



Dartmoor National Park Authority
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To: All Members
of the Dartmoor National Park Authority
Standards Committee

(see below)

Please quote: NPA/SC/08/Agenda

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Date: 23 July 2008

DARTMOOR NATIONAL PARK AUTHORITY

STANDARDS COMMITTEE

Friday 1 August 2008

A meeting of the Authority's STANDARDS COMMITTEE will be held on the above date at 9.30 am **in the Meeting Room at Parke, Bovey Tracey** to consider the following matters.

Lorna Brown
Monitoring Officer

Access to Information - Local Government Act 1972 (as amended)

Agenda and Reports

Copies of the Agenda and Part I reports are available for inspection by members of the public at the above address five clear days prior to the meeting. They are also published on the DNPA website prior to the meeting. A limited number of copies are available for reference at the meeting.

Background Papers

The Background Papers relating to Part I reports, except any containing exempt information, can be inspected by members of the public at the above address between the hours of 9:00 am and 4:30 pm, Monday to Friday, by prior arrangement.

Nigel Hoskin Chairman **Kevin Bishop PhD** Chief Executive (National Park Officer)

The purposes of the Dartmoor National Park Authority are to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and to promote opportunities for the understanding and enjoyment of the area's special qualities.

In pursuing these purposes the Authority has a duty to seek to foster the economic and social well-being of the community.

A Member of the Association of National Park Authorities

AGENDA

PART I - OPEN PROCEEDINGS

- 1 Welcome and Apologies
- 2 Election of Chairman
- 3 Election of Deputy Chairman
- 4 Minutes of the meeting held on 23 May 2008 attached (Page 1).
- 5 Items Requiring Urgent Attention

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED.

NIL

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:

Ms H Jenny, Mr R Blackshaw, Mr M Jeffery, Mrs C Marsh, Mr M Watson,
Mr D Webber, Mr R Woodall

DARTMOOR NATIONAL PARK AUTHORITY

STANDARDS COMMITTEE

Friday 23 May 2008

Present: Members: Ms L Bennett, R Blackshaw, M Jeffery, Mrs C Marsh,
D Webber, R Woodall
Officers: L Brown, C Walledge

Welcome and Apologies: There were no apologies. Mr Watson was unavoidably delayed and arrived at 10.50am. Mrs Brown advised the Committee that Mr M Cook had tendered his resignation from the Standards Committee, with immediate effect. There is, therefore, a vacancy for a new Independent Member.

033 Minutes of the Meeting held on 18 July 2007 and Notes of discussion held on 23 November 2007

RESOLVED:

It was agreed that the Minutes of the meeting held on 18 July 2007 be signed as a true record following one correction – Minute 31 under the resolution – ‘Messes’ to be changed to read ‘Messrs’.

It was agreed that the Notes of the discussion held on 23 November 2007 be signed as a correct record.

034 Declarations of Interest

There were no declarations of interest.

Mrs Marsh asked for clarification regarding when declarations of interest are required during a meeting. Mr Walledge advised that the Code of Conduct stipulates that items must be declared at the meeting before the item is discussed. It is therefore up to the relevant Authority when Members are asked to declare. For Dartmoor National Park Authority it has been agreed that this should be at the start of the meeting rather than immediately preceding the item.

035 Items Requiring Urgent Attention

None recorded.

036 Public Participation

None.

037 Local Assessment of Complaints : The Standards Committee (England) Regulations 2008

Mrs Brown and Mr Walledge presented this report to the Committee.

Mr Walledge advised that there were the following areas that needed to be discussed and agreed:

- Interim arrangements
- Information to be given to a Member subject of a complaint
- Publicity of the complaints procedure
- Chair / Deputy Chair
- Sub Committees
- Retention of records

Mrs Brown advised that the Regulations state that any complaint should be put in writing. This can be done through the use of the Complaints Form, a letter (provided all required information is given) and email (provided that the complainant's personal details are included; an email address would not be sufficient. It would not be acceptable for a complaint to be sent in anonymously. Members agreed that there should be a single point of entry for all complaints and that the process should reflect this with instructions that complaints should all be addressed to The Complaints Officer. The Monitoring Officer (Complaints Officer) would then decide who should respond to the complaint.

With regard to sub-committees, Mr Walledge suggested that all Members are members of the sub-committees, therefore enabling the Chair, in consultation with the Monitoring Officer, to formulate a sub-committee from whoever is available at the time it is required. The procedure would dictate that those who had been involved on an assessment panel would then be disqualified from any review procedure.

Mrs Brown asked the Committee to consider at what point in the proceedings a Member should be advised of any complaint made against them. Mr Woodall commented that it would be preferable for a Member to be advised straight away. It was agreed that if the Monitoring Officer was asked by a Member whether a complaint had been made, the Monitoring Officer should be able, at that point, to confirm or deny any complaint. Formal wording, giving a Member the content of the complaint should be agreed by the assessment sub-committee and made available to the Member within a 24-36 hour period.

Ms Bennett commented that the process did not allow for the Member who was the subject of the complaint to be heard. Mr Walledge advised that there is nothing to stop a sub-committee from taking into account any relevant information; this could mean that the sub-committee may ask the Monitoring Officer to provide information such as minutes of meetings. It was important to remember, however, that the assessment filter was not there to investigate the complaint.

Mr Blackshaw commented that a written report in some circumstances could prove very useful in obtaining factual information for consideration.

Complaint Form – Ms Bennett queried the fact that there was no allocated space for recording witnesses. It was agreed that Mrs Brown and Mr Walledge would consider this further.

Mrs Marsh raised the question of whether a complaint sent to the Authority would also, in her case for example, be sent to Devon County Council. Mr Walledge confirmed that in this type of situation there could potentially be four hearings – DNPA, Parish, County and Government; there is no mention in the Regulations of the possibility of joint hearings. In practice, monitoring officers would discuss and agree who would undertake the investigation.

Record Retention – Mr Walledge explained that any public hearing documents must be retained for six years. With regard to other documentation i.e., assessment, review etc, after a brief discussion, having explored various possibilities, it was recommended that all paperwork would be kept for a six year period.

Every sub-committee must be chaired by an Independent Member. Mr Walledge advised that care will need to be taken when the time comes to elect the Chair and Deputy Chair of the Standards Committee. The Committee should meet after the Annual General Meeting as some Members may not be appointed.

The only suggested change which needs to be recommended to the Authority meeting on 27 June 2008 is that of a single point of entry for all complaints. It was agreed that the interim arrangements will stand until that time.

Publicity of the Complaints Procedure – Mrs Brown asked members to consider how much publicity, and in what format, the procedure should be made available. After some discussion it was agreed that a leaflet, together with the same amount of information on the website, should be made available for the general public.

RESOLVED:

- (i) Interim Arrangements to stand until the next Authority meeting on 27 June 2008;
- (ii) Adopt a single point of entry for all complaints;
- (iii) Monitoring Officer authorised to confirm to a Member whether a complaint had been made against him/her but no details to be given; sub-committee to meet and wording to be agreed within 24/36 hours of the complaint having been received; at this point the Member who was the subject of the complaint would be given details;
- (iv) The Complaints Procedure to be made available to the general public via a leaflet and the Authority's website;
- (v) Chair / Deputy Chair elections to be held after the AGM; the need for every sub-committee to be chaired by an Independent Member to be taken into account;
- (vi) Every Member of the Standards Committee be a Member of the Sub-Committees;
- (vii) All records to be retained for a period of six years.