

Joint Standards Assessments Sub-Committee

1 December 2021

Public Report

Report of the Monitoring Officer

Code of Conduct Complaint received in respect of a City of York Councillor

Summary

1. To consider a Complaint in respect of the Code of Conduct received in respect of a City of York Councillor and determine next steps.

Recommendations

2. The options available to the Sub-Committee are as follows:
 - 1) Rule that the complaint in respect of the Councillor does not fall within the remit of the Code of Conduct. This will mean that no further action is taken and the matter is brought to a close.
 - 2) Rule that the Complaint should progress to an investigation. This will mean that the Monitoring Officer will appoint an Investigating Officer in accordance with the Procedure for handling of Complaints.

Background

3. The Monitoring Officer has received a complaint alleging that a City of York Councillors has breached the Code of Conduct.
4. The Monitoring Officer has requested a meeting of the Sub Committee of the Joint Standards Committee to determine if the Complaint should be investigated.
5. The complainant alleges that the Councillor has been disrespectful, that they did something which may have caused the Council to break any

equality enactment, they attempted or bullied or intimidated another person and they conducted themselves in a manner which could reasonably be regarded as bringing the Council into disrepute, or their position as a Councillor into disrepute.

Options

6. The Sub-Committee must now consider the following options:
 - a. The Complaint in respect of the Councillor does not fall within the remit of the Code of Conduct. This will mean that no further action is taken and the matter is brought to a close.
 - b. The Complaint should progress to an investigation. This will mean that the Monitoring Officer will appoint an Investigating Officer in accordance with the Procedure for Handling of Complaints.

Implications

Financial

7. Not applicable to this report.

Human Resources (HR)

8. Not applicable to this report.

Equalities

9. The Councillor has been offered the support of an Independent Person as part of this process.

Legal

10. The Monitoring Officer is required to consider all formal complaints received in respect of the Code of Conduct in line with the published Procedure for managing Code of Conduct Complaints.

Crime and Disorder, Information Technology (IT) and Property

11. Not applicable to this report.

Other

12. Not applicable to this report.

Contact Details

Author:

Rachel Antonelli
Head of Democratic
Governance & Deputy
Monitoring Officer

Tel No. 01904 551043

Chief Officer Responsible for the report:

Janie Berry
Director of Governance & Monitoring
Officer

Tel No. 01904 555385

Report **Date** 23 November 2021
Approved

Wards Affected: All

All

For further information please contact the author of the report

Background Papers:

- City of York Council Code of Conduct and Procedure for Handling of Complaints
- City of York Council Constitution