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Meeting	Joint Standards Committee - Assessment Sub-Committee
Date	1 May 2025
Present	Councillors Fisher, Kent and Rowley (City Council Members) Joe Leigh (Independent Member)
Officers in Attendance	Lindsay Tomlinson (Deputy Monitoring Officer)

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**15. Appointment of Chair**

Resolved: That Cllr Rowley be appointed as Chair of the meeting.

**16. Apologies for Absence**

There were no apologies.

**17. Declarations of Interest**

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registerable interests they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

**18. Exclusion of Press and Public**

Resolved: That the press and public be excluded from the meeting during consideration of the private reports at Agenda Items 4, 5 and 6 (Code of Conduct Complaints received in respect of two Parish Councillors and a City of York Councillor), on the grounds that they contain information relating to individuals and information likely to reveal the identity of individuals, which is classed as exempt under paragraphs 1 and 2 of Schedule 12A to Section 100A of the Local Government Act 1972, as

amended by the Local Government (Access to Information) (Variation) Order 2006.

[Note: following the above resolution, the Deputy Monitoring Officer confirmed that she had nothing further to add in respect of the public reports in the agenda papers, and the remainder of the meeting took place in private session.]

#### **19. Code of Conduct Complaint Received in Respect of a Parish Councillor**

Members considered a report which set out a Code of Conduct complaint received in respect of a Parish Councillor. Details of the complaint were presented in the private report.

Members were asked to decide whether to:

- A. rule that the complaint is out of scope, or
- B. rule that the complaint is in scope and choose either to:
  - i) take no further action
  - ii) seek to resolve the matter informally, or
  - iii) refer the matter for investigation.

Having considered all the information provided, and the advice of the Independent Person at the meeting, it was

Resolved: That Option B(ii) be approved.

The Assessment sub-committee ruled that the complaint, if proven, could constitute a breach of the code of conduct.

The sub-committee's decision was to resolve the matter informally by way of provision of training for all members on the appropriate use of email accounts, particularly for dual-hatted members who sit on more than one authority, along with the development and sharing of appropriate protocols.

Reason: Elected members are political, and it is therefore appropriate that the content of their emails is treated differently from those of officers of a council. It is reasonable to expect some political content in

emails that emanate from an elected member so long as this does not constitute campaigning for a candidate or political party during a statutory election period.

Some elected members sit on multiple authorities, and appropriate protocols should be developed, and training provided to members, setting out clearly the restrictions in terms of use of email accounts and the security risks of, for example, using a CYC account for parish council business.

The sub-committee also noted the involvement of the clerk, the Proper Officer of the Parish Council, in the issue that was the subject of the complaint, and the responsibility they hold in terms of ensuring they are not sharing inappropriate content with members.

## **20. Code of Conduct Complaint Received in Respect of a Parish Councillor**

Members considered a report which set out a Code of Conduct complaint received in respect of a Parish Councillor. Details of the complaint were presented in the private report.

Members were asked to decide whether to:

- A. rule that the complaint is out of scope, or
- B. rule that the complaint is in scope and choose either to:
  - i) take no further action
  - ii) seek to resolve the matter informally, or
  - iii) refer the matter for investigation.

Having considered all the information provided, and the advice of the Independent Person at the meeting, it was

Resolved: That Option A be approved.

The Assessment sub-committee concluded that the complaint would not constitute a breach of the code of conduct.

No further action to be taken.

Reason: The complainant alleged that the leaflet distributed to residents within the parish council was an attempt to politicise and influence a parish council decision.

The complaint further alleged that the leaflet was not a truthful representation and was intended to cause reputational harm to the parish council.

The sub-committee noted that the leaflet was distributed by a political party and by a member acting in capacity as a CYC ward member and not as a parish councillor. Therefore, no breach could be found.

Cllr Martin Rowley, Chair

[The meeting started at 4.00 pm and finished at 5:00 pm].