

## **Maintaining ethical standards**

People from a wide cross-section of the local community are playing a part in ensuring that high standards of conduct in Torbay Council are maintained.

A statutory Code of Conduct for councillors was introduced nationally in 2000 in an effort to improve standards of conduct and the public's perception of its democratic representatives at a local level.

Torbay Council's Standards Committee is chaired by Roger Heath, a former local authority Chief Executive.

Mr Heath said: "Any person, whether a member of the public, another councillor or an officer, is entitled to make a complaint if they consider that a councillor has breached the Code of Conduct.

"If it is considered that there is initial evidence that the complaint, if proven, might result in a breach being found, it has to be referred for a full investigation and then to a sub-committee of the Council's Standards Committee for a full public hearing. This makes for a transparent and fair process.

"It provides reassurance that councillors are not dealing with the complaints themselves. Torbay Council has adopted a fairly unusual practice of requiring that the majority of people on these sub-committees are members of the local public, selected after a formal application and interview process."

As well as the independent co-opted members of the public, the Standards Committee also comprises councillors from Torbay Council and Brixham Town Council. Committee members are trained in the procedures required, and they are regularly updated on case law, problem areas and changes to the code of conduct and procedures involved.

Mr Heath said: "The sign of good administration in any organisation is the existence of a robust complaints system. The Standards Committee process is part of the council but the fact that non-councillor members of the committee are in the majority ensures objectivity, transparency and fairness are well to the fore in investigating complaints that the Code of Conduct has been breached. The committee is also responsible for ensuring that councillors are trained in awareness and compliance with

the Code and sees this as a vital part of its work, prevention being better than cure.

"The Committee on Standards in Public Life has consistently found that standards of conduct in local government are much higher than the public often perceive them to be.

"The purpose of the Code of Conduct and councils' Standards Committees is to maintain and promote those high standards of conduct so that the public can have confidence in local democracy and participate in it, whether by attending and speaking at council meetings or standing for election or simply casting a vote at election time."

Mr Heath said that if a sub-committee concluded that a Member had breached the Code of Conduct, it was possible for them to be publicly censured, required to apologise or to be banned from membership of a particular committee. In the worst cases, they could be suspended for up to six months.

The more serious cases can be dealt with by a national body called the Local Government Standards Tribunal, formerly known as the Adjudication Panel, which has power to suspend a Member for up to one year and can disqualify them for a maximum of five years.

Said Mr Heath: "Nationally, several hundred councillors have been suspended by the Adjudication Panel or local Standards Committees and more than two hundred have been disqualified. In Torbay, since the Standards Committee came into being in 2000, there have been no disqualifications, two suspensions, one censure and one requirement issued for a councillor to undergo one to one training."