

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Standards Committee held at Council Chamber, Blackdown House, Honiton on 22 June 2023

Attendance list at end of document

The meeting started at 10.02 am and ended at 11.43 am

1 Public speaking

None.

2 Minutes of the previous meeting

The minutes of the previous meeting held on 27 July 2022 were agreed.

3 Declarations of interest

None.

4 Matters of urgency

None.

5 Confidential/exempt item(s)

None.

6 Standards Committee Terms of Reference

The Monitoring Officer reminded the Committee of the terms of reference of the committee, including their role of promoting the governance and ethical standards of the Council.

The Committee can also convene sub committees for Assessment and Hearing of complaints. Article 9 of the Constitution also provide detail on the role of the committee.

The current terms of reference required updating to reflect committee number changes and membership accordingly.

RESOLVED that the updated Terms of Reference, alongside Article 9 of the Constitution, be brought back to the Committee at a future meeting.

7 Standards Committee Work Programme

The Committee were presented with a proposed work programme for the coming year.

Discussion on the plan of work included:

- Training on the Hearing process would take place prior to a hearing date, to ensure that the training was fresh for all involved before participating in a hearing;
- DALC offer would be explored on how they could contribute towards work on assisting town and parish councils in training, and on means of working together to help resolve

issues at an early stage before those issues became official complaints. DALC to be asked if they offer a “Parish Health Check” that could be a useful resource;

- Independent Persons could assist in any training delivered to Town and Parish Councils;
- A number of comments had already been received on revisiting the current Code of Conduct, and was listed for further discussion later in the meeting;
- Training offer should cover both in-person and online options to afford maximum flexibility;
- Refreshed Terms of Reference would be added to the programme.

RESOLVED that the Work Programme, with the addition of updated Terms of Reference, be agreed.

8 **Complaints Procedure**

The report from the Monitoring Officer covered the background to the changes in procedure agreed in February 2022. The process was amended to include the review of complaints by a Standards Assessment Sub Committee, in order to assist the assessment of the high number of complaints being received.

The Committee were reminded of the outline of the process and invited to consider if changes were required. They also received a comparison of the timescales between the current and former process, being 10 weeks and 4 weeks respectively for the initial assessment of the complaint. The LGA guidance given was for 3 weeks for this process.

The advantages and disadvantages of the current procedure were also set out.

Discussion from the committee included:

- 10 weeks for assessment was not acceptable, and to move to a 4 week target was more realistic;
- The change to the current procedure was intended to relieve the pressure on workload but had not delivered that intention;
- Straightforward cases should aim to be undertaken within the LGA’s guidance target;
- The complainant’s right to consult an Independent Person may impact on the timescale;
- Key to delivery was to have resources in place; there was still an outstanding solicitor post to fill, the post being able to then resolve the backlog of cases;
- Assistance from the Independent Persons and Independent Representatives on the backlog of complaints to assist the Monitoring Officer until resource is successfully employed;
- Balance required between education, intervention and the cost of dealing with complaints.

The Committee agreed that a report on proposed changes needed to be considered by them fully before recommending any change to the current procedure to Council for approval. Any change would be planned to put forward to Council for a decision at the earliest opportunity.

RESOLVED

1. that a report be brought to the Committee that outlines proposed changes to the complaints procedure that includes:
 - a. stage 2 complaints being assessed by the Monitoring Officer;
 - b. stage 2 complaints being assessed within the target timeframe of four weeks;
2. that the Independent Persons and Independent Representatives assist the Monitoring Officer on a case by case basis to help assist with a triage approach for the backlog of complaints.

9 **Standards Update**

The Monitoring Officer would be regularly reporting to the committee on any issues relating to ethical standards and code of conduct issues.

The regular reporting would also cover:

- Register of interests by District, Town and Parish Councillors
- Training of District, Town and Parish Councillors in relation to the Code of Conduct
- Code of conduct complaints

The committee were updated on the returns to date that were available to the Monitoring Officer. Work continued by the team to update online those register of interests received, as and when they were provided.

Discussion took place on the level of detail in respect of code of conduct complaints, that was provided to the Committee. Care had to be taken for any information in the public domain, to avoid any complainant or councillor to be identified. Detail on the type of complaint would assist the Committee in identifying trends in conduct, and focus improvements accordingly. The Committee therefore requested that the Monitoring Officer provided a template for reporting complaints that would cover detail for this purpose in a way that would prevent the identification of any individual.

The Monitoring Officer would work on a template that covered a number of factors as discussed, including the timescale for dealing with complaints, to bring back to the Committee for approval.

RESOLVED that the Committee note the update report.

Attendance List

Councillors present:

E Rylance (Chair)
I Chubb
T Dumper
S Hughes

Councillors also present (for some or all the meeting)

I Barlow
G Jung

Officers in attendance:

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

Councillor apologies:

J Bailey
J Loudoun
J Whibley

Chair

Date: