

Monday, 17 November 2025

STANDARDS COMMITTEE

A meeting of **Standards Committee** will be held on

Tuesday, 25 November 2025

commencing at **5.30 pm**

The meeting will be held in the Banking Hall, Town Hall, Castle Circus, Torquay
TQ1 3DR

Members of the Committee

Councillor Jacqueline Thomas (Chairwoman)

Councillor Atiya-Alla (Vice-Chair)

Councillor George Darling

Councillor Stevens

Councillor Maddison

A Healthy, Happy and Prosperous Torbay

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Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

STANDARDS COMMITTEE AGENDA

1. Apologies

To receive apologies for absence, including notifications of any changes to the membership of the Committee.

2. Minutes

To confirm as a correct record the Minutes of the meeting of the Board held on 22 January 2025.

(Pages 3 - 4)

3. Declarations of interest

(a) To receive declarations of non pecuniary interests in respect of items on this agenda

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

4. Urgent items

To consider any other items that the Chairman decides are urgent.

5. Torbay Council Standards Committee Annual Report

To consider Torbay Council Standards Committee Annual Report.

(Pages 5 - 14)

Minutes of the Standards Committee

22 January 2025

-: Present :-

Councillor Jacqueline Thomas (Chairwoman)

Councillors Foster, George Darling and Tolchard

1. **Apologies**

An Apology for absence was received from Councillor Atiya-Alla.

2. **Declarations of interest**

There were no interests declared.

3. **Strengthening the Standards and Conduct Framework for Local Authorities in England**

Members were advised that The Ministry of Housing, Communities and Local Government (MHCLG) was seeking views on introducing a mandatory minimum code of conduct for local authorities in England, and measures to strengthen the standards and conduct regime in England to ensure consistency of approach amongst councils investigating serious breaches of their member codes of conduct, including the introduction of the power of suspension.

The Members of the Standards Committee were asked to respond to the consultation and proceeded to provide an answer to each question in turn.

Resolved:

Subject to the Senior Democratic & Overview and Scrutiny Officer providing the answers to questions 13 and 13a, the responses to the consultation be submitted.

4. **Standards Hearing Sub-Committee**

The Standards Committee were requested to establish the Standards Hearing Sub-Committee in order to consider and determine complaints and appropriate action in respect of allegations of breaches of the Members Code of Conduct referred by the Monitoring Officer.

Resolved:

That the Standards Hearing Sub-Committee be established with the Terms of the Reference and Membership requirements as set out in the submitted report.

Chair

Torbay Council Standards Committee Annual Report

Introduction

The importance of high standards in public life remains central to the effective functioning of local government. Upholding the Nolan Principles of Public life, namely duty to uphold the law, stewardship and leadership, selflessness, honesty/integrity, objectivity, accountability, openness, personal judgment, respect for others which is essential not only for maintaining public trust, but also for enabling constructive relationships between elected members, officers, and external partners. When these standards are compromised—whether through poor conduct, divisive behaviour, or a lack of collaboration—the ability of the Council to deliver services, make sound decisions, and represent the community effectively is significantly undermined. As such, fostering a culture of professionalism and mutual respect among members is a critical foundation for good governance and long-term success.

The Local Government Association (LGA) Corporate Peer Challenge undertaken in 2024 highlighted concerns regarding the conduct of a small number of elected members whose behaviours were having a detrimental impact on the Council's effectiveness. These behaviours had contributed to a breakdown in collaborative working, particularly within the context of a Minority Administration and No Overall Control. The resulting tensions had affected staff morale, undermined the Council's reputation, and weakened trust among partners.

The report urged those members to reflect on their legacy and adopt more constructive approaches to governance. It called for renewed cross-party collaboration, pragmatism, and a shared commitment to strategic priorities in order to restore stability and ensure effective decision-making. These behavioural improvements were seen as essential to delivering for the residents of Torbay and safeguarding the Council's future.

The LGA Progress Review held in 2025 identified that despite efforts to improve member conduct, inappropriate behaviour continued among a small number of elected members. This had been evident in public forums and on social media, where their stance towards fellow members and officers had raised concern. Feedback from both internal and external sources confirms that such behaviour was damaging relationships, morale, and the Council's reputation.

To address this, the Group Leaders Agreement reinforces a collective commitment to high standards of conduct. Clauses 5.1 to 5.3 of the Constitution set out expectations for courtesy, respect, and civility in all interactions—including Council meetings, public events, media engagement, and social media. Group Leaders play a vital role in ensuring these standards are upheld across the Council.

As well the role played by Group Leaders, the Standards Committee also has a duty to promote ethical governance, supporting elected members, and ensuring public confidence in the Council's decision-making processes.

Remit of the Standards Committee (Terms of Reference)

The Standards Committee is responsible for:

- promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- assisting councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct;
- advising the Council on the adoption or revision of the Members' Code of Conduct;
- monitoring the operation of the Members' Code of Conduct;
- advise, train or arrange to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- assist the Monitoring Officer in carrying out his/her responsibilities pursuant to the Code of Conduct and its protocols;
- review the Council's local protocols as contained in the Constitution;
- review the Constitution in relation to ethics and probity issues;
- advise others on probity and ethics;
- consider any alleged breaches of local protocols by members;
- share experience with other standards committees.

Code of Conduct Training

All Members received Code of Conduct training following the May 2023 elections. The Monitoring Officer has engaged individual elected members, where required regarding social media use, declarations of interest, and respectful conduct. In responding to issues raised regarding the use of social media, the LGA's 'Guide to the role of councillors on social media' was also circulated to all members in April 2025. The LGA have also published the 'ending abuse in public life council self-assessment toolkit'. The toolkit is a resource designed to aid local councils in tackling and mitigating the impact and risks of abuse and intimidation that councillors may encounter as part of their role, supporting them to be safe. If so minded, the toolkit could be used by the Council to produce a flexible framework for tackling abuse, harassment, and intimidation affecting Councillors.

Group Leader Engagement

In line with the LGA's guidance and the Council's Constitution, the Monitoring Officer attended meetings with Group Leaders to discuss their statutory duty to promote ethical conduct. Further, development of this engagement is attendance by Group Leaders at the Standards Committee to demonstrate personal commitment and set out reasonable steps to uphold standards within their groups.

Complaints and Investigations

During 2024/25, the Monitoring Officer received a number of complaints regarding member conduct. One case was referred to the Standards Hearing Sub-Committee,

resulting in formal sanctions. Details of these complaints and whether the sanctions have been complied with are set out in Appendix 1.

Subsequently, a small number of complaints arising out of the Monitoring Officer's determinations were referred by the complainant to the Local Government and Social Care Ombudsman, who found no fault with the Council in any case.

Ethical Governance is also supported by a robust approach taken by the Council's Finance, Ethics and Probity Group in their consideration of Whistleblowing Complaints. The Audit Committee has the remit of monitoring the "Whistleblowing Policy" and receives a high-level summary of Whistleblowing investigations.

Dispensations

The Monitoring Officer is authorised, to determine requests from members for dispensations where it is appropriate in the circumstances of the case or where, for instance, a significant number of members would be prevented from participating in any item of business or the representation of political groups would be upset so as to impede or affect the likely outcome of the transaction of or vote upon that item of business or where it would be in the interests of the inhabitants of the area.

Following the elections in 2023, all elected members were granted a dispensation in respect of the following functions of the Council, namely:

- if a member or co-opted member is a parent or guardian or carer of a child in full-time education, on any matter relating to school meals or school transport unless it relates specifically to the school a member's child attends;
- any allowance, travelling expenses, payment or indemnity for members or co-opted members of the Council;
- if a member or co-opted member is receiving or eligible to receive statutory sick pay, under Part X1 of the Social Security and Benefits Act 1992, as amended;
- any ceremonial honour to be given to members;
- the setting of Council Tax;
- any matter relating to a company controlled by the Council where that member or co-opted member is an unpaid director of that company and appointed to that role by the Council.

Strengthening the standards and conduct framework for local authorities in England – Government Consultation

In February 2025, the Standards Committee met to provide a collective response to The Ministry for Housing, Communities and Local Government open consultation on 'Strengthening the standards and conduct framework for local authorities in England'. The outcome of the consultation was announced week commencing 10

November 2025, any changes will require parliamentary approval. Should any changes be required the Standards Committee will be consulted on any revision to the Members' Code of Conduct.

Future Priorities for 2026–2027

- Continue engagement with Group Leaders and support them to promote and maintain high standards of conduct by members.
- Monitor and respond to any changes to the Members' Code of Conduct that may arise as a result of the consultation referred to above.
- Enhance guidance for prospective councillors on ethical obligations.
- Support the induction programme for the 2027 elections.
- Agree and recommend to Council for approval, a Local Protocol on members use of social media.
- Anything which arises out of the current external audit review – this will be reviewed once known.

Recommendations:

1. That Group Leaders encourage their Members to review the pre-recorded Code of Conduct training and where in person refresher training is identified, Member(s) shall attend Code of Conduct training.
2. That Group Leaders include the promotion of high standards and ethics as a standing item in political group meetings.
3. That Group Leaders and Senior Officers be reminded of the Member and Officer Relation Local Protocol in order to promote effective and respectful working relationships between Members and Officers.
4. That when a sanction is imposed upon a Member following a Standards complaint, Group Leaders shall encourage and support the Member to comply with the sanction that has been applied.
5. That Group Leaders and where required, Council, consider an amendment to the Terms of Reference of the Standards Committee to preclude Members who have not complied with a sanction imposed upon them from being part of the membership of the Standards Committee.
6. That the Council's webpage be updated with any findings against those who have breached the Code of Conduct for Members, as and when they occur.

Date of Decision	Complainant	Cllr complaint about	Determination	Action Taken	Sanction Complied With
20/06/23	Member of Public	Billings	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
20/06/23	Member of Public	Tyerman	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
20/10/23	Councillor	Lewis	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
16/11/23	Councillor	Billings	Complaint insubstantial and contains no evidence that indicates a failure to follow the Member Code of Conduct	No further action	
16/11/23	Councillor	Thomas, D	Complaint insubstantial and contains no evidence that indicates a failure to follow the Member Code of Conduct	No further action	
16/11/23	Councillor	Thomas, D	Complaint dismissed as it did not disclose a sufficiently serious potential breach of the Code to merit further consideration	No further action	
16/11/23	Councillor	Thomas, D	Complaint politically motivated and contains no evidence that indicates a failure to follow the Member Code of Conduct	No further action	
15/01/24	Councillor	Darling, M	Not in public interest to pursue the matter due to apology already being made and accepted by complainant	No further action	
15/02/24	Member of Public	Bye	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
12/03/24	Councillor	Darling, S	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Letter of Apology to be written	

12/03/24	Councillor	Law	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Letter of Apology to be written	
12/03/24	Councillor	Thomas, D	Aspect 1 - No breach of the Code of Conduct for Members Aspect 2 - Breach of paragraph 4.2(a) of the Code of Conduct for Members	Aspect 1 - No further action Aspect 2 - Sanction imposed: Letter of Apology to be written	Yes
12/03/24	Councillor	Virdee	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Letter of Apology to be written	
22/03/24	Councillor	Maddison	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Removal of social media post and apology to be written	
03/04/24	Councillor	Billings	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
03/04/24	Councillor	Lewis	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
25/06/24	Member of Public	Hutchings	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
25/06/24	Member of Public	Hutchings	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
26/06/24	Councillor	Amil	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Atiya-Alla	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Carter	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Cowell	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	

26/06/24	Councillor	Darling, G	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Darling, S	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Douglas-Dunbar	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Fox	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Harvey	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Johns	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Law	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Long	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Maddison	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Nicolaou	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Penny	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
26/06/24	Councillor	Pentney	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	

26/06/24	Councillor	Virdee	Breach of paragraph 4.2(a) and 4.3(h) of the Code of Conduct for Members	Sanction imposed: Formal warning issued	
24/09/24	Councillor	Darling, S	Aspect 1 - No breach of the Code of Conduct for Members Aspect 2 - Breach of paragraph 4.2(a) of the Code of Conduct for Members Aspect 3 - Breach of paragraph 4.2(a) of the Code of Conduct for Members Aspect 4 - No breach of the Code of Conduct for Members.	Aspect 1 - No further action Aspect 2 - No sanction imposed Aspect 3 - Sanction imposed: Letter of Apology to be written Aspect 4 - No further action	Yes
15/11/24	Member of Public	Thomas, J	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
15/11/24	Member of Public	Thomas, J	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
04/12/24	Member of Public	Strang	Minor breach of paragraph 4.2(a) fo the Code of Conduct for Members	Letter of Apology to be written	
17/12/24	Member of Public	Hutchings	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
11/02/25	Officer	Maddison	Breach of paragraph 4.2(a), 4.3(a), 4.3 (h) of the Code of Conduct for Members	Sanctions imposed: training on the governance of a Council and the required procedures and protocols. Read and familiarises herself with the Local Protocol on Member and Officer Relations. An unequivocal apology, at the next full Council meeting. Written apology. Recommendations to others: The Leader of the Council consider suspending Councillor from the position of Member Champion for Culture, until training on the governance of a Council and the required procedures and protocols has been undertaken. The Independent Group Leader consider suspending Councillor from all Committees and Council appointed outside bodies to which she represents the Council, until training on the governance of a Council and the required procedures and protocols has been undertaken.	Recommendation in part.

28/02/25	Councillor	Brook	No evidence that a breach of the Code of Conduct for Members has occurred	No further action	
28/02/25	Councillor	Spacagna	No evidence that a breach of the Code of Conduct for Members has occurred	No further action	
28/02/25	Councillor	Stevens	No evidence that a breach of the Code of Conduct for Members has occurred	No further action	
12/03/25	Councillor	Foster	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	Removal or amend social media post	
12/03/25	Member of Public	Foster	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	Removal or amend social media post	
12/03/25	Member of Public	Foster	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	Removal or amend social media post	
12/03/25	Member of Public	Foster	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	Removal or amend social media post	
25/06/25	Officer	Tyerman	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
01/08/25	Member of Public	Billings	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
01/08/25	Member of Public	Thomas D	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
01/08/25	Member of Public	Thomas J	No evidence contained in the allegation that indicates a failure to follow the Member Code of Conduct	No further action	
30/09/25	Councillor	Foster	The complaint does not disclose a sufficiently serious potential breaches of the Code of Conduct for Members to merit further consideration	No further action	

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