

DARTMOOR NATIONAL PARK AUTHORITY
STANDARDS SUB-COMMITTEE

Annual Report 2015/16

1. Introduction

The Localism Act 2011 introduced a new statutory framework for standards in local authorities, abolishing *Standards for England* and the national prescribed *Member Code of Conduct* and bringing to an end the requirement to appoint at least two *Independent Members* to the Standards Committee.

Since that date, Dartmoor National Park Authority has maintained a Standards sub-committee, constituted from the Authority's Audit & Governance Committee.

2. Annual Report

This Annual Report concerns the work of the Standards sub-committee for the period from the Annual Meeting of the Authority in July 2015 to May 2016. The purpose of the Annual Report is to summarise the activities of the sub-committee, including:

- (a) considering and determining Code of Conduct complaints against Members;
- (b) promoting high standards of conduct by Members of the Authority; and
- (c) assisting Members of the Authority to observe the Code of Conduct.

3. Membership

The Standards sub-committee comprises:

- Five members of the Audit & Governance Committee, of whom at least two shall be Members appointed by a local authority:
 - K Ball, P Harper, P W Hitchins (Chairman), P Sanders, D Webber.
- Up to three co-opted persons, as approved by the Authority, who shall have the right to receive the agenda and papers for meetings of the sub-committee, and to attend and participate at meetings of the sub-committee, but not to vote on any issue:

none

The Independent Person(s) appointed by the Authority pursuant to s.27(7) Localism Act 2011 are invited to attend meetings of the sub-committee and participate, but the legislation does not allow them to be a member or co-opted member of the sub-committee, nor are they entitled to vote on any issue.

4. Role

The terms of reference for the Standards sub-committee are set by the Authority as follows:

- *to promote high standards of conduct by Members and officers;*
- *to advise the Authority on the adoption of a Code of Conduct pursuant to s.27(2) Localism Act 2011*
- *to assist Members to observe the Code of Conduct*
- *to consider and determine complaints against Members under the Code of Conduct*

Standing Orders also state that without prejudice to its general functions, the Standards sub-committee shall have the following specific duties:

- (a) to monitor the operation of the Code of Conduct;*
- (b) to advise, train and arrange to train Members on matters relating to the Code of Conduct;*
- (c) to promote high standards of conduct within the Authority, through observation, advice and training;*
- (d) to monitor complaints alleging non-compliance with the Code of Conduct*
- (e) to hear and determine allegations of non-compliance with the Code of Conduct, as requested by the Monitoring Officer*
- (f) to consider and advise on other matters relating to conduct, ethics and propriety as requested by the Monitoring Officer;*

5. Independent Persons

Mr Rod Blackshaw and Mr Bob Woodall retired as *Independent Persons* in July 2015. Following a process of open advertisement and interview the Authority was fortunate to appoint Mr Tim Stapleton as a new *Independent Person*. Mr Stapleton has broad experience of public authorities, including time as Chairman of Exeter College, membership of the Regional Board of the National Trust and Trustee of Estates in Devon.

The Standards sub-committee has resolved to recruit and appoint a second *Independent Person* to work alongside Mr Stapleton in this important role.

6. Monitoring Officer

The Authority's Monitoring Officer is Christopher Walledge, Head of Legal & Democratic Services. The Monitoring Officer is appointed by Members under section 5 of the Local Government Act 2000, and in respect of his duties as Monitoring Officer is accountable directly to Members.

The Monitoring Officer has a statutory duty to report to the Authority on any proposal, decision, or omission by the Authority, or a committee or sub-committee or an officer of the Authority, which has given rise to, as is likely or would give rise to:

- (1) *a contravention of law or any code of practice made or approved by or under an enactment; or*
- (2) *maladministration or injustice... in connection with action taken by or on behalf of the Authority, in the exercise of the Authority's administrative functions.*

The Monitoring Officer also has an important role in advising on governance arrangements, ensuring probity, upholding standards in public life and in particular advising Members on issues arising in connection with Standing Orders, the Scheme of Delegation, declaration of interests and the Code of Conduct.

7. Activity

There have been no formal complaints received under the Code of Conduct and no matters have been brought to the attention of the Monitoring Officer.

The *Independent Person* has continued the practice of attending meetings of the Authority and its committees as an observer. This brings benefits, both in introducing the *Independent Person* to Members and officers and providing some useful feedback on behaviour observed at meetings.

The Standards sub-committee has met on two occasions since July 2015. Both meetings were well attended. The observation reports completed by the *Independent Person* are considered at each meeting of the sub-committee and it has been noted that these reports have not identified any concerns.

8. Advice & Training

All Members are encouraged to seek advice whenever they are unsure about a possible pecuniary, personal or prejudicial interest, as well as any suggestion that they might be disqualified from participation in an item of business by pre-determination (having a closed mind).

There will be a session led by the Monitoring Officer on probity & the Code of Conduct for the new Secretary of State appointed Member before he takes up his appointment in July 2016.

9. Future Work

The Standards sub-committee will continue to meet twice annually, normally on the same date as a meeting of the Audit & Governance Committee in May and November each year. The particular focus for 2016/17 will be:

- (a) ensuring that a further Independent Person is recruited
- (b) continuing with a programme of observations at meetings
- (c) promoting high standards of conduct by Members of the Authority

Bill Hitchins
Chairman 2015/16