

## Notice of a public meeting of

### Joint Standards Committee - Assessments Sub-Committee

**To:** Councillors Douglas and Fisher (CYC Members)  
Councillor Chambers (Parish Council Member)  
Mr Laverick (Independent Person)

**Date:** Wednesday, 15 December 2021

**Time:** 1.30 pm

**Venue:** Remote Meeting

*Note: In view of the changing circumstances around the Covid-19 pandemic, this meeting will now be held remotely. Any decisions made will form recommendations to the Chief Operating Officer.*

### AGENDA

**1. Appointment of Chair**

To appoint a member to chair the meeting.

**2. Declarations of Interest**

Members are asked to declare:

- Any personal interests not included on the Register of Interests
- Any prejudicial interests or
- Any disclosable pecuniary interests

which they may have in respect of business on this agenda.

**3. Exclusion of Press and Public**

To consider excluding the public and press from the meeting during consideration of agenda item 4 (Code of Conduct Complaint Received in respect of a Parish / Town Councillor), on the grounds that it contains information relating to individuals.

This information is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

**4. Urgent Business**

Any other business which the Chair considers urgent under the Local Government Act 1972.

**5. Code of Conduct Complaint received in respect of a Parish/Town Councillor** (Pages 1 - 474)

To review the draft report of the Investigating Officer as a result of a Code of Conduct complaint made in respect of a Parish/Town Councillor.

*Note: the private report referred to in Agenda Item 3 above follows the public report on this item.*

Democratic Services Officer responsible for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – [fiona.young@york.gov.uk](mailto:fiona.young@york.gov.uk)

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

**我們也用您們的語言提供這個信息 (Cantonese)**

**এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)**

**Ta informacja może być dostarczona w twoim  
własnym języku. (Polish)**

**Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)**

**یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)**

** (01904) 551550**

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**Joint Standards Assessments Sub-Committee****15 December 2021****Public Report**

Report of the Monitoring Officer

**Code of Conduct Complaint received in respect of a Parish/Town Councillor****Summary**

1. To review the draft report of the Investigating Officer as a result of a Code of Conduct complaint made in respect of a Parish/Town Councillor.

**Recommendations**

2. The options available to the Sub-Committee are as follows:
  - 1) Rule that the draft report is not complete and that further investigation needs to take place. This will mean that the draft report will be returned to the Investigating Officer with a recommendation as to areas for further investigation.
  - 2) Rule that the report is complete and the finding is accepted. The Sub-Committee will need to determine next steps, which may include a recommendation that the case be referred for a hearing.
  - 3) Rule that the report is complete but the finding is not accepted. This will mean that no further action is taken and the matter is brought to a close. There are no rights of appeal to this decision.

**Background**

3. The Monitoring Officer received complaints in respect of a Parish/Town Councillor and it is necessary for this to be considered in accordance with the Council's published procedure for handling such complaints received in respect of the alleged breaches of the Code of Conduct.

4. The Joint Standards Committee Assessment Sub-Committee met on 29 April 2021 in order to consider the complaints and decided that the complaints should progress to investigation. The Sub-Committee decided that an external Investigating Officer was to be appointed. As a result of this, the Monitoring Officer appointed an external Investigating Officer in accordance with the procedure. The reason for this was because the Sub-Committee considered that further information was required before a decision could be made in the case.

### **Current Position**

5. An external Investigating Officer was appointed who conducted an investigation. The Investigating Officer found that the Town/Parish Councillor had breached the Code of Conduct.

### **Options**

6. The Sub-Committee must now consider the following options:
  - a. The report is not complete and that further investigation needs to take place.
  - b. The report is complete and the finding is accepted.
  - c. The report is complete but the finding is not accepted.

### **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** 7 December 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

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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