

10 March 2022

STANDARDS COMMITTEE

A meeting of the **Standards Committee** will be held on **Friday, 18th March, 2022** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **10.00 am**

PHIL SHEARS
Managing Director

Membership:

Councillors L Petherick (Chair), Nuttall (Vice-Chair), Bullivant, Connett, Evans and Peart

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

AGENDA

Part I

1. **Apologies for Absence.**
2. **Minutes** (Pages 5 - 6)
To approve and sign the minutes of the meeting held on 6 July 2021.
3. **Declarations of Interest**
4. **Member Complaint Process** (Pages 7 - 8)
5. **Member Code of Conduct and Behaviour**
6. **Notice of Motion - Cllr Eden**

Background provided by Cllr Eden to the Motion:

There are quite a number of gaps that have developed in the Standards Process – some highlighted in my previous motion on Standards Hearings procedure. There also needs to be a wider more precise application of what is or isn't acceptable in terms of conflict of interest.

Recently, this council had to resort to requesting an intervention from the PAS (Planning Advisory Service) over a matter that from the perspective of the general public should be quite clear cut.

From my experience chairing ethics committees in the NHS and from my professional training in matters of conflict and probity, it is clear that the result of the PAS report was far from satisfactory. We need to sharpen our focus on conflict or interest and raise the standard of those definitions.

Doing so will reduce the possibility of a councillor having their impartiality, integrity or probity being called into account.

Wording of Motion proposed by Cllr Eden:-

With that in mind, I would like to propose that the following definitions are added or amended.

- 1) The definition of a Conflict of Interest to be extended (in respect of family and friends) for all elected members to reflect the high standards set by the Charity Commission in respect of a 'Connected Person' - defined as follows;

“Connected person: In broad terms this means *family, relatives or business partners* of a councillor, *as well as businesses in which a councillor has an interest through ownership or influence*. The term includes a councillor's spouse or unmarried partner, or civil partner, children, siblings, grandchildren and grandparents, as well as businesses where a councillor or family member holds at least one-fifth of the shareholding or voting rights.”

The Council's legal team would be able to advise (where there is any doubt), but such advice should be made a public record.

- 2) Conflicts of Loyalty to be introduced as a notifiable requirement. This is defined as follows;

“Conflict of loyalty: This means a particular type of conflict of interest, in which a councillor's loyalty or duty to another person or organisation could prevent the councillor from making a decision only in the best interests of the council or the residents.”

- 3) Register of interests to include membership of ANY organisation that the member knows an officer of the council is also a member – for instance; Freemasons, professional bodies etc. Devon County Council requires members notify their membership of the Freemasons and TDC should do so right away.

This is an extension of the second point in the motion about Conflicts of Loyalty but deals potentially with influence exerted externally on, or by a councillor or officer.

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