



Agenda for Standards Committee Thursday, 10th April, 2025, 10.00 am

Members of Standards Committee

Councillors: E Rylance (Chair), J Bailey, I Chubb, T Dumper, S Hughes, J Loudoun, J Whibley, Kuh, P Coulter, Wood, Goscomb, K Bryant, P Stott and Sexton

Parish Representatives: P Stott and S Sexton

Independent Persons: D Kuh and P Coulter

Independent Representatives: R Wood, M Goscomb and K Bryant

Venue: Council Chamber, Blackdown House, Honiton

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(or group number 01395 517546)

Tuesday, 1 April 2025

This meeting is being recorded for subsequent publication on the Council's website and will be streamed live to the [East Devon District Council Youtube Channel](#)

- 1 Minutes of the previous meeting held on 16 January 2025 (Pages 3 - 7)
- 2 Apologies: **Cllrs J Bailey and Hughes**
- 3 Declarations of interest
Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)
- 4 Public speaking
Information on [public speaking](#) is available online
- 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 **Gifts and Hospitality Protocol for Members** (Pages 8 - 15)
- 8 **Review of Member Code of Conduct** (Pages 16 - 18)
- 9 **Standards Work Programme update** (Pages 19 - 21)
- 10 **Draft Annual Report to Council** (Pages 22 - 25)

- 11 **Updates on Standards Cases** (Pages 26 - 27)
- 12 **Code of Conduct complaints update** (Pages 28 - 36)

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[Decision making and equalities](#)

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EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Standards Committee held at Council Chamber, Blackdown House, Honiton on 16 January 2025

Attendance list at end of document

The meeting started at 10.00 am and ended at 12.46 pm

27 Minutes of the previous meeting

The minutes of the previous meeting of the 11 April 2024 were agreed subject to:

- Inclusion of attendance of the Independent Persons, Representatives and Town and Parish Representatives;
- Clarification on the resolutions for minute 24 on the Member/Officer protocol that results in resolution 1 reading as:
 - To note the comments raised by the Standards Committee on the Member/Officer protocol to the Constitution Working Group to review the document before they make their recommendations to Council.

28 Declarations of interest

Minute 35

Councillors Jess Bailey; Iain Chubb; Stuart Hughes; Other Registerable Interest: Member of Devon County Council.

29 Public speaking

There were no members of the public registered to speak.

30 Matters of urgency

There were no matters of urgency.

31 Confidential/exempt item(s)

There were no confidential or exempt items.

32 Resolving Complaints before they escalate

The Monitoring Officer gave the committee the presentation recently put to a meeting of DALC.

The presentation covered:

- Importance of ethical standards in public life;
- Role of the Monitoring Officer in addressing complaints;
- The limitations of the Monitoring Officer role;
- How District Councillors and Town/Parish Councils can help.

The Chair suggested that the presentation be included in the regular newsletter sent to Town and Parish Councils.

Discussion included:

- Merits of mediation becoming a mandatory requirement as with many civil cases and discussion around willingness of participants to undertake;
- Enforcing the undertaking of mandatory training on the code of conduct was difficult and relies upon a formal complaint being submitted;
- The suggestion that “swearing office” should be required and the fact that this was not part of the standard template when taking up office after election, although it was something that East Devon District Council included.

The committee noted the presentation.

33 **Government Consultation on Changes to the Standards Regime**

The report outlined the suggested response, on behalf of the Council, to the recent government consultation titled “Strengthening the Standards and Conduct Framework for Local Authorities in England”. The consultation sought to obtain views on reforms aimed at enhancing the effectiveness and fairness of the standards system.

The aspects for reform included:

- Reintroduction of suspension powers;
- Disqualification for repeat offenders;
- Right of appeal;
- National appeals body;
- Mandatory minimum code of conduct;
- Interim suspension powers;
- Empowering victims.

The report included the suggested response from the Monitoring Officer, subject to discussion with the committee.

Debate included:

- Mixed response to the need for national appeals body; some views expressed a support for such a body to exist as a clear separation from the local authority, others that another body may add to confusion and mislead expectation on what they could action, as well having the risk of being bureaucratic;
- Interim suspension powers needed clear criteria and appropriate safeguards, but would be required if there was an immediate danger to others; the suggestion was made to add in any free text box available in the consultation that such criteria and safeguards would be required. The overall aim was for improvement in behaviour after a suspension and not to view it as a punishment. Any action that would involve police action, such as assault, should be an immediate suspension to protect the public;
- Concern that the issue of potential suspension may discourage volunteers to stand at town and parish level;
- Defining that any withheld allowances would be paid if there was no finding of a breach of the Code of Conduct;
- That allegations should not be published as no findings of fact, but outcomes of investigations and hearings should be, as they are now;
- Mixed view on the inclusion of voting right of independent persons and representatives, and the role of Vice Chair. Some felt a voting right would be beneficial for balance. Detail on procedure would need careful planning in scenarios whereby only a small number of elected councillors were present, or if an independent Vice Chair had to act as Chair;

- The six month limit suggested in some questions should be a limit, not a target.

The discussion and suggestions to be considered by the Monitoring Officer, and would be incorporated into the final response to the consultation.

RESOLVED that delegated authority be given to the Monitoring Officer, in consultation with the Chair and Vice Chair of the Standards Committee, to reframe the consultation response in light of discussion and submit before the February deadline.

34 **Code of Conduct Complaint Update**

The report set out an update on Code of Conduct complaints received and progress made for the period of September 2024 to January 2025.

This included the conclusion of two historic complaints, and capturing enquiries that had been made which did not lead to a formal complaint for member's consideration. The Monitoring Officer advised the committee that this did not capture all enquiries made ad hoc in person to her or her Deputy.

The report showed a positive move in resolving complaints and a small refinement to the report template was suggested, namely adjusting the text size to make it easier to read, and the addition of a column that listed if the complaint related to a Member or Other.

The committee noted the update.

35 **Applications for dispensations**

The committee had previously met informally, prior to an Extraordinary Council Meeting on 9 January 2025, to discuss dispensations for Members that also held County Council seats, or were employed by another District or County Council in Devon, to enable them to take part in matters relating to devolution and/or local government reorganisation. Whilst the Monitoring Officer, with emergency powers to do so, had granted the dispensations on 9 January 2025, the report was presented to formally ratify these with the Committee.

Those Members of Standards Committee that also held a seat on Devon County Council ("dual-hatters") left the meeting for this item.

In response to a question, the committee were advised that the dispensation would be kept under review as more about local government reorganisation was known, so that if required those sat on Town or Parish Councils may also be considered.

Noted and supported:

1. **the granting of dispensations to the dual-hatted County and District Council Members, outlined in the report, to enable them to discuss and vote on any such matter relating to devolution or local government reorganisation in Devon. Such dispensations to take effect from 9 January 2025;**
2. **the granting of dispensations to District Council Members who are employed by, or a spouse/partner of an employee of another District or County Council in Devon, to enable them to discuss and vote on any such**

matter relating to devolution or local government reorganisation in Devon. Such dispensations to take effect from 9 January 2025;

- 3. that the dispensations were approved on the basis that granting the dispensations is in the interests of persons living in the authority's area;**
- 4. that the dispensations were granted until the next District Council elections;**
- 5. Following consultation with the Chair as required by the constitution, the Committee supported the Monitoring Officer having made the decision in accordance with the urgency powers set out in the officer Scheme of Delegation.**

36 Standards Committee - Independent Members of the Committee and Independent Person appointments

The report set out options for the independent and town/parish representative roles that would expire in May 2025. Delegated authority was sought to undertake recruitment in time to fill those roles for the next civic term.

The Chair invited comment from the Independent Persons, Independent Representatives, and Town and Parish Representatives present. Those comments included:

- Good practice to refresh membership to retain independence;
- Consider, in light of the devolution agenda, it was in the Council's best interests to use resource to recruit and suggested an extension for at least a year until more on the devolution agenda was known.

The Chair made clear the value of the contributions made by the Independent Persons, Independent Representatives, and Town and Parish Representatives present during their time on the committee, and expressed her gratitude and appreciation for their service.

The Independent Persons, Independent Representatives, and Town and Parish Representatives left the meeting for the debate on this item.

Discussion by the committee included:

- High value placed on the current membership and their contributions;
- Ability to extend further their tenure, in light of limited life of the District Council;
- Support for undertaking a recruitment exercise to refresh and keep to good practice;
- Invitation to apply could be made to the existing position holders.

A proposal, as set out in the report, was made, seconded and voted on.

RESOLVED

- 1. That the recruitment process be approved and the timescale for recruitment noted;**
- 2. Delegated authority be given to the Monitoring Officer in consultation with the Chair of the Standards Committee to agree the recruitment documentation;**
- 3. That an interview panel of 3 members from the committee, to include the Chair or Vice Chair, be approved.**

Councillor Jess Bailey voted against the proposal and asked for her vote to be recorded in the minutes.

Attendance List

Councillors present:

E Rylance (Chair)
J Bailey
I Chubb
T Dumper
S Hughes
J Loudoun

Independent Persons

D Kuh
P Coulter

Independent Representatives

R Wood
M Goscomb
K Bryant

Town and Parish Representatives

P Stott
S Sexton

Officers in attendance:

Debbie Meakin, Democratic Services Officer
Melanie Wellman, Director of Governance (Monitoring Officer)

Chair

Date:

Report to: Standards Committee

Date of Meeting 10 April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release n/a



Members Gift and Hospitality Protocol

Report summary:

The only guidance available to Members on the declaring of Gifts and Hospitality is included in the Member Code of Conduct. This guidance is limited in its application and therefore the opportunity has been taken to write a separate Protocol, to form part of the Constitution, which gives more detailed guidance to Members on the appropriateness of accepting gifts and hospitality and the factors they should take into account when making a decision. Appendix A includes a draft Protocol for the Committee's consideration.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Committee consider the attached Gifts and Hospitality Protocol at Appendix A and recommend any changes to the Constitutional Working Group before the Protocol is submitted to Full Council for approval at the Annual meeting in May 2025.

Reason for recommendation:

It is important that Members have clear and detailed guidance on the acceptance of gifts and hospitality. The Protocol at Appendix A will ensure that guidance is available and forms part of the Constitution.

Officer: Melanie Wellman, Director of Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; The proposals in this report will ensure that Members have clear and detailed guidance on the acceptance of gifts and hospitality. This will reduce the risk of gifts and hospitality being accepted where not appropriate and will therefore reduce the potential for reputational risk to this Council.

Links to background information None

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ A supported and engaged community
- ☐ Carbon neutrality and ecological recovery
- ☐ Resilient economy that supports local business
- ☒ Financially secure and improving quality of services

Report in full

1. At present the main guidance on the acceptance of Gifts and Hospitality by members is included in the adopted Member Code of Conduct.
2. As well as having the Code of Conduct, many authorities have separate guidance for members which goes into more detail on the matters that members should consider when offered gifts and/or hospitality.
3. In the circumstances, the opportunity has been taken to prepare a draft Protocol which will provide more detailed guidance to members in these circumstances. The guidance covers the following areas:-
 - a. The scope of the Protocol i.e. its application to all councillors of East Devon District Council including co-opted members.
 - b. The fact that it does not apply to gifts from friends and family, including a definition of gifts and hospitality.
 - c. The types of gifts and hospitality that need to be declared
 - d. Sets out what constitutes acceptable and prohibited gifts and hospitality
 - e. The general considerations that Members should have regard to when deciding whether or not to accept gifts or hospitality
 - f. The wording that can be used to respectfully decline gifts or hospitality
 - g. The procedure for declaring gifts and hospitality
 - h. Guidance as to whether gifts and hospitality below the £50 threshold should be declared in any event
 - i. Reminds members that this Committee will oversee the Gifts and Hospitality register every six months
 - j. That the Protocol will be reviewed every five years
4. The Constitutional Working Group (the "CWG") was set up by Full Council to oversee a review of the Council's constitution. The proposal is that this Protocol will to be added to the Council's Constitution. The CWG have already considered the draft Protocol and requested changes which have been duly incorporated.
5. As the Protocol is directly related to Member behaviour and gifts and hospitality is overseen by this Committee, it was felt appropriate to also seek the views of this Committee before the Protocol goes back to the CWG and then to Full Council for adoption in May 2025. The Committee are invited to consider the draft Protocol attached at Appendix A and recommend its adoption to the CWG and Full Council with or without amendments. Full training will be provided to members on the Protocol in the summer of 2025.

Financial implications:

There are no financial implications to be added to this report.

Legal implications:

There are no substantive legal issues to be added to this report.

East Devon District Council

Councillors' Gifts and Hospitality Protocol

1. Introduction

This protocol outlines the principles and procedures for the acceptance and registration of gifts and hospitality by councillors of East Devon District Council. It aims to ensure transparency, maintain public trust, and prevent any conflicts of interest.

The public are entitled to demand of councillors, conduct of a high standard. Public confidence in their integrity would be shaken were there the least suspicion that they could in any way be influenced by improper motives. It is a serious criminal offence for councillors to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in an official capacity. If an allegation is made in such circumstances, it will be for the councillor to show that they have not in any way been influenced by improper motives. For this reason, it is important for the council to set clear guidance for all councillors.

This protocol is intended to assist councillors in making a decision as to whether a gift or hospitality can be accepted. Councillors are reminded that a breach of this guidance may result in a complaint against them to the Monitoring Officer.

2. Scope

This protocol applies to all councillors of East Devon District Council including co-opted members. It should be read in conjunction with the Members' Code of Conduct.

It only applies to your role as a councillor. You do not need to register gifts and hospitality which are not related to your role, such as Christmas gifts from your friends and family. However, you should apply common sense when you consider how receipt of a gift might be interpreted. For example, if you are the chair of the planning committee and a birthday present arrives from a family friend who is also an applicant just before a planning application is due to be considered, then you need to think about how this would be interpreted by a reasonable member of the public.

Hospitality does not need to be registered where it is provided or reimbursed by the authority or where it is clearly ancillary to the business being conducted, such as an overnight stay for an external training event. Therefore, hospitality at a civic reception arranged by the council would not need to be registered. However, the hospitality should be registered if it is provided by a person or body other than the authority and is over and above what could reasonably be viewed as ancillary to the business conducted. You might meet dignitaries or business contacts in Council offices. **However, if such meetings take place in other venues, such as at cultural or sporting events, this should be registered as hospitality.**

Gifts that are clearly made to the Council, for example, a commemorative goblet which is kept on display in the Council's offices, do not need to be registered in the register of gifts and hospitality. However, such gifts should be recorded by the council for audit purposes.

3. General Principles

- **Integrity and Honesty:** Councillors must act with integrity and honesty, avoiding any actions that could be perceived as improper.
- **Transparency:** All offers of gifts and hospitality, whether accepted or refused, with an estimated value of at least £50 or a number of gifts or hospitality from the same donor which individually are below the estimated threshold but which cumulatively result in an estimated value of at least £50 in any calendar year, must be declared appropriately and recorded to maintain transparency.
- **Accountability:** Councillors are accountable for their actions and decisions regarding the acceptance of gifts and hospitality.

4. Definitions

- **Gift:** Any item or service received without payment or at a discount not available to the general public.
- **Hospitality:** Any form of entertainment, meals, or accommodation provided free of charge or at a reduced rate.

5. Acceptable Gifts and Hospitality

- Gifts and hospitality up to an estimated value of £50 may be accepted without declaration. However, you should always consider whether it is appropriate to accept it and the presumption should always be not to accept significant gifts or hospitality.
- All other offers of gifts or hospitality of an estimated value of £50 or over must be declared and recorded.

6. Prohibited Gifts and Hospitality

- Gifts or hospitality that could be perceived as an attempt to influence decision-making or secure preferential treatment must not be accepted.
- Frequent or lavish gifts and hospitality from the same source must be avoided.
- Gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on your part to show favour from persons seeking to acquire, develop or do business with the Council or from persons who may apply to the Council for

any permission (e.g. planning permission), licence or other significant advantage.

7. General Considerations: Gifts

- In general, gifts should be refused.
- A gift must not be accepted if it is offered by a person or organisation which has, or is seeking business with, the council or one who has an interest in a council decision. Simply accepting gifts or hospitality and then registering it does not mean that it becomes reasonable in such circumstances.
- In normal circumstances, only minor gifts of token value, should be accepted.

8. General Considerations: Hospitality

- The same principles which apply to gifts apply to the offer and acceptance of hospitality. Generally, offers of hospitality should be declined.
- It must not be accepted when the offer of hospitality is made by any person or organisation seeking business or requiring a decision from the council, or where purchasing decisions may be potentially compromised.
- Exceptions to this general rule are few, but it may be in order to accept offers of hospitality if there is a genuine need to impart information or to represent the council's wider interest in the community.
- For example, if you have been invited as a ward councillor to a local festival along with other members of the community then it may be entirely appropriate to accept the hospitality. However, you should always exercise particular caution if the organisers are involved in ongoing negotiations with the Council on a particular matter.
- It may also be necessary to participate in a working lunch in order to foster a good working relationship with other organisations. These are examples, therefore, where the acceptance of modest forms of hospitality is acceptable.
- As with gifts, accepting an expensive meal from somebody who is negotiating for a contract with the council, for example, is not 'made right' by being recorded on a public register.
- The following should be considered when deciding whether or not to accept offers of hospitality:
 - (a) whether the nature of the hospitality is appropriate.
 - (b) whether the scale of the hospitality is appropriate to the circumstance.
 - (c) whether the hospitality is modest and can be considered as part of a normal councillor role to foster good relations.

(d) whether the hospitality is offered by a person or organisation who is tendering or about to tender for council business or submitting an application to the council e.g. an application for planning permission or a licence.

(e) whether it is more appropriate to bear the expense oneself.

- If offers of hospitality are declined, those persons or organisations making the offer may be courteously informed of the procedures and standards operating within the council with, if appropriate, the following or similar statement:

"Thank you for your kind offer of [insert details of gifts or hospitality]. Unfortunately, the council has a clearly defined policy on receiving gifts and hospitality and I am therefore unable to accept."

9. Declaration and Registration

- All offers of gifts and hospitality over the financial threshold in paragraph 5 must be declared within 28 **calendar** days of receipt.
- Councillors must register offers (whether accepted or refused) with the Monitoring Officer (via Democratic Services) using the online form provided.
- Councillors must also disclose the existence of any gift or hospitality at a Council meeting where the gift or hospitality received is relevant to the matter of business being discussed, irrespective of whether it has been registered with the Monitoring Officer.

10. Procedure for Declaring Gifts and Hospitality

1. **Complete the Declaration Form:** Councillors must complete the relevant online declaration form, providing details of the gift or hospitality offered, its value, the circumstances of the offer and whether it was accepted. If you do not know the value, please estimate how much you think it is worth.
2. **Submit the Form:** Submit the completed form to the Monitoring Officer via Democratic Services using the online form.
3. **Record Keeping:** The Monitoring Officer will maintain a register of all declared gifts and hospitality.

11. What about gifts or hospitality that fall below the threshold in the code?

Councillors should consider whether a gift or hospitality below the estimated value of £50 threshold should also be declared, for example:-

- You should always notify the Monitoring Officer of any gift or hospitality offered to you if it could be perceived as something given to you because of your position, especially where the gift or hospitality is from somebody who has put in an application to the Council (or is about to) even where that

hospitality falls below the limit set. While that would not be a matter for the public register, it allows the Council to be aware of any patterns.

- Also, an accumulation of small gifts you receive from the same source over a year that add up to a sum over the threshold should be registered in the interests of transparency and to ensure compliance with the Members' Code of Conduct.

12. Review and Monitoring

- The register of gifts and hospitality will be reviewed every six months by the Standards Committee to ensure compliance with this protocol. The name of the councillor receiving the gift and details of the donor shall be disclosed.
- Any breaches of this protocol may result in a complaint to the Monitoring Officer.

13. Training and Awareness

- Regular training sessions will be provided to councillors to ensure understanding and compliance with this protocol.
- This protocol will be included in the induction program for councillors.

14. Review of Protocol

- This protocol will be reviewed every five years to ensure it remains fit for purpose and compliant with any changes in legislation or best practice. **Make sure date clear**

Report to: Standards Committee

Date of Meeting April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release n/a



REVIEW OF MEMBER CODE OF CONDUCT

Report summary:

The Standards Committee is responsible for monitoring the Councillor Code of Conduct and for making recommendations to Full Council on any changes to the code. This report considers the Code and whether any changes are required for Members review.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Committee is asked to note the review of the Code of Conduct and recommend no changes at the current time.

Reason for recommendation:

It is important that the Committee conducts regular reviews of the Code and ensures that it remains up up-to-date and fit for purpose.

Officer: Melanie Wellman, Director of Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; Ensuring that we have a robust Code of Conduct in place, reduces reputational risk for this Council.

Links to background information n/a

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ A supported and engaged community
 - ☐ Carbon neutrality and ecological recovery
 - ☐ Resilient economy that supports local business
 - ☒ Financially secure and improving quality of services
-

Report in full

1.1 The Committee on Standards in Public Life conducted a review of Local Government Ethical Standards in 2018, and the subsequent report was published in January 2019. One of the recommendations of the report was that a new national code of conduct for members was to be created by the LGA for all local Authorities to use as a basis for their own code. The Local Government Association provides this Model Member Code of Conduct as part of its work on supporting the sector to continue to aspire to high standards of leadership and performance.

1.2 All councils are required to have a local Member Code of Conduct. The Local Government Association Model Member Code of Conduct was developed in consultation with the sector and was offered as a template for councils to adopt in whole and/or with local amendments. The LGA undertake an annual review of the Code to ensure it continues to be fit-for-purpose, particularly with respect to advances in technology, social media and any relevant changes in legislation.

1.3 The purpose of this Code of Conduct is to assist councillors in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken.

1.4 It is also to protect councillors, the public, fellow councillors, council officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct.

1.5 The overarching aim is to create and maintain public confidence in the role of member and local government.

1.6 The Code of Conduct applies to a councillor when they are acting or claiming or giving the impression that they are acting in their capacity as a member or representative of the council. It also applies to all forms of member communication and interaction, including written, verbal, non-verbal, electronic and via social media,

1.7 The local Government Association approved the Model Code on 3rd December 2020, and it was updated on 19 January and 17 May 2021. Since then, no changes have been made to the Model Code. This Council adopted the Code in May 2022 with some minor variations to suit local circumstances. The following is a link to that Code: [part-5_1-member-code-of-conduct.pdf](#)

1.8 As the Code has not been changed by the Local Government Association since May 2021 and to ensure that we remain in line with the Model Code, it is proposed that we do not make any changes at this time. The benefits of adopting changes recommended by the Local Government Association is that they will consult on the changes and also that we remain consistent with the Model Code and therefore many other local authorities. This provides clarity and consistency for the public and indeed for Council members. It should also be noted that the Constitutional Working Group have also considered whether there should be any changes to the Code of Conduct at this time and concluded that there should not be.

1.9 Whilst the definitions in the Code of “other registrable interests” and “non registrable interests” do undoubtedly cause confusion for members and the public, it is considered that having a

national based model outweighs the disadvantages. With the current backdrop of local government re-organisation, this seems a sensible approach at this stage. It also means that we have a raft of guidance that we can rely upon when advising on the interpretation of the Code of Conduct.

1.10 No changes are therefore recommended to the Code of Conduct adopted by this Council in May 2022.

Financial implications:

There are no significant financial issues arising from this report.

Legal implications:

The promotion and maintenance of high standards of conduct by councillors is an important part of maintaining public confidence in both the council and its members. Failure to do so could have significant reputational implications.



Report to: Standards Committee

Date of Meeting April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Standards Committee Work Programme

Report summary:

To note the update on the Committee's Work Programme for 2024/25

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

To note progress made on the Work Programme for 2024/2025.

Reason for recommendation:

To ensure that the Committee has a robust work programme in place and can monitor activity against that Work Programme at each meeting.

Officer: Melanie Wellman, Director of Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; Agreeing and reviewing a Work Programme for the Committee will ensure that important issues are not overlooked and that the Committee can monitor progress against that work programme.

Links to background information None

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ A supported and engaged community
- ☐ Carbon neutrality and ecological recovery
- ☐ Resilient economy that supports local business
- ☒ Financially secure and improving quality of services

Purpose of Report

- The following table sets out the proposed Work Programme for the Standards Committee for 2024/25. An update is provided in relation to each of the items and when they were/are planned to be considered by the Committee.

| Description | Timetable | Responsible Officer | Comments |
|--|--|--------------------------|---|
| Annual Report from the Chair of the Committee regarding the work of the Committee | 10 April 2025 | Chair/Monitoring Officer | On this agenda |
| Promote ethical standards by providing support and training in relation to the Code of Conduct to District Councillors, Parish Clerks and Councillors (as required); | <p>Training provided to District Councillors in May/June 2023</p> <p>Training provided to Town and Parish Councils in September 2023</p> <p>Further training to be provided to District Councillors in 2025.</p> | Monitoring Officer | |
| Receive conduct of hearings training | To be agreed if required | Monitoring Officer | No hearings in 2024/5 |
| Investigate ways of resolving issues before they escalate to a formal complaint | Presentation 16 January 2025 | Monitoring Officer | Presentation complete |
| Promote ethical standards by engaging via the Chair of the Committee on a regular basis with the political leaders and Chief Executive of the Council | Twice a year | Chair | Chair to attend Leaders Liaison meeting in April 2025 |
| Receive updates regarding Code of Conduct complaints | Every meeting | Monitoring Officer | On every agenda |
| Hear Standards complaints where an | As required | Monitoring Officer | N/A |

| | | | |
|--|----------------------------|--------------------------------------|---|
| investigation has concluded there has been a breach of the Code and the Monitoring Officer refers the matter for hearing | | Sub-Committee of Standards Committee | |
| Consider dispensation applications | When applications received | Monitoring Officer | Dispensation applications were considered by the Committee early in 2025 |
| Conduct a review of the Code of Conduct | 10 April 2025 | Monitoring Officer | On this agenda |
| Consider draft Gifts and Hospitality Protocols for Officers and Members | 16 Jan 2025 | Monitoring Officer | On this agenda |
| Consider changes to the procedures for dealing with Officer Declaration of Personal Interests | 16 Jan 2025 | Monitoring Officer | Documents drafted and currently being reviewed by Officers. Report to be presented to next meeting of the Committee |
| Receive an update on Standards issues | As required | Monitoring Officer | On this agenda and to form part of 2025/6 work programme. |
| To receive regular updates on the gifts and hospitality accepted or refused by members and officers | 16 Jan 2025 | Monitoring Officer | To be presented at the next meeting following training on the Gifts and Hospitality Protocol. |
| To review Protocols relating to standards and behaviour | To be agreed | Monitoring Officer | Member/Officer Protocol considered at the last meeting. Gifts and Hospitality Protocol on this agenda. |

Financial implications:

There are no financial implications to be added to this report.

Legal implications:

There are no substantive legal issues to be added to this report.



Report to: Standards Committee

Date of Meeting 10 April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release n/a

Annual Report of the Standards Committee

Report summary:

To review the work of the Standards Committee for the civic term 2024-2025

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Annual Report, outlining the work undertaken by the Standards Committee for the civic term 2024 – 2025, be agreed to be presented to Annual Council in May 2025, with delegated authority given to the Monitoring Officer, in conjunction with the Chair, to agree and include any subsequent additions from the April meeting of the committee.

Reason for recommendation:

To inform Council of the work of the committee during the year.

Officer: Melanie Wellman, Director of Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information n/a

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ A supported and engaged community
 - ☐ Carbon neutrality and ecological recovery
 - ☐ Resilient economy that supports local business
 - ☒ Financially secure and improving quality of services
-

Report in full

The Standards Committee

The Standards Committee believes that high ethical standards are crucial in the work of any public body and that robust application is important. This summary report shows how the Committee has undertaken these tasks during the last 12 months and how it continues to contribute to and offer direction to shape the governance, culture, and ethos of the organisation.

The Standards Committee comprises of 7 elected councillors (plus one reserve); Co-opted non-voting members include 2 Independent Persons; 3 Independent Representatives; and 3 Town/Parish Representatives.

Members of the Committee work together to promote the importance of high standards of behaviour and systems of governance to create a climate where complaints or problems are rare. The Chair of the Committee is held automatically by the Chair of the Council recognising the impartiality of that role. The Council has long recognised the added value brought by an independent voice on its Standards Committee, reinforced by the Co-opted Membership.

Purpose and Remit of the Committee

The Committee acts as champion of the Council's ethical standards and is responsible for promoting and maintaining high standards of conduct. The Constitution makes it clear that any member of the public may complain to the Monitoring Officer about an alleged breach of the Members' Code of Conduct. The Council has in place appropriate arrangements for dealing with complaints against Members and a mechanism to deal with allegations that Members may have breached the Code of Conduct. The Council has appointed 'Independent Persons' in line with the requirements of the Localism Act 2011. More information about the Code of Conduct and the complaints process can be found on the Council's website.

The remit of the committee includes:

- (a) Advise on the discretionary elements of the Local Code of Conduct; including monitoring and updating.
- (b) Advise on the implementation of the Local Code of Conduct, including the training of Members in matters of conduct and advice to Members on such issues as the treatment of Disclosable Pecuniary Interests and personal interests and more general conduct issues.
- (c) To the extent allowed by law make arrangements for Members to receive dispensations to speak on, or participate in, matters in which they have interests.
- (d) Appoint such Sub Committees (including Membership thereof) as appropriate to discharge the functions.

Meetings in 2024/25

The Committee met twice in 2024/25, two meetings were cancelled and there were no Standards Assessment Sub-Committee meetings to assess complaints or Standards Hearings Sub-Committee meetings to hear complaints.

Monitoring of complaint caseload

The committee continued to monitor at each meeting the scale and type of complaints under the Code of Conduct, in order to identify any trend or emerging issues that warranted further action or support. This has included adaption of the reporting mechanism to the committee to provide enough detail on trend without impacting on confidential information and ensure that the Committee is open and transparent.

In 2024 the Monitoring Officer received nine Code of Conduct complaints. Five of those related to District Councillors and 4 related to Town and Parish Councillors. Three of those complaints alleged lack of courtesy and respect, three alleged use of position and 2 alleged bullying and harassment.

Following an initial assessment of the complaints and consultation with one of the Independent Persons, informal resolution occurred in two cases and no further action was taken in the remainder. No complaints were referred for investigation.

In terms of number of complaints, the 9 in 2024 compared with 12 in 2023, 32 in 2022, 27 in 2021 and 36 in 2020. This shows a clear reduction in the number of complaints being made year on year.

In terms of the number of complaints being referred for investigation, there were 8 in 2020, 4 in 2021, 5 in 2022 and none in 2023 and 2024. Again this shows a reduction in the number of investigations needing to be undertaken.

Resolving complaints before they escalate presentation

A presentation on the potential ways of resolving complaints before they escalate was presented by the Monitoring Officer. The same presentation had been shared with DALC at their conference and means of dissemination were discussed.

Response to Government consultation on changes to the Standards regime

A detailed response was compiled between the Monitoring Officer and the committee in response to the government consultation on changes to the Standards regime which included the following aspects for reform:-

- Reintroduction of suspension powers;
- Disqualification for repeat offenders;
- Right of appeal;
- National Appeals body;
- Mandatory minimum Code of Conduct;
- Interim suspension powers:-
- Empowering victims.

The outcome of the consultation is awaited.

Recruitment for Independent Representatives and Town/Parish Representatives

The Independent Representatives, Independent Persons and Town/Parish Representatives play a critical role on the Committee and their input is highly valued by the Committee. Recruitment processes are underway to fill those posts.

Dispensations

Dispensations were granted to dual-hatted County councillors and to councillors who also work for another local authority in Devon, to allow them to speak and vote on any matter before the Council and / or Committee relating to local government reorganisation in Devon. This ensures that residents are not disenfranchised and those councillors can continue to play a key role in debating what is a matter of key significance for everyone residing in East Devon.

Looking Ahead

Looking ahead, much of the work of the Committee is demand led. However, it will continue to monitor elected councillor's performance at meetings of the Council, Cabinet and Committees (whether remote or in person) and adherence to the Council's ethical governance framework. It will also identify and support provision of regular training and refresher events for elected councillors of the Council (particularly on the importance of the Code of Conduct and high standards of ethics and probity). Following the government consultation, it is hoped that changes will be made, in the near future, that will enhance the Standards regime and enable tougher sanctions to be imposed by Standards Committees in the more serious cases of breaches of the Code of Conduct.

Financial implications:

There are no financial implications directly arising from this annual report.

Legal implications:

There are no legal implications directly arising from this annual report.

Report to: Standards Committee

Date of Meeting 10 April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Standards Update report

Report summary:

It is important that the Monitoring Officer provides a regular report to the Committee on ethical standards and Code of Conduct issues. The Monitoring Officer will provide a verbal update at the meeting in relation to:-

1. Recent standards decisions;
2. Training of District Councillors in relation to the Code of Conduct;

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That the Committee note the verbal update.

Reason for recommendation:

To ensure that Committee are kept up-to-date regarding ethical standards and code of conduct issues.

Officer: Melanie Wellman, Director of Licensing and Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Democracy, Transparency and Communications
- ☐ Economy and Assets
- ☐ Finance
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk; This report ensures that Members are having sufficient oversight in relation to Ethical standards matters.

Links to background information None

Link to Council Plan

Priorities (check which apply)

- ☐ A supported and engaged community
 - ☐ Carbon neutrality and ecological recovery
 - ☐ Resilient economy that supports local business
 - ☒ Financially secure and improving quality of services
-

Purpose of Report

1. It is important that the Monitoring Officer provides a regular report to the Committee on ethical standards and Code of Conduct issues. The Monitoring Officer will provide a verbal update at the meeting in relation to:-
 - Recent Standards Decisions;
 - Training of District Councillors in relation to the Code of Conduct;

Financial implications:

There are no financial implications to be added to this report.

Legal implications:

It is important that the Committee receives regular updates regarding ethical standards and code of conduct matters, to ensure it is having appropriate oversight of and meeting its Terms of Reference.

Report to: Standards Committee

Date of Meeting 10 April 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Code of Conduct Complaint Update

Report summary:

To update the Standards Committee in relation to the Code of Conduct complaints received and/or progress made, since the last meeting in January 2025.

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

(1) That the Standards Committee note the update and provide any feedback.

Reason for recommendation:

To ensure that the Committee are receiving regular updates and have sufficient oversight of Code of Conduct complaints.

Officer: Katie Webb @eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

The Code of Conduct complaints procedures apply equally to everyone. The process also ensures that anyone with a disability has the ability to make a complaint with the assistance of Council officers where needed

Climate change Low Impact

Risk: Medium Risk; Poor member behaviour brings reputational damage. It is essential that there is a robust process in place for monitoring Code of Conduct complaints by the Committee.

Links to background information None

Link to [Council Plan](#)

Priorities (check which apply)

- ☐ Better homes and communities for all
 - ☐ A greener East Devon
 - ☒ A resilient economy
-

Report in full

1. The Committee receive regular updates on Code of Conduct complaints received by the Council in relation to District, Town and Parish Councillors.
 2. Appendix A provides an update on complaints as well a spreadsheet of enquires relating to code of conduct complaints that we have received. Appendix B sets out performance data against the timescales set out in the procedure as well as providing some helpful information and summaries on trends and patterns with the complaints.
 3. Members are invited to consider the updates and data charts.
-

Financial implications:

There are no financial implications directly arising from this report.

Legal implications:

There are no significant legal implications directly arising from this report

Annex A

Standards Committee Code of Conduct complaints update Period: January 2025 to April 2025

| Case Ref | Parish/ Town or District? | Summary of Complaint | Area of Code alleged to be Breached | Date of First Contact | Date complaint received | Date of Stage 1 Decision | Rejected at Stage 1 | Stage 1 timescale met? | Date of Stage 2 Decision | Stage 2 timescale met | Decision | Reason for delay | Lessons Learnt/ Next Steps |
|-------------|------------------------------|---|---|-----------------------|-------------------------|--------------------------|---------------------|------------------------|--------------------------|-----------------------|----------|---|-------------------------------|
| 2025/ 1 | District | Allegation that Subject member breached the code of conduct during a speech made at a meeting | Courtesy and respect Not using position to advantage Not influencing officers | 11/12/2024 | 24/12/2024 | 04/02/2025 | N | N | | | | Christmas period, general workload and also linked complaints that came in after. | |
| 2025/ 2 | District | Allegation that Subject member breached the code of conduct during a speech made at a meeting | Courtesy and respect Not using position to advantage Not influencing officers | 14/01/2025 | 30/01/2025 | 04/02/2025 | N | N | | | | General workload and also linked complaint that came in after. | |
| 2025/ 3 | District | Allegation that Subject member breached the code of conduct during a speech made at a meeting | Courtesy and respect Not using position to advantage Not influencing officers | 15/01/2025 | 24/02/2025 | 03/03/2025 | N | Y | | | | | |
| 20205/ 4 | District | Failing to declare an interest | Failure to declare an interest | 09/02/2025 | 24/02/2025 | 03/03/2025 | N | Y | | | | | |

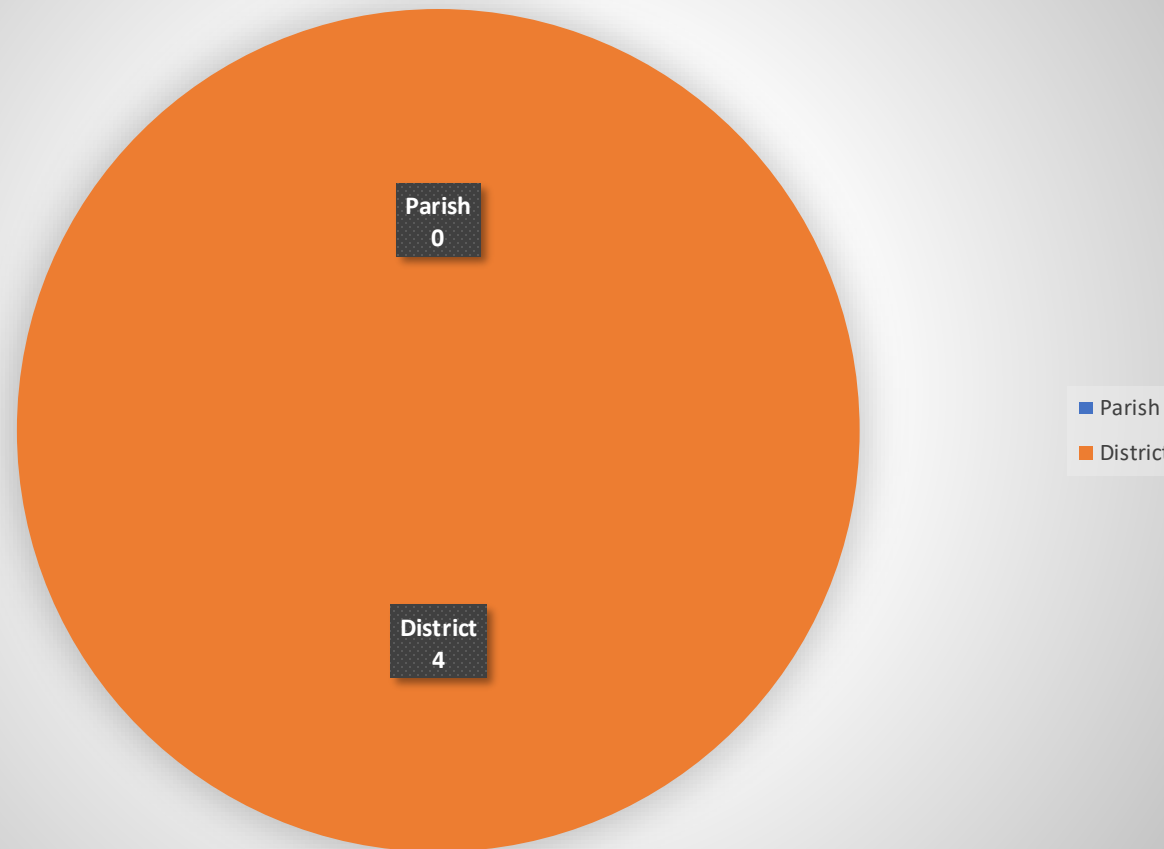
Code of Conduct Enquiries between January 2025 and April 2025

| Enquiry Number | Date of Enquiry | Nature of Enquiry | Why enquiry has not progressed to CoC complaint |
|----------------|-----------------|--|---|
| 1 | 28/01/2025 | Possible code complaint about the conduct at a parish meeting | Complainant was sent procedure document and information but no complaint has been received. |
| 2 | 12/02/2025 | Enquiry from a member of the public about the conduct of a parish council | Had a discussion and some emails with the potential complainant but the issue relates to the conduct of the actual council rather than a particular councillor and is therefore not a code issue. |
| 3 | 05/03/2025 | Enquiry from a member of the public regarding a possible code of conduct complaint about a parish councillor. Relating to a planning application | Complainant has been sent procedure document and requested a call to discuss however when KW went back to set up a meeting, he has not responded. |
| 4 | 05/03/2025 | Enquiry from a member of the public regarding a possible code of conduct complaint about a parish councillor. Relating to a planning application | Complainant has been sent procedure document and requested a call to discuss however when KW went back to set up a meeting, he has not responded. |
| 5 | 17/03/2025 | Possible code of conduct complaint | Had initial discussion with potential complainant and they are reviewing the procedure and plan to submit a complaint next week. |

Annex B

Data Charts summary of 2025

Complaints Parish or District?



Area of Alleged Code Breach

