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24 September 2025

## **GOVERNANCE COMMITTEE**

A meeting of the **Governance Committee** will be held on **Thursday, 2nd October, 2025** in the **Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX** at **2.00 pm**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Bullivant (Chair), Henderson (Vice-Chair), Nutley, Clarence, Palethorpe and Nuttall

**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 meeting room you are consenting to being filmed.

## **A G E N D A**

### **Part I**

#### **1. Apologies for Absence**

#### **2. Minutes** (Pages 5 - 8)

To approve and sign the minutes of the meeting held on Wednesday 2<sup>nd</sup> July 2025.

#### **3. Declarations of Interest (if any)**

#### **Matters for Review and Determination**

#### **4. Governance Committee Terms of Reference** (Pages 9 - 10)

To note the Governance Committee's Terms of Reference, as approved by Full Council on 29<sup>th</sup> July 2025.

5. **Governance Committee meetings**  
To agree the frequency of meetings for the Governance Committee to be quarterly and for the Democratic Services Team Leader to affix the dates of future meetings in consultation with the Chair of the Governance Committee.
6. **Arrangements under the Code of Conduct Complaints Procedures** (Pages 11 - 36)  
To approve the Arrangements under the Code of Conduct Complaints Procedure to accompany the Code of Conduct complaints process.
7. **Publication of Governance Committee Information and Webcasting** (Pages 37 - 44)  
To consider the publication of information relating to the Governance Committee, Code of Conduct Complaints and webcasting of meetings.
8. **Code of Conduct Complaints Update**  
Verbal update on Councillor Code of Conduct complaints received.
9. **Application for Dispensations - Devolution and Local Government Reorganisation** (Pages 45 - 48)  
To consider granting dispensations to Members of the Council to enable them to take part in matters relating to Devolution and/or Local Government Reorganisation.
10. **Member Development Strategy** (Pages 49 - 56)  
To approve the Member Development Strategy 2025.
11. **Member Training Log** (Pages 57 - 58)  
To review the Member Training and Briefing log from May to August 2025.
12. **Local Government and Social Care Ombudsman Annual Letter 2025** (Pages 59 - 62)  
Consideration of the Local Government and Social Care Ombudsman Annual Letter to the Council and the Council's performance in 2024/25.
13. **Constitution Review Working Group Update** (Pages 63 - 66)  
To update Members on the work of the Constitution Review Working Group. The notes of the last meeting are attached to the agenda pack.
14. **Determination of Code of Conduct Complaints (FS- CASE- 66476116)** (Pages 67 - 68)  
To consider the Independent Investigator's Report. The Investigator has identified no breach of the Code of Conduct and recommends no further action.

15. **Determination of Code of Conduct Complaints (FS-CASE-689504213)** (Pages 69 - 70)

To consider the Independent Investigator's Report. The Investigator has identified no breach of the Code of Conduct and recommends no further action.

16. **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s) on the grounds that it involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

## **Part II: Items suggested for discussion with the press and public excluded**

17. **Determination of Code of Conduct Complaints (FS-CASE-68664892, 689497898 and 690478228)** (Pages 71 - 100)

To consider the Independent Investigator's Report. The Investigator has identified a breach of the Code of Conduct and the Committee is to determine any further actions.

18. **Determination of Code of Conduct Complaints (FS-Case-636881192)** (Pages 101 - 116)

To consider the Independent Investigator's Report. The Investigator has identified a breach of the Code of Conduct and the Committee is to determine any further actions.

If you would like this information in another format, please telephone 01626 361101 or e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)

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## **STANDARDS COMMITTEE**

**WEDNESDAY, 2 JULY 2025**

Present:

Councillors Henderson, Nutley, Clarence, Palethorpe and Nuttall (Chair)

Sandra Geneder, Independent Person

Apologies:

Councillors Bullivant

Officers in Attendance:

Paul Woodhead, Head of Legal and Democratic Services and Monitoring Officer  
Charlie Fisher, Democratic Services Team Leader and Deputy Monitoring Officer  
Abbie Cook, Legal Assistant and Deputy Monitoring Officer

### **8. CHAIR AND VICE CHAIR**

The Committee noted the Council's decision on Tuesday 20<sup>th</sup> May 2025 to appoint Councillor Charles Nuttall and Councillor Phil Bullivant as Chair and Vice Chair of the Standards Committee for the 2025/26 Municipal Year.

### **9. MINUTES**

It was **proposed** by Councillor John Nutley and **seconded** by Councillor David Palethorpe and

**Resolved**

that the minutes of the previous meeting (Thursday 27<sup>th</sup> July 2023) be agreed as a correct record and signed by the Chair.

### **10. DECLARATIONS OF INTEREST**

None.

### **11. COUNCILLOR COMPLAINTS PROCEDURE AND APPEAL SYSTEM REVIEW**

The Monitoring Officer gave a verbal update to the Committee on the Councillor complaints procedure and Appeal System review.

The Monitoring Officer appraised Members on the current complaints process and appeals system, the steps within the process and the development of the process in 2023. The Monitoring Officer highlighted his concerns with the current process that it is open to abuse and there are mechanisms within the process to prolong it without any meaningful justification. He commented that in his view, complainants use the appeals mechanism to try to overturn decisions rather than to raise issues with the process.

The Independent Person present commented that the process needed to be clear, straightforward and the need to simplify the current process.

The Monitoring Officer highlighted some of the proposed changes with the appeals process and the creation of a supplementary document to outline the criteria for complaints. The Deputy Monitoring Officers (the Democratic Services Team Leader and the Legal Assistant) would bring a revised process to the Committee for further discussion.

The Committee agreed that a revised version of the Councillor complaints process would be brought to a future meeting of the Standards Committee for discussion.

## **12. COUNCILLOR COMPLAINTS UPDATE**

The Monitoring Officer gave a verbal update to the Committee on the number and type of Councillor Complaints.

The Monitoring Officer appraised Members of the current figures:

- 61 complaints had been received from June 2024 – June 2025;
- In terms of the types of complainants: 30 were from Elected or co-opted Members, 23 from members of the public, 5 from Officers/staff and 3 were others;
- 14 of the 61 complaints were ruled as invalid;
- 17 complaints found no breach of the Code of Conduct was found;
- 8 complaints were informally resolved; and
- 22 complaints were ongoing at various stages in the process.

Of the complaints ongoing, 6 are currently being investigated and further 3 are awaiting instruction of an investigation following consultation with an independent person.

The Monitoring Officer highlighted his intention to publish these figures to improve the transparency around the process and amount of resources assigned that related to councillor complaints. He estimated that the Council had spent c. £500,000 on councillor complaints in recent years.

The Committee and Officers discussed the requirement to engage in the Code of Conduct and the powers of the Council relating to sanctions within the Code and legislation.

The Chair proposed an informal working group of the Committee to discuss the issues raised in the meeting. The Deputy Monitoring Officers agreed to support this work to help the Committee and report back at the next meeting.

Councillor Charles Nuttall **proposed** and Councillor David Palethorpe **seconded** and it was

**Resolved**

That an informal working group is set up to review options of publishing complaints data in order to inform a decision by the Committee at a future meeting.

**13. CLOSE OF MEETING**

On the conclusion of the agenda items, the Committee discussed training for the Committee, further items for the agreed working group to consider (the Appeals Process and Livestreaming of meetings) and the proposed changes to the Committee Structure including the Audit Scrutiny, Procedures and Standards Committees

The Chair closed the meeting following this discussion.

Chairman

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## Terms of Reference for the Governance Committee

As approved by Full Council on 29<sup>th</sup> July 2025.

**Membership:** All Councillors may be Members of the Governance Committee.

The Committee has six members who are elected councillors and who are appointed at the Annual Meeting of Full Council. The Committee will also have up to four independent non-voting persons co-opted to support the work of the Committee in relation to its Standards remit.

**Areas of Work:** Its role is to advise the Council on the operation of its Constitution, Governance and decision-making arrangements, on the adoption and revision of the Members Code of Conduct and for monitoring the operation of the code.

### (a) Governance arrangements:

- To review the operation of the Constitution, its Standing Orders, conventions, codes, protocols, calendar of meetings and working practices;
- To make recommendations to the Council to make changes to the Constitution;
- To oversee the Council's programmes for member development and training;
- To make recommendations to the Council on its Scheme of Members' Allowances; and
- To consider findings of maladministration and Public Interest Reports issued by the Local Government and Social Care Ombudsman.

### (b) Standards

In undertaking its responsibilities (below), the Committee may appoint sub-committees to deal with its business as follows:

- To promote and maintain high standards of conduct by Councillors and co-opted members;
- To advise the Council on the adoption or revision of the Members' Code of Conduct;

- To advise or train councillors, co-opted members and parish / town councillors on matters relating to the Members' Code of Conduct;
- To be responsible for the Council's procedures for investigating and responding to complaints.
- To deal with the local filtering of complaints (including in respect to parish and town councillors), advise on declarations of interests and grant dispensation requests (where these are not dealt with by the Monitoring Officer under delegated powers);
- To conduct local hearings and determination of sanctions should a breach of the code of conduct be found; and in such cases:
  - a) the sub-committee membership be limited to 3 members of the committee, selected to sit on the particular sub-committee according to their availability;
  - b) when dealing with complaints about a parish / town councillor, the sub-committee should also include a non-voting parish / town council representative; and
  - c) at least one independent person should be consulted by the sub-committee (or full committee as appropriate) prior to determination of any complaint or otherwise as required by law.

**Teignbridge District Council  
Governance Committee  
Thursday 2<sup>nd</sup> October 2025  
Part i**

**Arrangements under the Code of Conduct Complaints Procedure**

**Purpose of Report**

To approve the Arrangements under the Code of Conduct Complaints Procedure to accompany the Code of Conduct complaints process.

**Recommendation(s)**

The Committee RESOLVES to:

- (1) Approve the Arrangements under the Code of Conduct Complaints Procedure (Appendix 1).

**Financial Implications**

No direct financial implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Legal Implications**

The Localism Act 2011 requires the Council to adopt a Code of Conduct which the Council complies with. Arrangements for the operation of the Code of Conduct are the responsibility of the Council.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Risk Assessment**

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Environmental/ Climate Change Implications**

No direct environmental or climate change implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Report Author**

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

Abbie Cook – Legal Assistant (and Authorised Officer)

## **Executive Member**

Councillor John Parrott – Executive Member for Finance and Corporate.

## **Appendices**

Appendix 1 – Arrangements under the Code of Conduct Complaints Procedure.

### **1. Introduction/Background**

The Council approved its Code of Conduct on [28<sup>th</sup> November 2023](#) (see minute 69).

Officers reported to the then [Standards Committee on 2<sup>nd</sup> July 2025](#) on the operation of the current complaints process and that Officers would bring a supplementary document to outline the criteria for complaints.

### **2. Arrangements under the Code of Conduct Complaints Procedure**

The Committee is asked to approve the Procedure document, giving more guidance to Members, the Public, the Monitoring Officer, Authorised Officers and Independent Persons on the operation of the Code of Conduct Complaints Procedure.

The LGA guidance on Member Model Code of Conduct Complaints Handling highlights the need for transparency about the conduct of councillors and the mechanisms for dealing with alleged breaches. It recommends the use of a two-stage test in assessing complaints; 1 - the jurisdictional test and 2 - a local criteria assessment, to ensure that both the complainant and subject member know and understand how a decision has been reached in relation to a code of conduct complaint and that each complaint is reviewed fairly and against the same criteria.

Alongside the LGA Guidance, we have looked at the arrangements of neighbouring authorities and the criteria they use in assessing complaints.

As such, these arrangements have been drafted setting out how to make a Code of Conduct Complaint and how the Council will deal with a Complaint alleging a breach of the Code of Conduct. They are designed to be proportionate, timely and fair to both sides whilst seeking to provide pragmatic local solutions to local problems wherever possible and to avoid costly and time-consuming formal investigations. All steps within the Complaints Process are underpinned by the public interest.

### **3. Implications, Risk Management and Climate Change Impact**

Covered on page 1 of the Report.

### **4. Alternative Options**

The Committee could decide not to approve the document, in which the current arrangements would continue without an additional guidance document.

## **5. Conclusion**

The Committee is asked to approve the Procedure document, giving more guidance to Members, the Public, the Monitoring Officer, Authorised Officers and Independent Persons on the operation of the Code of Conduct Complaints Procedure.

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## **Arrangements for dealing with Standards Complaints**

### **1. Introduction**

The Council has a duty to promote and maintain high standards of conduct for its elected and voting co-opted members and have arrangements in place to investigate complaints of alleged breaches of the Code of Conduct, pursuant to the Localism Act 2011.

In doing so, the Council has adopted a Code of Conduct for members, which is available to at [Section 10 a Members code of Conduct](#). Alternatively, you can request a copy by emailing [monitoringofficer@teignbridge.gov.uk](mailto:monitoringofficer@teignbridge.gov.uk).

The Code of Conduct sets out the standards of behaviour expected by all members and voting co-opted members of the Council to observe whenever they are carrying out Council business. It also includes provisions for registering and declaring pecuniary and other interests.

The Council is also responsible for dealing with Complaints regarding parish or town council members in the Teignbridge area who have alleged to have breached their Code of Conduct. Codes of Conduct of their choosing have been adopted by town and parish Councils in the Teignbridge area. These are available on their websites or from the Parish Clerk.

These arrangements set out how to make a Complaint that an elected or voting co-opted member of the Council or a town or parish Member has failed to comply with their Council's Code of Conduct. It also sets out how the Council will deal with a Complaint alleging a breach of the Code of Conduct.

In dealing with Complaints, the Council will be fair to both You and the Subject Member and aim to progress matters in accordance with the timescales set out in these arrangements. Where the Council is unable to meet the timescales and where there is a significant delay in progressing the Complaint, the parties will be updated accordingly.

Complaints will be handled in the strictest confidence at all times.

These arrangements are designed to be proportionate, timely and fair to both sides. Its overriding objective is to seek to provide pragmatic local solutions to local problems wherever possible and to avoid costly and time-consuming formal investigations. The handling of Complaints will be undertaken on the basis of what is reasonable and proportionate, having regard to all relevant issues including the detail of the Complaint, an objective assessment of the significance of the alleged breaches, the public interest, and the cost to the public purse of administering the Complaints process, both for

individual Complaints and overall. All steps within the Complaints Process are underpinned by the public interest.

The arrangements for dealing with Code of Conduct Complaints must provide for the Council to appoint at least one Independent Person, who's views must be sought before taking a decision on an allegation which it had decided shall be investigated, and who's views may be sought by the Monitoring Officer at any other stage, or by a Subject Member.

The Council has a duty to ensure there is no conflict of interest with officers when undertaking standards investigations. If a conflict of interest is identified, it will be determined in consultation with an Independent Person whether the matter should be dealt with by an alternative officer and a written record of their decision will be filed.

The Council has a clear and straightforward public interest test as set out in at Annex 1 which is applied by the Monitoring Officer when considering Complaints.

## **2. Definitions/Glossary of Terms**

The following terms used throughout these arrangements are defined as below.

**Appeals Validity Check:** as set out in section 19 of these arrangements.

**Assessment Criteria:** as set out at section 11 of these arrangements.

**Code of Conduct / Code:** The Councils Member's Code of Conduct which has been adopted by the relevant Council.

**Committee:** The Governance Committee appointed by the Council. The oversight of Complaints against members sits with the Committee. The Committee is a group of members appointed by full council to help maintain and promote high ethical standards. The Committee will invite the Independent Person(s) to attend all meetings, and their views are sought and taken into consideration before the Committee takes any decision on consideration of an investigation report on whether the Subject Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with it.

**Complainant / You:** – The person or people who has submitted the Complaint or Appeal to the Monitoring Officer about the Subject Member.

**Complaint:** A complaint received by the Monitoring Officer from a Complainant through the Complaints Process for members.

**Complaints Process:** the complaints process adopted by Teignbridge District Council for the investigation of Code of Conduct Complaints.



**Council:** the relevant authority in which the Subject Member is a member of.

**Independent investigator:** A person, independent from the Council who has been appointed by the Monitoring Officer to undertake a formal investigation into allegations of a breach of the Code.

**Independent Person:** A person appointed under the Localism Act 2011 in an advisory and consultative role in relation to Complaints and who's views are before a decision on a Complaint is made. The Monitoring Officer may also seek the views of an Independent Person at any stage and on any aspect of a Complaint. The Independent Person will also provide, on request, procedural advice to the Subject Member and/or provide support to the Committee.

Any view given by the Independent Person will be recorded by the Monitoring Officer and kept on file. The Monitoring Officer has discretion to share the view provided by the Independent Person with the Complainant and/or Subject Member, subject to confirmation from the Independent and in line with data protection requirements.

**LGSCO:** the Local Government and Social Care Ombudsman is an independent, impartial service that investigates complaints about local authorities, social care providers, and other public bodies in England where a person has suffered injustice due to maladministration.

**Member:** an elected or voting co-opted member of an authority in which falls within the Teignbridge area.

**Monitoring Officer:** a senior Officer of Teignbridge District Council who has statutory responsibility for maintaining the register of councillor's interests and who is responsible for administering the process in respect of Complaints of member misconduct. Reference to 'Monitoring Officer' shall include their nominated deputy or any other authorised officer, authorised by the Monitoring officer to carry out the duties of the Monitoring Officer under the Complaints Process. The Monitoring Officer can be contacted by emailing [monitoringofficer@Teignbridge.gov.uk](mailto:monitoringofficer@Teignbridge.gov.uk).

**Officer:** an employee of the Council.

**Political Group Leader:** the leader of the political party in which the Subject Member is assigned to. If the Subject Member is not aligned with any party, this will be the Leader of the Council.

**Subject Member:** The member against whom an allegation has been made.

**Validity check:** – as set out in section 8 of these arrangements.

### **3. How to make a Complaint**

This section sets out how to submit a Complaint about a member of the Council.

All Complaints under the Complaints Process are required by law to be in writing. To ensure that we have all the information required to progress the Complaint, they must be made by submitting the Councils online complaint form.

We can provide assistance to you if you have a disability that prevents you from making a Complaint or makes it difficult for you to put your Complaint in writing and you have no other assistance available to you. We can also help if English is not your first language. If you have any questions or difficulties completing the complaint form, please contact the Monitoring Officer by emailing [monitoringofficer@teignbridge.gov.uk](mailto:monitoringofficer@teignbridge.gov.uk).

Please note that the Council does not usually investigate anonymous Complaints, unless there is a clear public interest in doing so. Please refer to section 6 for further information on anonymous Complaints.

The Monitoring Officer will review all Complaints received and they will be handled in the strictest confidence at all times.

### **4. When should you use this Process?**

The Complaints Process is for the consideration of potential breaches of the Code of Conduct and cannot be used to investigate matters outside of this scope. Matters that cannot be investigated or considered through the Complaints Process include (but not limited to);

- Complaints made against a Council as a whole will be rejected and need to be referred to the Council in question for consideration under their own procedures. The Monitoring Officer can tell you who to contact.
- Complaints about people employed by the Council or a decision made by an Officer of the Council.
- Complaints about the way the Council conducts or records its meetings.
- Complaints about the way the Council has or has not done something. This might be a matter for the LGSCO if the Council has not dealt with the matter properly and it has not been resolved locally.
- Complaints about someone who is no longer a member or conduct that took place when they were not acting as a in their official capacity.

- Complaints about decisions relating to planning or licensing. These matters should be challenged by way of judicial review.
- Complaints in respect of clerks to Councils. As they are employees of their respective authorities, the correct Council's policy will need to be followed for this.

## **5. What to include in your Complaint?**

It is very important that anyone making a Complaint gives as much detail as possible as a Complaint containing insufficient information may result in it being rejected.

All Complaints will need to clearly set out and include the following information;

- The name of the Member the Complaint is about.
- Details of what the Member has done that you believe breaches the Code of Conduct. You should be specific, wherever possible, about exactly what you are alleging the Member said or did.
- The sections of the Code which you believe they have breached. Please note that whilst the Nolan Principles form the basis on which the Code has been developed, they do not necessarily give rise to a breach in themselves. As such, the relevant section of the Code should be set out rather than reference to the Nolan Principle in which you believe has not been followed.
- The dates of the alleged incidents. If you cannot provide exact dates, there must be a general timeframe.
- Where a Complaint relates to conduct which took place over 6 months prior to the Complaint, the delay for making the Complaint must be explained. The Monitoring Officer may reject it in absence of reasonable explanation.
- Details of any witnesses to the alleged conduct, including their contact details.
- All relevant background information and supporting information and/or evidence.
- What action you think would be appropriate to resolve your Complaint, with regard to the range of sanctions in section 17 of these arrangements.

Potential Complainants are encouraged to explore whether the matter can be resolved without the need to submit a formal Complaint under the Complaints Process. Please

speak to the Monitoring Officer who will be happy to advise you on the options available to you.

## **6. Anonymity and Confidentiality**

As a matter of fairness and natural justice, anonymous Complaints will ordinarily be rejected but the Council may investigate an anonymous Complaint on an exceptional basis, such as if there is a clear public interest in doing so. Likewise, if an anonymous Complaint suggests that a criminal offence has been committed, the Monitoring Officer will determine whether it is appropriate to refer the Complaint to the police or some other relevant body.

You must therefore provide their name, address and, where possible, their email address.

If you want to keep your name and address or email confidential, you should indicate this in the space provided on the Complaint form and a reason why this should be honoured.

The request will be considered by the Monitoring Officer prior to the Subject Member being notified that a Complaint has been made, but anonymity cannot be guaranteed. In consideration of the request, the Monitoring Officer will consider the following;

- Whether the Complainant reasonably believes that they, or those connected to them, will be at risk of harm if their identity is disclosed.
- Whether the Complainant is alleging harassment, bullying, or victimisation.
- That the Complainant is reasonably concerned about the consequences to their employment, or those connected to them if their identity is disclosed.
- That the Complainant, or somebody closely connected to them, suffers from a medical condition and there is evidence of medical risks associated with their identity being disclosed or confirmation from an appropriate medical professional that that is the case.

If the Monitoring Officer decides to refuse a request for confidentiality, they will offer You the option to withdraw the Complaint, rather than proceed with your identity being disclosed. Complainants must recognise that maintaining confidentiality may hinder the effectiveness of any investigation.

## **7. Receipt of a complaint**

Receipt of the Complaint will be acknowledged within 5 working days, with details about how it will be dealt with and in what timescales.

The Monitoring Officer will consider requests for confidentiality pursuant to section 6 of these arrangements.

The Monitoring Officer may carry out preliminary enquiries and contact You for clarification of your Complaint, or further information, if necessary, prior to carrying out the validity check. Where additional information is requested but not provided within 10 working days of the request the Monitoring Officer may close the Complaint. You will be notified of its closure.

Once the Monitoring Officer is satisfied that they have all the required information, the validity check will be carried out.

## **8. The Validity check – Can we deal with this complaint**

A validity check is carried out to establish whether or not the Monitoring Officer can deal with the Complaint.

The Validity Check is a jurisdictional test and the Monitoring Officer will ask the following;

- Is the Subject Member a member of a Council which falls under the jurisdiction of these arrangements?
- Was the Subject Member a member of the Council at the time of the alleged conduct?
- Was the Subject Member acting, or could reasonably be perceived to be so acting in their official capacity as a member at the time of the alleged misconduct?
- If proven, would the alleged conduct amount to a breach of the Code of Conduct under which the Subject Member was operating at the time. The Complaint will have to demonstrate reasonable grounds for believing that the Subject Member has breached the Code of Conduct.

If the answer to any of the above criteria is 'no', the Complaint is considered invalid and cannot be investigated as a breach of the Code. You will be informed that no further action can be taken in respect of the Complaint and the Monitoring Officer will advise you of any relevant appeals process.

## **9. Notifying the Subject Member**

Once a Complaint has passed the Validity Check and it is assessed that there may be a breach of the Code, the Monitoring Officer will notify You that the Complaint has been accepted as a formal complaint and notify the Subject Member and supply a full copy of the Complaint to them. They will be asked to respond to the Complaint in writing within 14 days of being notified. The Monitoring Officer has the discretion to extend this timeframe in exceptional circumstances.

The Subject Member, depending on the matter may also be asked to provide their views on informal resolution and will be notified that they may seek the views of an Independent Person at any stage of the Complaints Process.

Where appropriate, the Monitoring Officer may also contact the clerk of the relevant town or parish Council and such other persons as the Monitoring Officer feels appropriate to provide additional information.

The Subject Member will either;

- Respond in writing to the Monitoring Officer, with documentation if appropriate; or
- Confirm to the Monitoring Officer that they do not wish to provide a written response to the Complaint.

Failure to respond to the Monitoring Officer may be considered as unwillingness to cooperate with a Code of Conduct investigation contrary to paragraph 8.2 of the Council's Code of Conduct.

There may be rare occasions upon which a Subject Member will not be notified that a Complaint has been made against them. In deciding not to notify the Subject Member, the Monitoring Officer will weigh up different factors and consult with the Independent Person when reaching this conclusion.

Once the Subject Members response has been received, or the 14 days has passed since the Subject Member was asked to respond, the Complaint will be considered as per step 4 of the Complaints Process.

## **10. The Assessment Process**

Before making any decision regarding the Complaint, the Complaint, any representations made by the Subject Member and any additional information acquired will be referred to an Independent Person who will provide their views on the consideration of the Complaint. The Monitoring Officer considers the views put forward by the Independent Person before making a decision.

The Independent Person and the Monitoring Officer will use the assessment criteria set out below to form a view on how the Complaint should be dealt with.

### **11. Assessment Criteria – Should we deal with this complaint?**

The Monitoring Officer and the Independent Person will apply the following assessment criteria to decide what action, if any to take in respect of the Complaint. Your Complaint will usually be rejected at this stage if, in the opinion of the Monitoring Officer, any of the following criteria applies.

#### Assessment Criteria;

1. The Complaint does not contain sufficient evidence to demonstrate a potential breach of the Code.
2. The Complaint is a 'repeat complaint', unless supported by new or further evidence substantiating or indicating that the Complaint is exceptionally serious or significant.
3. The Complaint is by one member against another which does not go beyond the greater allowance for robust political debate (but not personal abuse), bearing in mind the right to freedom of expression.
4. The Complaint in the view of the Monitoring Officer is trivial, malicious, politically motivated or 'tit for tat' and therefore does not disclose significantly serious potential breaches of the code.
5. The Complainant is unreasonably persistent or malicious or is considered vexatious in line with the Council's vexatious complaints policy.
6. It would otherwise be inappropriate to expend the Council's resources on determining the Complaint having regard to the circumstances of the Complaint, any previous related complaints, and the public interest – see annex 1 for information on public interest.
7. That a simple apology, training or conciliation would be the appropriate response to the Complaint.
8. A reasonable offer of local resolution is offered by the Subject Member but rejected by the Complainant.
9. The Complaint is the same or substantially the same (and involves the same event or set of circumstances) as a complaint which has previously been considered whether submitted by the same Complainant or some other person and where no new evidence has been provided.

10. The Complaint is the same or substantially the same (and involves the same event or set of circumstances) as a complaint which has been the subject of an investigation or other action and there is nothing more to be gained by further action being taken.
11. The behaviour that is the subject of the Complaint has already been addressed with the Subject Member.
12. The alleged misconduct being complained of happened more than 6 months ago (or 6 months has passed since the Complainant became aware of the alleged behaviour) and it would be unfair, unreasonable or otherwise not in the public interest to pursue unless there are, in the Monitoring Officers opinion, exceptional circumstances which would warrant the Complaint begin progressed.
13. The circumstances have changed so much that there would be little benefit arising from an investigation or other action.
14. The Complaint is such that it is unlikely that an investigation will be able to come to a firm conclusion on the matter such as where there is no firm evidence on the matter.
15. The Complaint actually relates to dissatisfaction with a Council's decision rather than the specific conduct of an individual.
16. The Complaint is about a member who is seriously ill or deceased.

## **12. Outcomes following assessment**

The Monitoring Officer may reach one of three decisions on an allegation:

- No further action should be taken.
- The matter should be dealt with through a process of informal resolution in the first instance.
- The matter should be referred for formal investigation.

If the Monitoring Officer considers that one or more of the Assessment Criteria applies to the Complaint, no further action will be taken, and it will be rejected.

If the Monitoring Officer decides that the matter should be dealt with through informal resolution or referred for formal investigation, the Complaint will progress to the relevant step of the Complaints Process.



On completion of this assessment, the Monitoring Officer will provide You with a decision as to the outcome and what action is to be taken, if any. The Subject Member and their Political Group Leader will be similarly informed. Where the complaint involves a parish or town council member, the Clerk to that council will be informed.

Where there is disagreement between the Monitoring Officer and Independent Person on how to deal with the Complaint, full details of how the final decision has been made will be kept on file.

The decision will normally be sent within 15 working days of receipt of the Subject Members comments pursuant to step 3 of the Complaints Process however where a decision is unable to be made within that timeframe, the You and Subject Member will be updated accordingly, and a new time frame will be provided.

### **13. Referral to the Police or other regulatory authorities**

If the Complaint identifies criminal conduct or a breach of other regulations by any person, the Monitoring Officer may refer the matter to the Police or other prosecuting or regulatory authority, in addition to any action taken pursuant to the Code.

In such circumstances, it may not be appropriate to continue to progress the Complaint until the conclusion of the Police investigation unless there has been confirmation with the relevant police contacts that it would not prejudice their investigations.

Where the Monitoring Officer considers it appropriate to refer a Complaint to the Police or other external authority, they will inform the chair of the Committee of the decision.

### **14. Informal resolution**

An informal resolution is a more proportionate way of dealing with relatively minor allegations, one-off incidents or underlying disagreements between individuals. Where possible and appropriate, the Monitoring Officer will try to resolve the Complaint informally without the need for a formal investigation.

The decision to resolve the Complaint informally will normally be an alternative to a referral for investigation, and the purpose will not be to determine whether or not the Subject Member has breached the Code. In such cases, the Monitoring Officer will make it clear to the parties involved that no conclusion has been reached about what happened and no decision has been made as to whether or not the Subject Member has breached the Code of Conduct.

Matters which the Monitoring Officer might consider appropriate for informal resolution may include (but not limited to);

- Less serious Complaints.
- When the Subject Member accepts that there are grounds for the Complaint and offers an apology.
- Complaints containing allegations and retaliatory allegations from the same members particularly where this is to such an extent that it becomes difficult to conduct the business of the Council.
- Complaints where the public interest in conducting an investigation does not justify the costs of an investigation.
- Where informal resolution provides the best opportunity to resolve the issue, prevent any similar issues arising in the future and promote good governance.
- Less serious Complaints where the Subject Member wishes to put their actions right or where it would be beneficial to remind a Subject Member of the requirements of the Code of Conduct, matters that should be included on their Register of Interests or declarations of interest at meetings.
- Where there is a general breakdown of relationships where other action such as mediation might help, including those between members and Officers, as evidenced by a pattern of allegations of minor disrespect, harassment or bullying to such an extent that it becomes difficult to conduct the business of the Council.
- Where the issue appears to be in the political arena and therefore appropriate for referral to a leader(s) of a political group to deal with or the clerk of the relevant town or parish Council.
- Where it is apparent that there is a lack of experience or understanding of the Code and relevant procedures by the Subject Member and training is required.
- Where the same particular part of the Code has been breached by many members, indicating poor understanding of the Code and the Council's procedures and/or protocols.

Informal resolution can include (but not limited to) the following actions;

- The Subject Member offering an apology;
- The Subject Member accepting their conduct was unacceptable;
- The Subject Member providing an explanation to the Complainant of the circumstances surrounding the Complaint;
- The Subject Member agreeing to attend relevant training or to take part in a mentoring process;
- The Monitoring Officer arranging mediation or conciliation between the Subject Member and the Complainant;
- The Monitoring Officer referring the complaint to the Political Group Leader of the Subject Member.
- Any other steps (not including investigation) which appear appropriate in resolving the Complaint.

Where the Monitoring Officer has decided that informal resolution is the most appropriate way forward, the resolution put forward must be resolved to the satisfaction of the Monitoring Officer.

Where the informal resolution is accepted by You then the matter will be closed, and the Monitoring Officer will confirm this in writing to You and the Subject Member. If You are not willing to accept the informal resolution put forward, the Monitoring Officer has the discretion to decide whether the Complaint warrants any further action.

The Subject Member should comply with the recommended actions where relevant within 4 weeks of the decision notice being sent.

At the conclusion of the local resolution process, the Monitoring Officer will notify both You and Subject Member of the outcome of the Complaint and that there is no further action to be taken. You will also be notified of any relevant appeals process.

If the Subject Member fails to comply with the informal resolution put forward, the Complaint will, in the first instance be referred to the relevant political group leader. If action has not been complied with within 4 weeks after this, the matter will be considered by the Monitoring Officer and the Independent Person as to whether a finding can be made on the Complaint with or without a formal investigation. Informal resolution remains open to the parties throughout the Complaints Process even if a Complaint has proceeded to the formal resolution stage.

## **15. Formal Investigation criteria**

Where the Monitoring Officer, in consultation with the Independent Person decides that a Complaint merits a formal investigation, and that formal investigation is warranted in the public interest to establish the facts, they will appoint an Independent Investigator. Complaints will normally be referred for investigation where there are potentially serious breaches of the Code and/or where it would be in the public interest to formally investigate. The Monitoring Officer will need to make a judgement balancing the resources of the Council and the scale and nature of the Complaint.

The Monitoring Officer will let all those involved know that this is the case and the process that will be followed, including the Subject Member's Political Group Leader. Where the complaint involves a parish or town council member, the Clerk to that Council will be informed.

The Independent Investigator will follow any of the Council's processes or guidance on the investigation of Complaints. The Independent Investigator will follow the principles of proportionality and the cost-effective use.

The Independent Investigator will:

1. Decide whether to conduct interviews or invite statements.
2. Decide who to interview (by phone or in person at the Independent Investigator's discretion).
3. Ask for relevant supporting documentation from any of the relevant parties.

Whilst the investigation will be undertaken as expeditiously as reasonably practicable, it is not possible to specify a timescale within which the investigation must be concluded.

At the end of a formal investigation, the Independent Investigator will submit a draft report to the Monitoring Officer who will send the report to You and the Subject Member to review and respond as appropriate and within 14 days. The Monitoring Officer will also send a copy of the draft report to the Independent Person for their information only.

Following receipt of response from You and Subject Member, the Monitoring Officer will then refer back to the Independent Investigator who will issue a final report.

The Monitoring Officer will submit the final report with any recommendations or comments to the Committee so that a decision as to any action or sanction to be imposed as appropriate can be made.

## **16. Discontinuance of an investigation**

The Independent Investigator should provide an update and/or regular progress reports on the investigation to the Monitoring Officer. Updates on progress may be provided by the Independent Investigator to the You or Subject Member, where requested.

At any point during the investigation the Independent Investigator may refer the matter back to the Monitoring Officer if they believe that the matter may be resolved without a complete investigation, or that the Complaint should be rejected. The Monitoring Officer will, in consultation with the Independent Person, determine next steps.

The Independent Investigator will be asked to produce a summary report if the Monitoring Officer agrees that the investigation should not continue. The Monitoring Officer will not be required to automatically share this report but will consider its release to You and the Subject Member on a case-by-case basis in line with data protection requirements.

## **17. Available Sanctions for breaches to standards**

Where a Subject Member is found to have breached the Code of Conduct the sanctions set out below are available to the Monitoring Officer and the Committee as appropriate. There are limitations on the potential outcomes to standards complaints and to the potential sanctions where a Subject Member is found to have breached the code. In relation to the town or parish Councils in the area, only recommendations of a particular sanction can be provided, but the Monitoring Officer or the Committee do not have the power to enforce compliance.

It is important to note that the Council does not have the power to suspend or disqualify a Subject Member or to withdraw their members' allowances. In addition, neither the Committee nor the Monitoring Officer have the power to enforce compliance with any sanctions decided. If a Subject Member fails to comply with any sanction, this may constitute a further breach of the Code of Conduct. As such, consideration should always be given to setting a clearly defined time period for any sanction to be complied with and to set out any action or further sanction, if any may be undertaken if the sanction is not complied with.

Possible sanctions that are available include (but not limited to);

- To formally report the findings to full council for information and noting or in the case of members of a town or parish council, formally report to the members of that council for information.
- To recommend to full council that the Subject Member should be issued with a formal censure (such as the issue of an unfavourable opinion or judgement or reprimand) motion.

- To require the Subject Member to provide an apology at the next full council meeting.
- To request the Subject Member remove any social media content which led to the Complaint.
- To recommend to the Subject Member's political group leader (or in the case of ungrouped members recommend to full council or to committees) that the Subject Member is removed from any or all committees or sub committees of the Council.
- To recommend to the Subject Member's political group leader (or in the case of ungrouped Members, the Leader of the Council) that the Subject Member is removed from particular portfolio responsibilities or from all outside appointments to which they have been appointed or nominated.
- To require the Subject Member to attend training.
- To place such restrictions on the Subject Member's access to staff, buildings or parts of buildings of the Council's offices or other premises (with the exception of meeting rooms when attending full council or committees) which may be reasonable in the circumstances.
- To withdraw facilities provided to the Subject Member by the Council, such as a computer, website, and/or email and internet access, but only if the breach of the Code warrants such a sanction but must not prevent the Subject Member from carrying out their duties as a member. In this case, there would be a requirement to ensure constituents were represented and solutions needed to ensure this continued.
- To bar the Subject Member from the Council offices and put on single point of contact but only if the breach of the Code warrants such a sanction but must not prevent the Subject Member from carrying out their duties as a member.
- To recommend to full council to issue a press release or other form of publicity in respect of the findings of the Subject Member's conduct.

## **18. Appeals**

At the conclusion of the Complaint, You, or the Subject Member may have a right to appeal the decision made.

A right of appeal is provided for at the conclusion of step two, step six and step nine.

Within 5 days of receiving your appeal, your request will be acknowledged along with details about how it will be dealt with and in what timescales.

The appeal will then be reviewed by the Monitoring Officer and an Independent Person unconnected with the original decision.

### **19. Appeals Validity Check**

The Monitoring Officer, in consultation with the Independent Person will then carry out a validity check to establish whether or not the appeal is valid.

To be considered valid, the appeal must;

- Be submitted within 14 days of receipt of the decision letter.
- Set out substantive reasons why the appeal should be considered. Substantive reasons include;
  - Reasons which have not previously been provided to support the Complaint; together with
  - Any supporting evidence or documents which are relevant but which have not been previously provided.
- Confirm the desired outcome of the appeal.

The appeal will not be considered to be valid if it simply expresses disagreement with the decision without giving substantive reasons. Similarly, simply repeating the original Complaint will result in the request for review being rejected.

If the appeal does not meet the Appeals Validity Check the Monitoring Officer will confirm to You in writing that the appeal cannot be considered and the reasons for this.

### **20. How appeal will be dealt with**

If the appeal passes the Appeals Validity Check, a review of the decision will be undertaken, unless there are compelling grounds not to do so, such as having regard to the substance of the request, the Independent Persons views and what is in the public interest.

However, the Monitoring Officer may make an exception where, in their absolute discretion and having regard to all the circumstances, they consider it reasonable and proportionate to agree to a review request that would otherwise not be accepted, for lack of new information or evidence. The expectation is that this discretion will only be exercised in exceptional circumstances.

You, and the Subject Member will be advised in writing whether the review request is accepted or rejected and, if rejected, the reasons for rejection.

Where any new information, documents or evidence is submitted in support of the appeal, in the interests of natural justice, the same will be sent to the Subject Member who will be asked to provide a written response within 14 days of being notified. The Subject Member will be made aware of their right to consult an Independent Person.

The Monitoring Officer, in consultation with the Independent Person will consider the appeal, any new documents/evidence.

The Assessment Criteria will be used to assess the appeal.

The Monitoring Officer may reach one of three decisions on an appeal:

- No further action should be taken.
- The matter should be dealt with through a process of informal resolution in the first instance.
- The matter should be referred for formal investigation.

On completion of the assessment, the Monitoring Officer will provide You with a decision as to the outcome of the appeal and what action is to be taken, if any. The Subject Member will be similarly informed.

If the Monitoring Officer considers that one or more of the Assessment Criteria applies to the Complaint, no further action will be taken, and the appeal will be rejected.

If the Monitoring Officer decides that the matter should be dealt with through informal resolution or referred for formal investigation, the Complaint will progress pursuant to the Complaints Process.

On conclusion of the appeal, the Monitoring Officer will inform both You and the Subject Member of their right to refer to LGSCO for review.

## **21. Discontinuing a Complaint**

The Monitoring Officer may discontinue a Complaint where they consider it appropriate to do so in the following circumstances;

- where the Subject Member ceases to be a member for any reason;



- where the Complainant has not provided any additional information requested by the Monitoring Officer.

Where a Complaint is discontinued, the Monitoring Officer will write to You setting out the reasons for the decision.

Requests by You to withdraw Complaints will normally be granted but the Monitoring Officer will consider the following factors:

- Whether the public interest in taking action on the Complaint outweighs the Complainant's desire to withdraw it;
- Whether the Complaint is such that action can or should be taken on it without the Complainant's participation; and
- Whether there appears to be an identified underlying reason for the request to withdraw the Complaint; such as information to suggest that the Complainant may have been improperly pressured into withdrawing the Complaint or is at risk of such.

Even if a request to withdraw a Complaint is received, the Monitoring Officer may still refer it for determination under these arrangements or refer it to the appropriate professionals or body if, in the opinion of the Monitoring Officer, such action is reasonable and proportionate. This may be appropriate, for example, if the Complaint discloses potentially significant probity issues, possible criminal offences or safeguarding issues. If the request to withdraw is received after assessment has started the Monitoring Officer will determine whether the request will be agreed or the processing of the Complaint is to continue.

## Annex 1

### 1. Public Interest

The Complaints Process for Members is crucial in achieving standards of conduct that meet public expectations. Through the Complaints Process, the Council aims to support proper decision making, the proper use of public resources, and to maintain public confidence in the Council and the democratic process itself. Undertaking investigations that do not support these wider benefits is not in the public interest.

It is important that the Council focuses investigations on matters that are serious and are capable of undermining the relationship between members and the public they serve. Limited resources should not be used to investigate matters which are trivial, or which have little or no impact upon the public.

The public in this context does not necessarily mean the entire population of Teignbridge. It may refer to a distinct section of the public such as a small community or interest group.

Where the Monitoring Officer is satisfied that a Complaint is supported by direct evidence which, substantiated, would suggest that a breach may have taken place, the public interest is considered in deciding whether a Complaint against the Subject Member can and should be investigated. The public interest is again considered during the course of an investigation to ensure that it should continue and when determining whether a matter should be referred to an Independent Investigator for further consideration.

Public interest is regarded as 'something that is of serious concern and benefit to the public'. It has also been held that the public interest does not mean what is of interest to the public, but what is in the interest of the public.

It is important that the Council focuses on investigations where the Complaint is serious and capable of undermining the relationship between members and the public they serve such as; corruption, bullying, damaging the Council's public image, bringing the Council into disrepute, or the misuse of power in public office.

When considering the public interest, the Monitoring Officer and Independent Person shall consider each of the following public interest factors set out below. These factors are not exhaustive and not all may be relevant in every case.

The weight attached to each of these factors, and the factors identified, will also vary according to the facts and merits of each case;

- The seriousness of the breach, for example, has the Subject Member brought the Council seriously into disrepute? The more serious the breach the more likely

investigation is required. Robust challenge is, however, part of a member's role and a balanced approach therefore needs to be taken.

- Has the Subject Member deliberately sought personal gain for themselves or another person? If there is evidence of this, it is likely that the Complaint will be investigated.
- Are the circumstances of the alleged breach such that a Subject Member has misused a position of trust or authority and caused harm to a person? If there is evidence of this, it is likely that the Complaint will be investigated.
- Is there evidence of previous similar behaviour on the part of the Subject Member? If so and the matter complained about is serious enough it is likely that the Complaint will be investigated.
- Is the alleged breach such that an investigation is required to maintain public confidence in elected members? If so it is likely that the Complaint will be investigated and referred for further hearing.
- Is investigation a proportionate response? Namely, would the cost of an investigation be regarded as excessive when weighed against any likely sanction?

## **2. Consideration**

When taking any of the above factors into account, relevant considerations can include

- the circumstances surrounding the Complaint;
- when an incident, event or behaviour occurred, the extent to which the Subject Member was responsible for, or was to blame for, the alleged breach;
- whether the alleged conduct was premeditated and/or planned; and
- whether the alleged conduct has caused harm or impacted on another person, group or body.

Views expressed by You, or any other person affected by the alleged conduct, relating to the impact and effect should also be considered. Other considerations may be:

- whether there is evidence of previous similar behaviour on the part of the Subject Member;

- whether the Subject Member been the subject of any previous Complaints or investigations for a similar matter. Is the alleged conduct ongoing, repeated or is there evidence of escalating behaviour;
- whether the investigation is required to maintain public confidence in elected members within Teignbridge;
- whether investigation is a proportionate response. Consider whether it is likely that the breach would lead to a sanction being applied to the member and whether the use of resources in carrying out an investigation would be regarded as excessive, when weighed against any likely sanction.

Public interest should not be decided on the basis of resource alone, but this is a relevant consideration when making an overall assessment.

**Teignbridge District Council  
Governance Committee  
Thursday 2<sup>nd</sup> October 2025  
Part i**

**Publication of Information relating to the Governance Committee**

**Purpose of Report**

To consider the publication of information relating to the Governance Committee, Code of Conduct Complaints and webcasting of meetings.

**Recommendation(s)**

The Committee is asked to:

- 1) Approve the publication of an Annual Report of the Governance Committee which will be reported to the Annual Full Council Meeting.
- 2) Approve a regular update of information about Code of Conduct Complaints is reported at Governance Committee meetings and that the Democratic Services Manager in consultation with the Chair of the Committee agree the format of this.
- 3) Consider webcasting (livestreaming) of Governance Committee meetings.

**Financial Implications**

No direct financial implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Legal Implications**

The Localism Act 2011 requires the Council to adopt a Code of Conduct which the Council complies with. Arrangements for the operation of the Code of Conduct are the responsibility of the Council. Meetings of the Council are open to Members of the public to attend in person. There is no requirement to livestream/webcast Committee meetings, although the practice is widespread and considered good practice to promote transparency and access to democratic processes.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Risk Assessment**

No direct risk implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
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## **Environmental/ Climate Change Implications**

No direct environmental or climate change implications arise from this report.  
Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

## **Report Author**

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

## **Executive Member**

Councillor John Parrott – Executive Member for Finance and Corporate.

## **Appendices**

Appendix 1 – Publication of Information benchmarking with other Local Authorities

### **1. Introduction/Background**

The then [Standards Committee on 2<sup>nd</sup> July 2025](#) resolved to review options of publishing Code of Conduct Complaints information to inform a future decision by Members. Members asked to review arrangements for webcasting Governance Committee meetings.

### **2. Publication of Code of Conduct Complaints information**

Currently, the Committee receives a verbal update at Committee meetings from the Monitoring Officer or his/her Deputy. This update is then captured in the minutes of the meeting.

Currently, no annual report of the Governance Committee is created or report the Annual Council meeting.

Many of the other Councils reviewed report a formal regular update as part of their agenda and reports pack giving a high-level update of information to the Committee and many have an Annual Report which is published.

### **3. Webcasting of Governance Committee meetings**

Currently the Council is one of a few of those reviewed that does not webcast/livestream the relevant Committee that deals with Code of Conduct/Member Standards. However for many District Councils, their Standards function is combined with their Audit Committee Function which would normally be livestreamed.

From the research conducted from neighbouring local authorities, Teignbridge is the only District Council that currently does not webcast the Committee dealing with the Standards

function. For Upper Tier and Unitary Authorities, there is more of a mixed picture with 3 out of 7 webcasting their relevant Committees.

Members should consider that webcasting meetings is widespread and considered good practice to improve transparency, accountability and access to the Council's democratic processes. However, the webcasting/livestreaming of meetings is not a legal requirement in terms of public access to meetings.

Members should also consider the resource implication of webcasting a meeting in that it would require another Democratic Services officer to attend the meeting in order to run the webcasting system and balance this against the number of people who would watch the meeting. There has not been any request from members of the public in recent months to webcast/livestream this meeting.

#### **4. Implications, Risk Management and Climate Change Impact**

Covered on page 1 of the Report.

#### **5. Alternative Options**

The Committee is asked to consider a range of options and determine a decision in the meeting. The Committee could decide not to make a decision and continue the current arrangements.

#### **6. Conclusion**

The Committee is asked to consider the information within the appendix and consider the publication of information relating to the Governance Committee, Code of Conduct Complaints and webcasting of meetings.

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Governance Committee

Appendix 1: Publication of Information benchmarking to other Local Authorities

2<sup>nd</sup> October 2025

	Does the Council publishing code of conduct complaint information online?	Is the Standards Committee (or eviq.) livestreamed?
Teignbridge	Do not publish - verbal update on complaints captured in the Governance Committee meeting minutes.	No
Exeter	Do not publish	Yes – Audit and Governance Committee
East Devon	<ul style="list-style-type: none"> <li>• Yes – publishes hearing decisions and decision other than by way of hearing, including no finding of a breach.</li> <li>• Publishes a summary of information as part of the <a href="#">Standards Committee Annual Report</a></li> <li>• Publishes an <a href="#">update</a> as part of each Standards Committee agenda</li> </ul>	Yes
Mid Devon	<ul style="list-style-type: none"> <li>• Publishes an <a href="#">update</a> as part of each Standards Committee agenda – either a report or a verbal update captured in the meeting minutes</li> <li>• Publishes figures as part of a <a href="#">Annual Report</a> to the Standards Committee</li> </ul>	Yes
North Devon	<ul style="list-style-type: none"> <li>• Publish the list of <a href="#">formal remedies</a> imposed with a summary of the complaint and which member (although there is only 2 published, one from 2013 and one from 2019).</li> </ul>	Yes – as Governance Committee includes the Audit role
Torridge	<ul style="list-style-type: none"> <li>• Verbal update to the Standards Committee – information is captured in the meeting minutes</li> <li>• Do not publish decisions</li> </ul>	Yes
West Devon	<ul style="list-style-type: none"> <li>• Publish complaint decisions where there has been a breach – or where the member requested a no further action decision to be published. These date back to 2020.</li> </ul>	Yes – Audit and Governance Committee

	Does the Council publishing code of conduct complaint information online?	Is the Standards Committee (or eviq.) livestreamed?
	<ul style="list-style-type: none"> <li>Publish a <a href="#">Annual Report on the Code of Conduct</a> to the Audit and Governance Committee, which includes a <a href="#">summary of the complaints received</a> (Both reports combine West Devon and South Hams information)</li> <li></li> </ul>	
South Hams	<ul style="list-style-type: none"> <li>Publish complaint decisions where there has been a breach – or where the member requested a no further action decision to be published. These date back to 2023.</li> <li>Publish a <a href="#">Annual Report on the Code of Conduct</a> to the Audit and Governance Committee, which includes a <a href="#">summary of the complaints received</a> (Both reports combine West Devon and South Hams information)</li> </ul>	Yes – Audit and Governance Committee
Devon County	<ul style="list-style-type: none"> <li>Publish an <a href="#">Annual Report of the Standards Committee</a></li> <li>An <a href="#">update with summaries of current complaints</a> are published with each Standards Committee meeting agenda</li> <li>Contents of initial assessment an investigation remain confidential.</li> </ul>	Yes
Torbay	Publish the complaint and outcomes from <a href="#">Standards sub-committee hearings</a> .	No
Plymouth	The outcome of the complaint is published on council's website only where a breach is found.	No
Cornwall	<ul style="list-style-type: none"> <li>Publishes all complaints including invalid/rejected complaints and separates them from the ones considered by committee within the current tax year (April/March)</li> <li>Publishes summaries in the <a href="#">Standards Committee Annual Report</a></li> <li>Publishes a <a href="#">quarterly update</a> at Standards Committee Meetings</li> </ul>	No
Somerset	<ul style="list-style-type: none"> <li>Publish a <a href="#">Code of Conduct Complaints Annual Report</a> to the Standards Committee</li> <li>Publish <a href="#">quarterly updates with summaries of complaints</a> to Standards Committee meetings</li> </ul>	Yes

	Does the Council publishing code of conduct complaint information online?	Is the Standards Committee (or eviq.) livestreamed?
Dorset	<ul style="list-style-type: none"> <li>Investigations are published as part of the agenda reports pack for <a href="#">Standards Sub-Committee meetings</a>.</li> <li>Updates on Code of Conduct complaints are not routinely published</li> </ul>	Yes – Audit and Governance Committee
BCP	<ul style="list-style-type: none"> <li>Annual <a href="#">Report of Code of Conduct Complaints</a> published to the Standards Committee</li> <li>Regular <a href="#">update report</a> at each Committee meeting</li> </ul>	Yes

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**Teignbridge District Council  
Governance Committee  
Thursday 2<sup>nd</sup> October 2025  
Part i**

**Application for Dispensations – Devolution and Local Government Reorganisation**

**Purpose of Report**

To consider granting dispensations to Members of the Council to enable them to take part in matters relating to Devolution and/or Local Government Reorganisation.

**Recommendation(s)**

The Committee RESOLVES to:

- (1) Approve the granting of dispensations to the dual-hatted Devon County and Teignbridge District Council Members, and those Councillors who are also Members of Parliament, outlined in this report to enable them to discuss and vote on any matter relating to Devolution or Local Government Reorganisation in Devon. Such dispensations to take effect immediately.
- (2) Approve the granting of dispensations to District Council members who are employed by or are a spouse/partner of an employee of another District or County Council in Devon to enable them to discuss and vote on any matter relating to devolution or local government re-organisation in Devon. Such dispensations to take effect immediately.
- (3) That the dispensations are approved on the basis that granting the dispensations is in the interests of persons living in the authority's area.
- (4) That the dispensations are granted until the next District Council elections, or until such time as the District Council ceases to exist, whichever event comes first.

**Financial Implications**

No direct financial implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

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**Legal Implications**

Legal implications and relevant legislation are covered in within the report and detailed in 6.1

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**Risk Assessment**

Covered in 6.2

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer

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## **Environmental/ Climate Change Implications**

No direct environmental or climate change implications arise from this report.

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## **Report Author**

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## **Executive Member**

Councillor John Parrott – Executive Member for Finance and Corporate.

### **1. Introduction/Background**

The Governance Committee's terms of reference details that it is the responsibility of the Committee to consider dispensations requests, where these are not dealt with by the Monitoring Officer under delegated powers.

For reference, those delegated powers relate to the Monitoring Officer being able to determine written applications for dispensations in consultation with the Chair of the Governance Committee and/or an Independent Person where it is not reasonably possible to convene a meeting of this Committee in time to consider the application.

### **2. Local Government Re-organisation**

Members will be aware of the Government's White Paper and proposal for Local Government Re-organisation and Devolution in Devon. Local Authorities have until the 28<sup>th</sup> November 2025 to submit final proposals to the Ministry of Housing and Communities and Local Government.

It is expected that both the Executive and Full Council will consider the issue and proposals over the coming weeks before the final submission. Following this, it is expected that the Council will also have to take a number of decisions in the coming years depending on the outcomes of the proposals.

### **3. Localism Act 2011**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. Under Section 31 of the Act, if a Member is present at a meeting of the authority and has a disclosable pecuniary interest in any matter that is to be considered, the Member may not participate in any discussion on the matter nor participate in any vote on the matter (subject to section 33).

Section 33 of the Localism Act 2011 states that a relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority;

- a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business.
- b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business.
- c) considers that granting the dispensation is in the interests of persons living in the authority's area.
- d) if it is an authority to which part 1a of the local government act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or
- e) considers that it is otherwise appropriate to grant a dispensation.

#### **4. Teignbridge District Council's Code of Conduct**

The Council's Code of Conduct builds on the Localism Act stating that where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests, you must: (a) disclose the interest; (b) not participate in any discussion or vote on the matter; and (c) not remain in the room unless you have been granted a dispensation.

Where a matter arises at a meeting which directly relates to one of your "other registerable interests" (other personal interests and memberships of other bodies), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting, but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

#### **5. Teignbridge District Councillors**

Teignbridge District Council has 47 Members. At the time of this Committee meeting, 5 Members were also Members of Devon County Council and one Member who is a Member of Parliament.

Such dual-hatted members, and on the basis they would declare an interest by virtue of being dual hatters, would have to not take part in any discussion or vote on Local Government Reorganisation and Devolution or apply to the Monitoring Officer for dispensations ahead of each and every meeting over the coming years to enable them to take part in the discussions and debate.

The Committee is asked to agree a dispensation in relation to any matter relating to Devolution or Local Government Reorganisation in Devon. The dispensations would be granted until the next District Council elections, or until such time as the District Council ceases to exist, whichever event comes first.

In addition, Members who are either employees of another District or County Council in Devon or a spouse/partner of such an employee may also need to apply to the Monitoring Officer for dispensations to enable them to take part in the discussions and debate. In this

instance, they too would be seeking dispensations in relation any matter relating to Devolution or Local Government Reorganisation in Devon, for a period up until the next election, to enable them to represent the views of their residents

Therefore, the Committee is asked to grant dispensations to enable Members to take part in discussions and vote on the matter of Local Government Reorganisation and Devolution on the basis that a dispensation is in the interests of persons living in the authority's area.

## **6. Implications, Risk Management and Climate Change Impact**

### **6.1 Legal**

The granting of dispensations is outlined in Section 33 of the Localism Act 2011. The Governance Committee's Terms of Reference were approved by Full Council on 29<sup>th</sup> July 2025.

Members who do not disclose an interest in an item and continue to speak and vote on an item commits a criminal offense under Section 34 of the Localism Act 2011 and risks breaching the Council's Code of Conduct.

### **6.2 Risk Management**

The Council's Risk Register details relevant risks including: Breach of the Code of Conduct by Members (CP11) and that Statutory Requirements are not met (ST06).

Members should be aware that an Audit of interests and declarations of interests is part of the Council's Internal Audit Plan for 2025/26.

## **7. Alternative Options**

The Committee could not grant dispensations to those Elected Members, and they would potentially not be able to discuss or vote on matters relating to Local Government Reorganisation and Devolution.

## **8. Conclusion**

The Committee is asked to grant dispensations to enable Members to take part in discussions and vote on the matter of Local Government Reorganisation and Devolution on the basis that a dispensation is in the interests of persons living in the authority's area.



**Teignbridge District Council  
Governance Committee  
Thursday 2<sup>nd</sup> October 2025  
Part i**

**Member Development Strategy**

**Purpose of Report**

To approve the Member Development Strategy.

**Recommendation(s)**

The Committee is asked to approve the Member Development Strategy 2025.

**Financial Implications**

The majority of the training within the annual programme will be delivered by TDC Officers but there are occasions where specialist training is required and delivered by external providers.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Legal Implications**

No direct legal implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Risk Assessment**

There are no direct risk implications arise from this report. Member training and development helps to improve the effectiveness of Councillors to carry out their roles effectively. Specific Code of Conduct training for Members contributes to the mitigations against risk CP11 – Breach of the Code of Conduct by Members.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Environmental/ Climate Change Implications**

No direct environmental or climate change implications arise from this report.

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

**Report Author**

Charlie Fisher – Democratic Services Manager and Deputy Monitoring Officer  
Email: [charlie.fisher@teignbridge.gov.uk](mailto:charlie.fisher@teignbridge.gov.uk)

## **Executive Member**

Councillor John Parrott – Executive Member for Finance and Corporate.

## **Appendices**

Appendix 1 – Member Development Strategy.

### **1. Member Development Strategy 2025**

There is a need to refresh the Member Development Strategy and the annual training programme to ensure it is up to date and reflects the training and development opportunities available to Members.

The Strategy has been created in accordance with [LGA guidance on writing Councillor Development Strategies](#). As per the LGA's checklist, the Strategy includes sections on:

- Aims and purpose of the Strategy
- Mechanisms to drive, review and deliver Councillor development
- The Councillor development offer and programme

The Strategy has been created in consultation with the Council's HR Team and with consideration from the Council's Senior Management Team.

If approved, the Managing Director and Leader will be asked to sign the first page to show the Council's commitment to Member Development.

Going forward, the Governance Committee will receive a regular report on the Council's training and briefing programme including where appropriate feedback on sessions.

The Governance Committee has an ongoing role to review the Member Development Strategy and the delivery of Member Development.

### **2. Implications, Risk Management and Climate Change Impact**

Covered on page 1 of the Report – there are no direct implications in this report but Member training and development helps to ensure that Members can carry out their roles effectively.

### **3. Alternative Options**

The Committee could decide not to approve the Strategy and continue the current arrangements.

### **4. Conclusion**

The Committee is asked to approve the Member Development Strategy 2025.

# Teignbridge District Council – Member Development Strategy 2025

## Introduction

The role of an Elected Member / Councillor is both exciting and highly rewarding. A Councillor is expected to carry out many roles ranging from community leader to taking on roles and responsibilities both within the Council and on outside bodies. A Councillor requires to balance the needs and interests of their community, their political party or group if they are associated with a party/group, and the Council as a whole, other Authorities they are part of and of course, their personal, family and any employment commitments.

The Member Development Strategy will aim to ensure that the Council provides the information and training opportunities needed to support Members and equips them to effectively carry out their roles.

## Aim

- To ensure that every Member has access to the learning and development they need to perform their role and support their electorate.
- To ensure we provide learning and development to meet council legal obligations for members and also how we deliver functions as an organisation
- To outline the roles and responsibilities of Members in relation to their commitment to their professional development.
- To underpin and direct the resources required to deliver the Member Development Strategy.
- To promote the importance of learning and development for Members.

## Commitment Statement

The Council's [People and Culture Strategy](#) highlights the Council's Investors in People accreditation and the Council's commitment to developing the potential of our people. Whilst not employees, this Strategy underpins these values and recognises that Elected Members are integral to ensuring that the strategic aims and objectives of the Council are met in terms of making decisions and delivering better outcomes for the residents of Teignbridge.

Teignbridge District Council is committed to the development of its Elected Members and has produced this Strategy to assist in equipping all Elected Members with the necessary skills and knowledge to meet current and future challenges.

Signed by:

Leader of the Council

Chief Executive

## **Roles and Responsibilities**

### **All Elected Members**

All Elected Members are responsible for:

- Identifying their own development needs in conjunction with Officers.
- Advising the Council of any accessibility or reasonable adjustments that the organisation may need to consider to aid delivery of learning e.g. Use of larger font, yellow paper, assistive technology used, breaks in training to enable processing of information.
- Seeking opportunities to improve their effectiveness and increase their skills and knowledge and addressing any gaps therein.
- Attending arranged learning and development opportunities (or catching up with recordings if they are unable to attend).
- Sharing their knowledge and skills with their peers.
- Reviewing their learning and development activities.
- Owning the Member Development Strategy.

### **Group Leaders**

Political Group Leaders should encourage all Members from within their group to participate in the learning and development programme and actively support their Members in doing so.

### **Governance Committee**

The Governance Committee will be responsible for setting the strategic direction for Member Development and overseeing the Member Development Strategy.

The Terms of Reference for the Committee states its role is to oversee the Council's programmes for member development and training.

### **Democratic Services**

The Democratic Services Team will:

- Produce and deliver the elected Member induction programme.
- Produce and support the delivery of the Annual Member Training Programme.
- Arrange and deliver additional training sessions throughout the Council term.
- Record Members' training and development activities during their term of office and regularly report these to the Governance Committee.
- Record feedback of sessions to ensure their impact and benefit is understood.
- Ensure recordings, guides and further information relating to Member Development are stored on the Member's Sharepoint site.
- Assist Members with queries and any basic information on their roles and access to development opportunities.
- Ensuring training events (both internal and external) are advertised to Members.

### **Senior Leadership Team**

All Directors and Heads of Service within the Council are responsible for identifying and delivering service specific training to Elected Members. This can be delivered in many forms and examples of services informing Members include:

- Formal group training for all Members where needs arise.

- Participation in the arrangement and delivery of ad-hoc topic or service specific sessions to Elected Members such as a briefing session.
- Attending Committees to inform Members about specific services/topics.
- Circulating newsletters/factsheets to Members where relevant and contribution to the Members Newsletter on matters of interest.
- Keeping Members informed by providing regular updates to them on services, topics and developments.

## **Delivery of Member Development**

All Elected Members regardless of length of service, party or post within the Council will be given equal access to the training and development opportunities. All Elected Members will be given the support and development needed throughout their term to do their role to the best of their ability.

It is also recognised that Members have different roles and need different skills to those of Officers and as such training should always be tailored, as far as is practicable, to meeting Members' needs.

Member Development activities will be commissioned to meet individual Committee and corporate development priorities and cover:

- Generic skills to enable effective working as a Councillor.
- Service driven activities to support corporate priorities and Committee roles.
- Knowledge to support robust decision making.
- Community leadership to enhance the community role.
- Advanced development activities to enhance leadership skills.
- Skills to meet new ways of working resulting from the changing shape of local government
- In response to any legal requirements, changes to the law or Government policy.

## **Ongoing Development and Training Sessions**

After the Induction Programme and in addition to any mandatory training and Committee development, Elected Members will be invited to a broad range of information and development sessions throughout their term of office. The expectation is that Members continue to develop, not only through on-job activity, but also by attending development sessions.

We will provide learning in a way that meets individual needs through:

- A set Induction Programme after Elections.
- Internal learning events delivered by Officers such as Training Sessions and Briefing Sessions (see Appendix 1 below for the Annual Training Programme).
- Access to nationally recognised learning programmes and conferences, making use of opportunities with national organisations such as the Local Government Association.
- Supporting the work of the Council's Digital Competency Framework by providing access to IT support and training in relation to their role.
- Online resources accessed through the Member's Sharepoint site.
- Access to the Litmos Online Learning platform.

Delivery methods will consider inclusivity, access to learning, subject matter and learning styles offering both face to face, hybrid and online delivery and incorporating a variety of delivery methods.

It is recognised that not all Elected Members may be able to access these training opportunities in the same way due to work, family, personal circumstances. Officers and Members should always

keep in the mind the need to provide training opportunities in different ways, at different times of the day and possibly repeating sessions to allow for the maximum attendance of Elected Members around other commitments.

Many of the training sessions will be recorded to allow Elected Members to access these resources at a time and place that is best for them.

### **Review and Evaluation**

It is expected for the Governance Committee to review the Member Development Programme regularly to identify needs, potential sessions and that the needs of Members are being met. Members on the Committee are expected to regularly seek the feedback of training sessions from other Members, along with feedback recorded at the time of the session, to help evaluate and improve our offer.

### **Outside Bodies**

All Elected Members who are appointed to outside bodies are provided with contact details and information on the organisation where available. It is not possible for the Council to deal with the specific development requirements of Members appointed to represent the Council on every outside body on which it has a nominated representative. The range and diversity of such organisations are extensive, and their operations are out with the locus of the Council. Should training and development be required this should be provided by the outside body.

### **Records of Training and Development**

The Democratic Services Team will record the details of Member training and development opportunities.

The Governance Committee will regularly receive a report on the completed training, learning and development opportunities.

### Appendix 1: Annual Planned Member Training Programme

Month	Training Session	Mandatory or Optional	SMT Lead
January			
February			
March			
April			
May	Meeting Procedures	Optional	Head of Legal and Democratic Services
	Executive Member Training	Mandatory for Executive Members	Head of Legal and Democratic Services
June	Planning Committee Training	Mandatory for Committee Members	Head of Development Management
	Overview and Scrutiny Committee Training	Mandatory for Committee Members	Head of Legal and Democratic Services
	Audit Committee Training	Mandatory for Committee Members	Head of Financial Services and Audit
July	Chairing Skills	Mandatory for Chairs and Vice Chairs	Head of Legal and Democratic Services
	Licensing and Regulatory Committee Training	Mandatory for Committee Members	Head of Neighbourhoods
	Standards and Code of Conduct Training	Mandatory for Committee Members	Head of Legal and Democratic Services
August			
September			
October			
November	Overview and Scrutiny Finance and Budget Training	Optional	Head of Financial Services and Audit / Head of Legal and Democratic Services
December	Planning Committee Refresher Training	Mandatory for Committee Members	Head of Development Management

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## Member Training and Briefing Log

May – August 2025

Date	Training Session	Audience	Attendance	Feedback and Evaluation (if collected)
22 <sup>nd</sup> May 2025	Planning Committee Training	Mandatory for Committee Members	15	
4 <sup>th</sup> June 2025	Scrutiny Essentials Training <i>(delivered by the Centre for Governance and Scrutiny)</i>	Mandatory for Committee Members	20	<ul style="list-style-type: none"> <li>Members rated their knowledge and confidence around the fundamentals of Scrutiny as 9/10 before the session and 9.33/10 after the session.</li> <li>Members rated the most useful areas of the session: the role and purpose of scrutiny, the four principles of scrutiny, what is expected of you in your role, scrutiny powers and the stop, start, continue exercise.</li> </ul>
7 <sup>th</sup> July 2025	Local Government Reorganisation Workshop	All Members	18	
10 <sup>th</sup> July 2025	Scrutiny Questioning Skills Training <i>(delivered by the Centre for Governance and Scrutiny)</i>	Mandatory for Committee Members	15	<ul style="list-style-type: none"> <li>Members rated their knowledge and confidence around questioning and recommendations as up from 6/10 before the session and 8.4/10 after the session.</li> <li>Members rated the most useful part of the session as pre-meeting and planning.</li> </ul>
16 <sup>th</sup> July 2025	Houghton Barton Briefing	Planning Committee Members	12	
	Public Conveniences Review Briefing	All Members	25	
24 <sup>th</sup> July 2025	Operation Ford Briefing	All Members	15	
26 <sup>th</sup> August 2025	Langford Bridge Briefing	Planning Committee Members	10	

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21 May 2025

*By email*

Mr Shears  
Managing Director  
Teignbridge District Council

Dear Mr Shears

### **Annual Review letter 2024-25**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2025. The information offers valuable insight about your organisation's approach to complaints, and I know you will consider it as part of your corporate governance processes. We have listened to your feedback, and I am pleased to be able to share your annual statistics earlier in the year to better fit with local reporting cycles. I hope this proves helpful to you.

[Your annual statistics are available here.](#)

In addition, you can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

In a change to our approach, we will write to organisations in July where there is exceptional practice or where we have concerns about an organisation's complaint handling. Not all organisations will get a letter. If you do receive a letter it will be sent in advance of its publication on our website on 16 July 2025, alongside our annual Review of Local Government Complaints.

### **Supporting complaint and service improvement**

In February we published [good practice guides](#) to support councils to adopt our [Complaint Handling Code](#). The guides were developed in consultation with councils that have been piloting the Code and are based on the real-life, front-line experience of people handling complaints day-to-day, including their experience of reporting to senior leaders and elected members. The guides were issued alongside free [training resources](#) organisations can use to make sure front-line staff understand what to do when someone raises a complaint. We will be applying the Code in our casework from April 2026 and we know a large number of councils have already adopted it into their local policies with positive results.

This year we relaunched our popular [complaint handling training](#) programme. The training is now more interactive than ever, providing delegates with an opportunity to consider a complaint from receipt to resolution. Early feedback has been extremely positive with delegates reporting an increase in confidence in handling complaints after completing the training. To find out more contact [training@lgo.org.uk](mailto:training@lgo.org.uk).

Yours sincerely,



Amerdeep Somal  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

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## Appendix 1 – [Teignbridge District Council Performance 2024/25](#)

### Complaint overview

2024 / 2025

Between 1 April 2024 to 31 March 2025, we dealt with 18 complaints. Of these, 9 were not for us or not ready for us to investigate. We assessed and closed 6 complaints. We investigated 3 complaints.

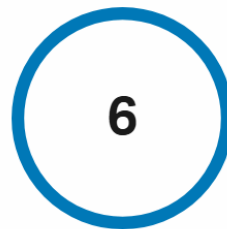
► [More about this data](#)



Complaints dealt with



Not for us

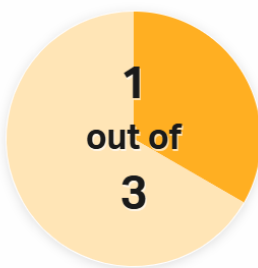


Assessed and closed



Investigated

### Complaints upheld



We investigated **3** complaints and upheld **1**.

■ **33%** of complaints we investigated were upheld.

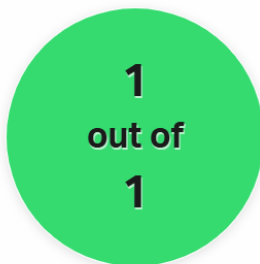
▮ This compares to an average of **66%** in similar authorities.

Adjusted for Teignbridge District Council's population, this is **0.7** upheld decisions per 100,000 residents.

The average for authorities of this type is 1.1 upheld decisions per 100,000 residents.

[View upheld decisions](#)

### Satisfactory remedies provided by the Council



In **1** out of **1** upheld cases we found the Council had provided a satisfactory remedy before the complaint reached the Ombudsman.

■ **100%** satisfactory remedy rate.

▮ This compares to an average of **15%** in similar authorities.

[View satisfactory remedy decisions](#)

### Compliance with Ombudsman recommendations



No recommendations were due for compliance in this period

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## **CONSTITUTION REVIEW WORKING GROUP**

**THURSDAY, 31 JULY 2025**

Present:

Councillors Bullivant, Clarence, Palethorpe and J Taylor

Apologies:

Councillors Daws, Dawson, Sanders, Steemson and Thorne

Officers in Attendance:

Charlie Fisher, Democratic Services Team Leader and Deputy Monitoring Officer

Abbie Cook, Legal Assistant

Camilla de Bernhardt Lane, Director of Practice Centre for Governance and Scrutiny (CFGs):

### **7. ATTENDANCE AND APOLOGIES**

Camilla De Bernhardt Lane (Director of Practice, CFGS) opened the meeting and gave overview of the agenda. This was the final meeting of this part of the work, with an additional tranche of work being set up to commence in Autumn 2025.

Apologies were received from Councillors Daws, Dawson, Sanders, Steemson and Thorne.

### **8. ACTIONS ARISING FROM THE PREVIOUS MEETING**

It was noted that a question had been received via email from Cllr Sanders regarding Town and Parish Council attendance at site visits. Members commented that not every Town and Parish Council has a separate Chair of a Planning Committee, and that the wording should be reflected to state a representative of a Town and Parish Council could attend site visits as an observer

*Action: Agreed to change to “representative of a Town or Parish Council” as an observer.*

### **9. MINOR AMENDMENTS TO THE CONSTITUTION**

Charlie Fisher (Democratic Services Team Leader) began by sharing a number of parts of the Constitution which needed minor amendments to be made to either reflect changes that had been made already, clarifications and a general read-through. These were discussed in turn with Councillors to ensure there was clarity around the changes proposed:

- The Council's staff structure and job titles (including in the Scheme of Delegation)

- Removing the old comsec email address for Democratic Services
- Members Allowance Scheme – adding the Audit Independent Member's fees and Amending the agreed Standards Independent Person's Fees
- Members Allowance Scheme – amending the new 2025/26 rates once the pay award has been agreed. This had been agreed by the time of the meeting.
- General SPAG check of the document
- Updating the Audit Committee and Governance Committee's Terms of Reference to reflect the changes made at Full Council on 29<sup>th</sup> July 2025
- Updating the Overview and Scrutiny TOR to include reference to the Crime and Disorder Committee

The Democratic Services Team Leader commented that in reviewing the Constitution, he would report back to the CRWG with any further amendments he felt could be made that fell outside of "minor" amendments within the scheme of delegation that needed to be discussed by the CRWG.

It was discussed that the CRWG would still submit amendments to the Constitution to Full Council within their agreed workstrands/topics but that the Governance Committee would be sent the notes from the CRWG to ensure they remained aware of the proposals.

The Director of Practice appraised Members of a review undertaken by her colleague at CFGS to ensure that the Constitution includes the correct legal terminology, references and sources of power.

These included:

- The description of Executive powers and their source of powers coming directly from legislation rather than Full Council
- Statutory reporting mechanisms
- Statutory references for Overview and Scrutiny
- Reporting arrangements for delegated powers and member consultation
- Sources of delegated powers including Full Council, Executive and Statutory Officer functions.

*Action: Members were content for the Democratic Services Team Leader to proceed with the minor amendments and the clarifications suggested by the Centre for Governance and Scrutiny.*

## **10. CONSTITUTION REVIEW WORKING GROUP FUTURE WORK PROGRAMME**

The Director of Practice highlighted that this meeting was the final meeting of this scheme of work and it was the Council's intention to commission another tranche of work. It was her intention collect views from Members to create another work plan.

Members were appraised with the original survey showing which areas of the Constitution Members felt worked well, has room for improvement or needed to be replaced.



Full Council on 20<sup>th</sup> May 2025 made a number of changes to the Constitution as a result of the CRWG's work.

A number of suggestions from Members, Officers and the Director of Practice were raised and plotted on to a "roadmap". The full list is included at the end of the notes, as categorised/synthesised by CFGS.

Members used the time to discuss their ideas and proposals. Members suggested holding another survey to collect further information and ideas from Members and suggested an all Member Briefing to share the analysis from the survey and further review the potential topics. Members felt it was important that the whole Council had an opportunity to be involved in the work of the CRWG.

*Actions:*

- 1. The Director of Practice agreed to collate the topics from the meeting into one list and share this with Members to ensure there was agreement.*
- 2. The Director of Practice agreed to hold a further survey to gather Member feedback and present her analysis at an All-Member briefing.*

**11. ROLE PROFILES**

This was agreed to be added to the list of future topics.

**12. CLARIFICATION OF THE CONSTITUTION REGARDING "CLOSED" MEETINGS**

This was agreed to be added to the list of future topics regarding Public Meetings.

**13. NEXT MEETING**

Members agreed to hold the next meeting on Thursday 25<sup>th</sup> September 2025 at 10am.

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FS- CASE-66476116; **No breach identified** – Recommendation of No Further Action.

#### Executive Summary

This report investigates a complaint lodged on 24 November 2024 regarding the conduct of Councillor (Cllr) Jane Taylor during and prior to a Teignbridge District Council Overview and Scrutiny Committee meeting held on 12 November 2024.

The complaint alleged that:

- Cllr Taylor attempted to deceive the Scrutiny Officer to gain a place on the committee by falsely claiming to be a substitute member.
- She took another councillor's nameplate and misrepresented her role.
- During the meeting, she spoke over the Chair, acting disrespectfully and in breach of the Code of Conduct and Nolan Principles.

Key Findings:

- The Scrutiny Officer, while recalling the incident clearly, did not feel manipulated or misled and did not perceive Cllr Taylor's actions as intentionally deceptive.
- Cllr Taylor denied any intent to deceive, citing confusion during a politically unstable period and prior communication from her group leader.
- The video evidence confirmed a disagreement between Cllr Taylor and the Chair during the meeting, but it did not show conduct that would bring the Council into disrepute.
- The Chair did not use formal mechanisms available to manage the meeting, and the committee's business was not significantly disrupted.

Conclusion:

The investigation found no evidence of dishonesty or misconduct that would constitute a breach of the Code of Conduct/staff Protocols or the Nolan Principles. The complaint is not upheld, and no sanctions are recommended.

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FS-CASE-689504213: **No breach identified** – Recommendation of No Further Action.

### **Executive Summary**

This report addresses an allegation made against Councilor (Cllr) Jane Taylor concerning her conduct during a full council meeting held on 14 January 2025. The complaint, submitted by Cllr Sanders on 21 February 2025, accuses Cllr Taylor of bringing the council into disrepute by allegedly spreading misinformation and making deceitful statements for social media purposes, particularly in response to the Chair's mention of the "Debate Not Hate" policy.

The investigation included a review of the meeting's video recording, interviews with both Cllr Taylor and the complainant, and an examination of the council's Constitution and Code of Conduct. It was found that:

- There is no evidence that the "Debate Not Hate" policy was formally on the agenda or adopted at the meeting.
- Cllr Taylor's reaction—accusing the Chair of implying she had engaged in hate speech—was based on a genuine, albeit mistaken, belief.
- The Chair did not follow the procedural mechanisms available under the Constitution to manage the situation.
- There is no evidence of premeditation or intent by Cllr Taylor to manipulate the meeting for social media content.
- While Cllr Taylor's conduct may have been disruptive, it did not meet the threshold for bringing the council into disrepute under the Code of Conduct.

### **Conclusion:**

The report concludes that the allegation is unsubstantiated and the complaint is not upheld. No sanctions are recommended.

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