

DARTMOOR NATIONAL PARK AUTHORITY
STANDARDS SUB-COMMITTEE

Annual Report 2021/22

1 Introduction

The Localism Act 2011 introduced a statutory framework for standards in local authorities.

In accordance with this legislation, Dartmoor National Park Authority maintains 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 29 May 2021 to 27 May 2022*.

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.

** the annual report is correct as of 18 May 2022 and Members of the Committee will be updated regarding any issues that may occur after this date at the meeting and the annual report amended accordingly.*

3 Membership

The Standards sub-committee comprises:

- Seven Members of the Audit & Governance Committee (as agreed at the Annual Authority meeting held on 9 July 2021), of whom at least two shall be Members appointed by a local authority:
 - Mr Cooper, Mr Harper, Mrs Morgan (Chair), Mr Nutley, Mr Sanders, Mr P Vogel, and Ms 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.

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 appointed Independent Persons for the Authority are currently Mrs Catherine Shewan and Mr Nigel Tigwell.

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*
- (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 was one formal complaint during the year relating to two Members that was considered under the Members Code of Conduct. The Monitoring Officer carried out an investigation in consultation with one of the Authority's appointed Independent Persons.

The Monitoring Officer provided a written response to the complainant in November 2021 which concluded that no breach of the Code of Conduct had occurred, however, the Monitoring Officer did provide advice to one Member regarding best practice when dealing with correspondence.

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 May 2021, on 5 November 2021. The meeting was well attended with the Chief Executive attending in the absence of the Monitoring Officer. The observation reports completed by the Independent Persons are considered at each meeting of the sub-committee and these reports have not identified significant concerns during this reporting period.

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).

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 2022/23 will be:

- (a) continuing with a programme of observations at meetings
- (b) promoting high standards of conduct by Members of the Authority
- (c) support review of the Member Code of Conduct (audit recommendation)

Sally Morgan
Chair 2021/22