

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.