

DARTMOOR NATIONAL PARK AUTHORITY

STANDARDS SUB-COMMITTEE

Annual Report 2016/17

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 May 2016 to May 2017. 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. For the period May 2016 to the Authority's annual meeting in July 2016 the following were members of the Standards sub-committee: K. Ball; P. Harper; P. W. Hitchins (Chairman), P. Sanders and D. Webber. From July 2016 to May 2017 the following were members of the Standards sub-committee: K. Ball; A. Cooper (Chairman); P. W. Hitchins; P. Sanders and 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) (see section 5 below) 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

The Authority has two *Independent Persons*: Mr Tim Stapleton and Mr Mike Galt (appointed November 2016).

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

The Standards sub-committee has met on two occasions during the period of this Annual Report (6 May 2016 and 4 November 2016). 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).

The work plan for 2017/18 includes appropriate training for any new Members of the Authority.

9. Future Work

The Standards sub-committee will continue to meet twice annually. The particular focus for 2017/18 will be:

- (a) continuing with a programme of observations at meetings
- (b) promoting high standards of conduct by Members of the Authority

Andrew Cooper
Chairman 2016/17

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STANDARDS SUB-COMMITTEE

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- (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, A Cooper (Chairman), P Sanders, D Webber, P Woods
- 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.

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- (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 Tim 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. Mr Mike Galt was appointed as the second Independent Person in 2016 having worked in the financial services industry for over 40 years, specialising in the public sector.

6 Monitoring Officer

The Authority's Monitoring Officer is Neil White, Head of Organisational Development. 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*
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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.

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

The Standards sub-committee has met on one occasion since July 2017 – on 3 November 2017. The meeting was 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).

In December 2017, nine Members attended Assurance and Governance training delivered jointly by the Head of Business Support and Devon Audit Partnership to support their role to challenge, scrutinise and gain assurance, especially in areas such as audit, finance, performance and governance.

9 Future Work

The Standards sub-committee will 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 2018/19 will be:

- (a) continuing with a programme of observations at meetings
- (b) promoting high standards of conduct by Members of the Authority

Andrew Cooper
Chairman 2017/18