

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Standards Committee held at Council Chamber, Blackdown House, Honiton on 14 November 2023

Attendance list at end of document

The meeting started at 2.30 pm and ended at 4.04 pm

10 Minutes of the previous meeting

The minutes of the previous meeting held on the 22 June 2023 were agreed, subject to the inclusion of attendance of Pauline Stott, Diana Kuh, Martin Goscomb; and apologies from Robert Wood.

11 Declarations of interest

None.

12 Public speaking

None.

13 Matters of urgency

None.

14 Confidential/exempt item(s)

None.

15 Revised Code of Conduct complaints procedure

The committee had previously agreed to the complaints procedure being reviewed by the Monitoring Officer, in light of the evaluation of the assessment process under procedures agreed back in February 2022.

The review also provided the opportunity to ensure that the procedures were in line with guidance issued by the Local Government Association. The revision would result in the assessment of the complaint being undertaken by the Monitoring Officer, in consultation with the Independent Person, rather than referral to an Assessment Sub Committee.

The procedure now set out clarity on:

- The process to be followed;
- Timescale of five working days for initial assessment, and twenty working days for the full assessment of the complaint as the target;
- The potential outcomes of the complaint;
- Updated criteria on assessment;
- Explanation of no right of appeal; and that other options are for the complainant to refer to the Local Government Ombudsman or seek judicial review;
- Complex and multiple complaints.

The committee discussion included:

- The use of the Assessment Sub Committee. Under the revised complaint procedure, this stage of assessment would be, in the vast majority of cases, undertaken by the Monitoring Officer. The Assessment Sub Committee would only be used in cases of exception, whereby the Monitoring Officer or Deputy Monitoring Officer could not be involved at that assessment stage. The committee agreed that reference to the use of the Assessment Sub Committee by exception should be referenced in the documentation.
- Section 2.2 and 2.3 of the documentation needed further work to clarify how a complaint could be submitted. Suggestions for refinement would be worked through by one of the Independent Representatives and the Monitoring Officer to amend these sections.
- Consistent references to the councillor being complained about were required through the document. Under the existing procedure, this individual was referred to as the “subject member”; however the committee concluded that using the reference “subject councillor” was clearer for the public to understand.
- An additional paragraph on the extension of deadlines in exceptional circumstances (8.9).
- Remove section 2.9 as it was not needed.

Recommended to Council that the reviewed Member Code of Conduct Complaints Procedures be approved, subject to the amendments discussed by the Standards Committee.

16 **Update on Code of Conduct complaints received**

The committee considered the update report on the complaints received between the 12 July 2022 to the 1 November 2023.

A full review of the existing complaints had been undertaken to ensure that the committee had a complete record. In response to questions, delays on some complaint processes had been due to the change in Monitoring Officer post and resourcing issues; along with some subject councillors leaving their position, therefore ending the complaint process. The committee were reassured that the handling of complaints was now in a good position going forward.

RESOLVED That the report be noted.

17 **Revised template for reporting on Code of Conduct complaints**

The Monitoring Officer outlined the changes to the reporting template, based on discussion by the committee at their last meeting. The reporting detail had been improved to provide a useful tool for the committee in evaluating themes and areas for review.

The committee proposed additional adjustments to the reporting template, including:

- Date of start and end of stage one; and completion of stage two. This would enable the committee to monitor the success rate of meeting the proposed new targets and understand resource impact;
- Quality of detail without revealing subject councillor or complainant;
- Welcoming the inclusion of the type of complaint, in order to aggregate that data to give the committee useful information in terms of patterns of behaviour.

The Chair welcomed the comments from the committee to move to improve the reporting, which would deliver information that would help inform the committee of what proactive work could be undertaken to improve councillor behaviour.

The committee agreed that further revision would be made by the Monitoring Officer, seeking agreement of the Chair on the report template. A populated report would be presented at the next meeting of the Committee. The Chair made clear that the report would continue to be reviewed as and when required by the committee.

RESOLVED that the report template be amended in line with comments made by the committee, with the final agreement being made by the Chair.

Attendance List

Councillors present:

E Rylance (Chair)
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

Councillors also present (for some or all the meeting)

R Collins
P Faithfull

Officers in attendance:

Debbie Meakin, Democratic Services Officer
Andrew Melhuish, Democratic Services Manager
Katie Webb, Property Lawyer
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Apologies:

Cllr I Chubb
Cllr J Whibley
S Sexton, Town and Parish Representative

Chair

Date