



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

M. Pearson
CLERK TO THE AUTHORITY

To: The Chair and Members of the Standards
Committee

(see below)

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STANDARDS COMMITTEE
(Devon & Somerset Fire & Rescue Authority)

Wednesday, 24 October, 2018

A meeting of the Standards Committee will be held on the above date, **commencing at 2.00 pm in Conference Room B, Service Headquarters, Exeter** to consider the following matters.

M. Pearson
Clerk to the Authority

AGENDA

PLEASE REFER TO THE NOTES AT THE END OF THE AGENDA LISTING SHEETS

1 Apologies

2 Minutes (Pages 1 - 2)

At its meeting on 30 April 2018, the Authority resolved (amongst other things) that this Committee be renamed the Standards Committee in place of the former Determinations & Dispensations Committee (Minute DSFRA/72(b) refers). The Minutes of the previous meeting of the (former) Determinations and Dispensations Committee held on 9 April 2018 are attached.

3 Items Requiring Urgent Attention

Items which, in the opinion of the Chair, should be considered at the meeting as matters of urgency.

PART 1 - OPEN COMMITTEE

4 Exclusion of the Press and Public

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the following Paragraph(s) of Part 1 of Schedule 12A (as amended) to the Act:

- Paragraph 1 (information relating to an individual);
- Paragraph 2 (information likely to reveal the identity of an individual); and
- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information).

PART 2 - ITEMS WHICH MAY BE CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

5 Pre-Hearing Process - Subject Member X (Pages 3 - 122)

Report of the Director of Corporate Services (SC/18/1) attached.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Ellery (Vice-Chair), Bown, Drean, Hannaford (Vice Thomas), Prowse, Redman and Trail BEM

NOTES

1.	<u>Access to Information</u> Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the “Please ask for” section at the top of this agenda.
2.	<u>Reporting of Meetings</u> Any person attending a meeting may report (film, photograph or make an audio recording) on any part of the meeting which is open to the public – unless there is good reason not to do so, as directed by the Chair - and use any communication method, including the internet and social media (Facebook, Twitter etc.), to publish, post or otherwise share the report. The Authority accepts no liability for the content or accuracy of any such report, which should not be construed as representing the official, Authority record of the meeting. Similarly, any views expressed in such reports should not be interpreted as representing the views of the Authority. Flash photography is not permitted and any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
3.	<u>Declarations of Interests at meetings (Authority Members only)</u> If you are present at a meeting and you are aware that you have either a disclosable pecuniary interest, personal interest or non-registerable interest in any matter being considered or to be considered at the meeting then, unless you have a current and relevant dispensation in relation to the matter, you must: <ul style="list-style-type: none">(i) disclose at that meeting, by no later than commencement of consideration of the item in which you have the interest or, if later, the time at which the interest becomes apparent to you, the existence of and – for anything other than a “sensitive” interest – the nature of that interest; and then(ii) withdraw from the room or chamber during consideration of the item in which you have the relevant interest. If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the nature of the interest but merely that you have an interest of a sensitive nature. You must still follow (i) and (ii) above. Where a dispensation has been granted to you either by the Authority or its Monitoring Officer in relation to any relevant interest, then you must act in accordance with any terms and conditions associated with that dispensation. Where you declare at a meeting a disclosable pecuniary or personal interest that you have not previously included in your Register of Interests then you must, within 28 days of the date of the meeting at which the declaration was made, ensure that your Register is updated to include details of the interest so declared.
4.	<u>Part 2 Reports</u> Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.
5.	<u>Substitute Members (Committee Meetings only)</u> Members are reminded that, in accordance with Standing Order 37, the Clerk (or his representative) must be advised of any substitution prior to the start of the meeting. Members are also reminded that substitutions are not permitted for full Authority meetings.

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DETERMINATIONS AND DISPENSATIONS COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

9 April 2018

Present:

Councillors Bown, Coles, Ellery, Redman and Thomas.

Also in attendance:

Fr. David Watson (Independent Person).

* **DDC/1**

Election of Chair

Nominations were sought for the position of Committee Chair.

Councillor Bown proposed, with Councillor Ellery seconding, that Councillor Thomas be elected as Chair.

There being no other nominations, it was

RESOLVED that Councillor Thomas be elected Chair of the Committee until the Annual Authority meeting in June.

* **DDC/2**

Minutes

RESOLVED that, subject to recording Fr. David Watson (Independent Member) as also in attendance, the Minutes of the meeting held on 28 November 2016 be signed as a correct record.

DDC/3

Review of Current Standards Arrangements

The Committee considered a report of the Director of Corporate Services (DDC/18/1) on the outcome of a review of the Authority's Code of Conduct, associated Declarations of Interest Form and Guidance on Making a Complaint. Appended to the report were a revised Code of Conduct, associated Registration of Interests Form and Guide to Making a Complaint which had been amended following the review to ensure compliance with best practice and provide a robust, appropriate and proportionate framework.

It was also proposed that the terms of reference for the Committee should be amended to more accurately reflect the requirements of the Localism Act 2011 and that the Committee should be retitled as the Standards Committee in the interests of transparency and given that this was the most commonly used name for committees with similar roles in other local authorities.

RESOLVED that, subject to incorporation of those amendments as indicated at the meeting, the Authority be recommended to approve:

- (a). the revised Code of Conduct as set out at Appendix A to report DDC/18/1;
- (b). the revised form for Declaration of Members' Registerable Interests as set out at Appendix B to the report;
- (c). the revised Guide to Making a Complaint as set out at Appendix C to the report;
- (d). the renaming of the Committee to the Standards Committee;
- (e). the revised Terms of Reference for the Committee as set out at Appendix D to the report; and

- (f). authorisation for the Clerk to make consequential amendments stemming from (a) to (e) above.

DDC/4

Consultation on Review of Local Government Ethical Standards

The Committee considered a report of the Director of Corporate Services (DDC/18/2) to which was appended a proposed response to the consultation issued by the Committee on Standards in Public Life for the purpose of gathering evidence for its review of local government ethical standards.

The closing date for submission of responses to the consultation was 18 May 2018.

RESOLVED that the Authority be recommended:

- (a). to approve the draft response to the Committee on Standards in Public Life consultation on local government ethical standards, as appended to report DDC/18/2 but amended as indicated at the meeting; and
- (b). to authorise the Clerk to submit the approved response on behalf of the Authority.

*** DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.00 pm and finished at 3.37 pm

Agenda Item 5

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of the Local Government Act 1972.

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