.2.2020	<b>EDDC</b>	Alleged that the subject member sent an email to other Cllrs that described the complainant as being homophobic.  Breach of Code: 1.2 - You should have regard to the Principles of Public Life. 4(a) You <u>must</u> - Treat others with respect and 5(c) You <u>must not</u> – Bully any person	<b>Referred for independent investigation.  Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c).  Subject member agreed to formal apology.  Case closed.</b>
2020/C04 2.3.2020	<b>EDDC</b>	Alleged that the subject member openly accused the complainant in a public meeting that he had not declared an interest that he should have done. The subject member did not treat complainant with courtesy and respect and brought his integrity into dispute.  Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy	<b>Complaint withdrawn.</b>
2020/C05 3.3.2020	<b>EDDC</b>	Alleged that the subject member was disrespectful when referring to the complainant in an email to other members.	<b>Referred for independent investigation.  Complaint not upheld.</b>

		<p>Breach of Code:  4(a) You <u>must</u> - Treat others with respect and courtesy  5(c) You <u>must not</u> – Bully any person</p>	<p><b>Case closed.</b></p>
<p>2020/C06  6.3.2020</p>	<p><b>EDDC</b></p>	<p>Alleges that the subject member distributed a personal and confidential document in an email to other Cllrs. The document was clearly marked private and confidential with the instruction that it should not be shown to anyone else.</p> <p>Breach of Code:  5(f) You <u>must not</u> - disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature.</p>	<p><b>Referred for independent investigation.</b></p> <p><b>Breach found that subject member had failed to comply with paragraph 5(f).</b></p> <p><b>Subject member agreed to formal apology.</b></p> <p><b>Case closed.</b></p>
<p>2020/C07*  22.6.2020</p>	<p><b>EDDC</b></p>	<p>Alleges that at a meeting of East Devon District Council the subject member failed to treat a fellow councillor with courtesy and respect.</p> <p>Breach of Code:  4(a) You <u>must</u> - Treat others with respect and courtesy</p>	<p><b>Complaint not upheld.</b></p> <p><b>Case closed.</b></p>
<p>2020/C08  4.6.2020</p>	<p><b>EDDC</b></p>	<p>Complaint that two subject members put pressure on the complainant to withdraw a complaint against another Cllr.</p> <p>Breach of Code</p>	<p><b>Complainant has not engaged in the process after initial complaint made.</b></p> <p><b>Case closed.</b></p>

		5(d)(i) You <u>Must not</u> intimidate or attempt to intimidate any person who is or is likely to be – (i) a complainant;  in relation to an allegation that any Member has failed to comply with the Council's Code of Conduct	
2020/C09  9.6.2020	<b>EDDC</b>	Complaint that the subject member was disrespectful in an email chain that attacked another Councillor's character  Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy	<b>Complaint withdrawn in preference to an informal resolution.</b>
2020/C10*  11.6.2020	<b>TC</b>	Complaint that the language used by the subject member in an email circulated to other members deliberately meant to criticise the competence of another Cllr.  Breach of Code: 4. You <u>must</u> – treat others with courtesy and respect including fellow council members, staff and members of the public	<b>Referred for independent investigation.</b>  <b>Breach found that subject member had failed to comply with paragraphs 4(a).</b>  <b>Not accepted and unable to resolve.</b>  <b>This complaint is progressing to Standards Hearing (together with C11, C19)</b>
2020/C11*  23.6.2020	<b>TC</b>	Complaint that the subject member attempted to undermine the position and standing of an employee of the Town Council, in an email widely circulated to other members.  Breach of Code: 1.2 <u>You should</u> have regard to the Principles of Public Life	<b>Referred for independent investigation.</b>  <b>Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c).</b>  <b>Not accepted and unable to resolve.</b>  <b>This complaint is progressing to Standards Hearing (together with C10, C19)</b>

		4(a) <u>You should</u> treat others with courtesy and respect 5(c) You <u>must not</u> – Bully any person	
2020/C12* 16.3.2020	TC	Complaint that during a public meeting the subject member made disparaging remarks during the meeting and showed a disrespect for other members and the public In the same meeting a second subject member also was witnessed making disparaging remarks and showed a lack of respect for other members and the public  <b>Breach of Code:</b> 4. You must - (a) treat others with courtesy and respect including fellow council members, staff and members of the public.	<b>Referred for independent investigation.</b>  <b>Complaint not upheld;</b>  <b>Case closed.</b>
2020/C13* 17.6.2020	TC	Complaint received regarding repeated bullying behaviour towards the complainant	<b>Independent investigation underway (combined with C14, 15 &amp; 16).</b>
2020/C14* 17.6.2020	TC	Complaint received regarding repeated bullying behaviour towards the complainant	<b>Independent investigation underway (combined with C13, 15 &amp; 16).</b>
2020/C15* 17.6.2020	TC	Complaint received regarding repeated bullying behaviour towards the complainant	<b>Independent investigation underway (combined with C13, 14, &amp; 16).</b>
2020/C16*	TC	Complaint received regarding repeated bullying behaviour towards the complainant	<b>Independent investigation underway (combined with C13, 14, &amp; 15).</b>

17.6.2020			
2020/C17 21.6.2020	<b>EDDC</b>	<p>Complaint that the subject member used his Twitter account to make threatening tones about the complainant in the comments he has made.</p> <p><b>Breach of Code:</b>  4(a) You <u>must</u> - Treat others with respect and courtesy  5. You must not –  (a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;  5(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p><b>Breach found that subject member had failed to comply with paragraphs 4(a), 5(a) and 5(h).</b></p> <p><b>Subject member agreed to formal apology</b></p> <p><b>Case closed.</b></p>
2020/C18* 2.7.2020	<b>EDDC</b>	<p>Complainant has received a series of emails over the course of a few months where the subject member has been bullying and intimidating. Subject member suggests complainant should not deal with the case.</p> <p><b>Breach of Code:</b>  4(a) You <u>must</u> - Treat others with respect and courtesy  5(a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage  5(c) You <u>must not</u> – Bully any person</p>	<p><b>Subject member has accepted a breach and is looking to informally resolve the matter.</b></p>

2020/C19* 19.07.2020	TC	<p>Complaint that subject member has bullied and harassed the complainant in various communications. The complainant believes the subject member has tried to undermine his position as an employee of the Town Council.</p> <p><b>Breach of Code:</b> 4(a) You <u>must</u> treat others with courtesy and respect including fellow council members, staff and members of the public</p> <p>5(c) You <u>must not</u> – bully any person</p>	<p><b>Referred for independent investigation.</b></p> <p><b>Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c).</b></p> <p><b>Not accepted and unable to resolve.</b></p> <p><b>This complaint is progressing to Standards Hearing (together with C10, C11)</b></p>
2020/C20* 15.7.2020	TC	<p>Allegation that 5 subject members shared a computer at a zoom meeting and brought the council into disrepute and that one member voted on a motion where they didn't know what they were voting on.</p> <p>5. You <u>must not</u> –</p> <p>(h) conduct yourself in a manner <u>or</u> behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p><b>Complaint not upheld in relation to the five councillors sharing a computer at a Zoom meeting.</b></p> <p><b>Complaint upheld where subject member had voted on a motion where they didn't know what they were voting for, breach of paragraph 5(h).</b></p> <p><b>Subject member required to formally apologise to Council.</b></p> <p><b>Case closed.</b></p>
2020/C21 22.08.2020	TC	<p>Allegation that during the Planning Meeting via Zoom the subject member appeared to 'smirk' and laugh when an applicant tried to explain why they needed access. The complainant felt that the Subject Member had bullied the applicant.</p> <p>There is also an allegation that the applicant was coerced into sharing the information she</p>	<p><b>With MO for assessment</b></p>

		<p>had provided on screen at the zoom meeting, as it had not been circulated to the council members prior to the meeting commencing.</p> <p><b>Breach of Code:</b></p> <p>5. You <b><u>must not</u></b> -</p> <p>(c) Bully any person</p> <p>(f) Disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where –</p> <p>(i) you have the consent of a person authorised to give it;</p>	
2020/C22*	<b>EDDC</b>	<p>The allegation is that on the 2<sup>nd</sup> July 2020 the subject member used their East Devon District Council's email address to widely publish a media release and document from a political Group, and as such misused their position as an EDDC Councillor by conferring an advantage upon a political party in which they are a member.</p> <p><b>Breach of Code:</b></p> <p>1.3 When acting in your capacity as a Member or Co-opted Member of the Council –</p> <p>(a) you must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate;</p>	<p><b>Complaint upheld.</b></p> <p><b>Breach of paragraph 5(a) found.</b></p> <p><b>Formal apology to Council required and given.</b></p> <p><b>Case closed.</b></p>
06.07.2020			

	<p>(g) you must, when using or authorising the use by others of the resources of the Council, ensure that such resources are not used improperly for political purposes (including party political purposes) and that any use is in accordance with the Council's reasonable requirements;</p> <p>(h) you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or any similar Communications Protocol or Code produced by the Council;</p> <p>(j) you must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.</p> <p><b>5. You must not –</b></p> <p>(a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;</p> <p>(e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council;</p> <p>(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	
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<p>2020/C23*</p> <p>5.8.2020</p>	<p>TC</p>	<p>The allegation is that the subject member, along with 4 other councillors shared a computer device during a zoom meeting of the council on. It is the belief of the complainant that this was inappropriate and that the meeting should have gone ahead with everyone in their own home.</p> <p>During this meeting the subject member also cast their vote on a motion and then openly admitted they did not know what they were voting for. The subject member tried to change their vote when questioned by Councillors in the same house who were heard saying 'that was not the right answer'.</p> <p><b>Breach of Code:</b></p> <p>5. You <b><u>must not</u></b> –</p> <p>(h) conduct yourself in a manner <u>or</u> behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p><b>Complaint not upheld in relation to sharing the computer.</b></p> <p><b>Complaint upheld where subject member had voted on a motion where they didn't know what they were voting for, breach of paragraph 5(h).</b></p> <p><b>Subject member required to formally apologise to Council.</b></p> <p><b>Case closed.</b></p>
<p>2020/C24*</p> <p>5.8.2020</p>	<p>TC</p>	<p>The allegation is that the Subject Member, along with 4 other councillors shared a computer device during a zoom meeting of the council. It is the belief of the complainant that this was inappropriate and that the meeting should have gone ahead with everyone in their own home. As a result the complainant feels that the reputation of the council was put at stake.</p> <p><b>Breach of Code:</b></p>	<p><b>Complaint not upheld.</b></p> <p><b>Case closed.</b></p>

		<p>5. You <b>must not</b> –</p> <p>(h) conduct yourself in a manner <u>or</u> behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	
<p>2020/C25 3.9.2020</p>	<p><b>EDDC</b></p>	<p>The allegation is that at a meeting the subject member failed to declare an interest with regards to a retrospective planning application. The subject member knew the owners of the land. The complainant felt that the subject member has compromised the position of the Planning Committee and the reputation of its Members by not declaring an interest.</p> <p><b>Breach of Code:</b></p> <p>5. You must not –</p> <p>(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p> <p>6.3 Following any disclosure of an interest not on the Council’s register or the subject of pending notification, you must notify the Clerk of the interest within 28 days beginning with the date of disclosure.</p> <p>8.2 You also have a personal interest in any business of your Council where a reasonable person with knowledge of the relevant facts would regard the interest as</p>	<p><b>With the MO for assessment</b></p>

		greater than would affect the majority of residents or inhabitants in the affected area such that it is likely to prejudice your judgment of the public interest	
2020/C26 21.9.2020	<b>EDDC</b>	<p>The allegation is that the subject member attempted to persuade the complainant given their position to defend the subject member against a complaint that they said had been made about them. The complainant felt intimidated and bullied by the subject member during the call which was overheard.</p> <p><b>Breach of Code:</b></p> <p>4. (a) You MUST treat others with courtesy and respect.</p> <p>5. You MUST NOT- (c) bully any person.</p>	<b>With the MO for assessment</b>
2020/C27 3.9.2020	<b>EDDC</b>	<p>The subject member made public criticisms about the capabilities of the complainant.</p> <p><b>Breach of Code:</b></p> <p>4. (a) You MUST treat others with courtesy and respect.</p> <p>5. You MUST NOT- (c) bully any person</p>	<b>With the MO for assessment.</b>
2020/C28*	<b>EDDC</b>	The allegation is that the Subject Member failed to disclose the property they reside at in	<b>With MO for assessment.</b>

		<p>their Register of Interests and his relationship with the person who submitted a planning application for the same address.</p> <p><b>Breach of Code:</b></p> <p>TBC</p>	
2020/C29	<b>EDDC</b>	<p>Cllr attempted to remove applicant from the public S106/CIL vote, despite a week previously having accepted the Town Clerk's view that it was an eligible project in a meeting.</p>	<b>With MO for initial review.</b>
18.09.2020			

Complainants who have made more than 2 complaints

Complainant in relation to C13, C14, C15 & C16

Complainant in relation to C25, C26, C27 & C28

Subject Members who are subject to more than 2 complaints

Cllr in relation to C1, C14, C20 & C24

Cllr in relation to C2, C3, C5, C6, C9, C17 & C18

Cllr in relation to C10, C11, C12, C15, C19, C20 & C24

Cllr in relation to C16, C20 & C24

Cllr in relation to C25, C26, C27 & C28

An update for the Committee on Non-Code related / initial contact / pending cases since the 1<sup>st</sup> January 2020 to 31<sup>st</sup> December:

Case #	Details of non-code complaint	Outcome
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12.02.2020	<p>Alleges that at a council meeting Cllr'S behaviour was very vocal, disruptive, disrespectful and totally unacceptable. Alleges that Cllr's behaviour demonstrated total disregard towards members of the public who attended wishing to speak in support of grant funding applications</p> <p>Cllr not content with disrupting Council Meeting has brought Council into disrepute with postings on Social Media</p>	Completed complaint form not returned so closed.
12.02.2020	Alleged that two Cllrs never declared their interest before voting for co-optees. As well the rudeness and unbecoming behaviour of another Cllr at the meeting.	Completed complaint form not returned so closed.
11.2.2020	Unhappy with Town Council in general	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
12.2.2020	Unhappy with Town Council in general	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
12.2.2020	Unhappy with Town Council in general	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to

		complain about the specific actions of a Cllr/s. No response.
12.2.2020	Unhappy with Town Council in general	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about the specific actions of a Cllr/s. No response.
12.2.2020	Unhappy with Town Council in general	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about the specific actions of a Cllr/s. No Response.
13.2.2020	Unhappy with new elected Town Cllr and Council in general	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No response.
14.2.2020	Alleges Cllr called her a name whilst she was walking past his house with her 7 year old son. This is a repeat complaint from the end of last year where there was a previous incident.	Not a matter that the Monitoring Officer can intervene in unless Cllr is acting in an official capacity. No Response.
15.2.2020	Alleges Cllr spoke disrespectfully towards him at a meeting; Alleges Cllr is changing the agenda so certain items won't be discussed and he is intimidating the clerk; Alleges Cllr held and unlawful meeting and is sending	Complaint has been withdrawn.

	threatening emails to the clerk; Alleges that Cllr did not disclose an interest when her grandson was elected	
17.2.2020	Alleges Cllr has no control over meetings and should resign; is allowing and not challenging a bullying and intimidating environment; has been ineffectual at restoring confidence and shows a general lack of respect	Complaint has been withdrawn.
17.2.2020	Alleges Cllr is not fit to serve as he has been investigated for sexual offences in the past 12 years	Email response to advise that we are unable to take action as we are limited to only acting on councillor behaviour when they are acting as a councillor. It cannot address previous actions.
17.02.2020	Alleges Cllr is not fit to serve as he has been investigated for sexual offences	Email response to advise that we are unable to take action as we are limited to only acting on councillor behaviour when they are acting as a councillor. It cannot address previous actions
19.2.2020	Complaint against the Town Council and how it is being run	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
20.2.2020	Complaint that Cllr did not disclose information to the council that he was the complainant's brother and proposed the complainant for Co-option.	Cllr resigned and the complaint was withdrawn.
6.3.2020	Complaint the Council are not advertising 2 places on council.	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
12.3.2020	Complaint that Cllr was disrespectful	Form sent to complete if wishing to complain about actions of a Cllr. No response.

16.3.2020	Complaint about the actions of TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
16.3.2020	Complaint that Cllrs were disrespectful making disparaging remarks against other members and the public.	Complaint was withdrawn.
16.3.2020	Complaint about the actions of TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
16.3.2020	Complaint about the actions of TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
16.3.2020	Complaint about the actions of TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
16.3.2020	Complaint that Cllrs were disrespectful making disparaging remarks against other members and the public.	Form sent to complete if wishing to complain about actions of a Cllr. No Response.

16.3.2020	Complaint about the actions of TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
16.3.2020	Complaint Cllr was disrespectful making disparaging remarks against other members and the public.	Form sent to complete if wishing to complain about actions of a Cllr. No Response.
4.6.2020	Complaint about systematic and institutionalised bullying that is part of TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
6.6.2020	Climate of belittlement, marginalisation and harassment which is endemic in TC	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
9.6.2020	Complaint received regarding comments made by Cllr about another Member	Resolved informally.
10.6.2020	Complaint about the general behaviour of the Cllrs bringing the council into disrepute	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
17.6.2020	Clear disrespect and lack of courtesy. There is an implication of personal interest where there is none.	Complaint was withdrawn.

	There is a clear attack about complainant's behaviour as a Christian which breaches equality legislation	
15.6.2020	Alleges Cllr of bullying, intimidation, and treating complainant with disrespect in public	Resolved informally
25.6.2020*	Alleges that Cllr was disrespectful to individual when he visited his second home during lockdown.	No response.
29.6.2020	Alleges that Cllr is breaching Code by not responding to emails	Response sent advising this was not a breach.
29.6.2020	Complaint about TC steering people to vote on-line poll organised by Town Council.	Email response advising that the actions of the Council itself are not a matter that the MO can intervene in. It is a sovereign body subject to local government law / administrative law principles and much of what they do needs to be considered in that context. Form sent to complete if wishing to complain about actions of a Cllr. No Response.
14.7.2020	Complaint about the zoom meeting held where 5 Cllrs were sharing a computer. Cllr left the meeting without declaring and then voted on a motion without knowing what the vote was for and then asked to change her vote when another Cllr said she had made the wrong choice. This was heard in the zoom meeting.	Form sent to complete if wishing to complain about actions of a Cllr. No Response.
15.7.2020	Cllr made a statement in a tweet about the complainant stating "Are you still out on licence". Complainant believes this is a direct reference to being on release from prison which is not true and is libellous.	Form sent to complete if wishing to complain about actions of a Cllr. No Response.
16.7.2020	Complaint that in a recent SAR against Parish Council he has received in the response email communications (sender/recipient information redacted) that he feels have been negative and scathing about him and thus not upholding the Nolan principles.	Resolved informally
21.7.2020*	Complaint that Cllr has accessed the personal email accounts of previous employees of TC and held such data with no thought of GDPR and insinuates that he has	No response.

	and will use information he has collected to his advantage in his position as Cllr.	
21.7.2020*	Complaint that Cllr has accused the complainant of being under the influence of alcohol at virtual meeting. He also suggests that complaints have been made by the public following this meeting about the complainant's behaviour. The complainant denies she had been drinking and that complaints had been made about her behaviour. The complainant claims that this is part of a consistent approach by Cllr to undermine her position and is bullying and intimidating.	No response.
15.7.2020	Complaint about zoom meeting and that 5 Cllrs were sharing the same laptop	No formal complaint form received.
9.08.2020	Social media post	Closed at initial review as post was made from a personal email account
9.8.2020	Unhappy with Cllr's behaviour at a recent meeting.	Awaiting further information.
10.08.2020	Cllr made a comment that has been construed as racist. However the comment was made in a personal capacity and not in an official capacity as Cllr	Closed at initial review
11.08.2020	Complaint about Council zoom meeting and Cllr's disruptive behaviour towards Cllr.	Complaint withdrawn as Cllr has resigned.
14.08.2020	Cllr was aggressive towards her when she was parked in front of Smiths in the street on market day in Honiton	Awaiting further information.
17.08.2020	Complaint that a Parish Councillor failed to declare a register of interests that could have affected the decision of the council in relation to a planning matter	Form sent to complete if wishing to complain about actions of a Cllr. No Response.
19.08.2020	Cllr visited an elderly residents' home and was photographed shaking the hand of an elderly resident without wearing a face mask. This is in clear violation of government advice and brings his office into disrepute.	Form sent to complete if wishing to complain about actions of a Cllr. No Response.
19.09.2020	Complaint that neither of two Cllrs stated that they were members of the Neighbourhood Planning steering	Awaiting further information.

	committee at the agenda item for declarations of interest, and they failed to subsequently mention it despite it being prejudicial to the NP discussion.	
1.10.2020	Complaint that a Parish Councillor continues to participate in Parish Council decision-making when the relationship with the developer clearly suggests that there is a conflict of interest.	Awaiting review
15.10.2020*	Cllr has objected to a planning application when his sister is the neighbour of the complainant and is also objecting to the planning application. There is a conflict of interest and the complainant feels that Cllr should not participate in the decision making process of this planning application.	Awaiting initial review
19.10.2020*	Cllr X accused Cllr Y of being subject to the code of conduct in relation to his actions when he made a complaint about Cllr X. Cllr X also implied that Cllr Y is being manipulative by virtue of his councillor role.	Closed after initial review.
2.11.2020*	Complaint of councillor holding an unlawful meeting and bullying and inappropriate comment.	Still under review
10.11.2020*	Complaint that Councillor bringing council into disrepute and bullying	Awaiting review
10.11.2020*	Complaint of Councillor bullying	Awaiting review
16.11.2020*	Complaint that Councillor not acting appropriately when dealing with legal claim.	Awaiting review
17.11.2020*	Complaint that Councillor trying to influence a vote.	Awaiting review