

Joint Standards Committee

- To:** Cllrs Martin Rowley BEM (Chair), Fisher, Pavlovic, Runciman and Kent (CYC Members)
- Cllrs Waudby (Vice-Chair), Chambers and Geogheghan-Breen (Parish Council Members)
- Mr J Leigh and Ms R Mazza (Independent Persons)
- Date:** Tuesday, 18 March 2025
- Time:** 4.00 pm
- Venue:** West Offices - Station Rise, York YO1 6GA

AGENDA

- 1. Apologies for Absence**
To receive and note apologies for absence.
- 2. Declarations of Interest** (Pages 7 - 8)
At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see the attached sheet for further guidance for Members.]

3. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of exempt Annexes A(ii) and B (ii) to Agenda Item 10 (Monitoring report in Respect of Complaints Received) on the grounds that it contains information which is likely to reveal the identity of individuals.

This information is classed as exempt under paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006.

4. Minutes (Pages 9 - 12)

To approve and sign the minutes of the meeting of the Joint Standards Committee held on 23 January 2025.

5. Minutes of Sub-Committees (Pages 13 - 16)

To approve and sign the minutes of the following meetings of the Joint Standards Sub-Committees:

- Joint Standards Assessment Sub-Committee, 23 January 2025.

6. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is **5:00pm on Friday, 14 March 2025.**

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

- 7. Annual Report for 2024/2025** (Pages 17 - 26)
Members will consider the draft Annual Report of the Joint Standards Committee.
- 8. Review of Work Plan** (Pages 27 - 28)
To consider the Committee's work plan for the current year and decide whether any amendments or additions are required.
- 9. Urgent Business**
Any other business which the Chair decides is urgent under the Local Government Act 1972.
- 10. Monitoring Report on Complaints Received** (Pages 29 - 40)
To receive a routine update report on recent standards complaints.

Democracy Officer:

Jane Meller

Contact Details:

Telephone: (01904) 555209

Email: jane.meller@york.gov.uk

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

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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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 (ہولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Minutes

Meeting	Joint Standards Committee
Date	23 January 2025
Present	Councillors Fisher, Pavlovic, Runciman, Kent (CYC Members) Councillors Waudby (Vice-Chair, in the Chair) Geogheghan-Breen (Parish Council Members), Mr J Leigh and Ms R Mazza (Independent Persons)
Apologies	Councillor Rowley BEM and Parish Councillor Chambers

23. Apologies for Absence (4.05 pm)

Apologies were received from the Chair, Councillor M Rowley BEM, and Parish Councillor C Chambers.

24. Declarations of Interest (4.05 pm)

Members were asked to declare any personal interests not included on the Register of Interests, or any prejudicial interests or disclosable pecuniary interests which they might have in respect of business on the agenda.

None were declared.

Subsequently, on the commencement of the consideration of Item 8, Open Consultation on strengthening the standards and conduct framework for local authorities in England, Cllr Pavlovic noted a potential conflict of interest as the Executive Member responsible for standards. He therefore took no part in the debate or decision making for that item.

25. Exclusion of Press and Public (4.05 pm)

Resolved: That the press and public be excluded from the meeting during consideration of the exempt versions of Annexes A (ii) and B (ii) to Agenda Item 10 (Monitoring Report in Respect of Complaints

Received), on the grounds that they contain information likely to reveal the identity of individuals, which is classed as exempt under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006.

26. Minutes (4.05 pm)

Resolved: That the minutes of the meeting of the Joint Standards Committee held on 12 November 2024 be approved as a correct record.

27. Minutes of Sub-Committees (4.06 pm)

Resolved: That the minutes of the following sub-committee meetings be approved as a correct record:

- Joint Standards Hearing, 12 November 2024

28. Public Participation (4.06 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

29. Open Consultation on Strengthening the Standards and Conduct Framework for Local Authorities in England (4.06 pm)

Members considered the briefing paper, prepared by the Deputy Monitoring Officer, on the Government local authority standards consultation and agreed to submit a collective response on behalf of the Council, in consultation with the Leader and the Chief Operating Officer (COO).

Members debated the consultation questions contained in Annex 1, Strengthening the standards and conduct framework for local authorities in England, and agreed the response of the committee for each question.

Resolved: That a response to the consultation be submitted on behalf of the Council in consultation with the Leader and COO.

Reason: To address long-standing concerns in respect of ineffective standards sanctions.

30. Review of Work Plan (5.29 pm)

Members considered the committee's work plan for the current municipal year.

Resolved: That the work plan be approved subject to the following additions:

- An update on the Local Government Standards framework, when available.

Reason: To ensure that the committee has a planned programme of work in place.

31. Monitoring Report in Respect of Complaints Received (5.30 pm)

Members considered a report which provided an update on current business as regards complaints.

Resolved: That the report be noted.

Reason: To ensure that the committee is aware of current levels of activity.

Cllr M Waudby, Vice-Chair in the Chair

The meeting started at 4.05 pm and finished at 5.36 pm.

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City of York Council

Committee Minutes

Meeting	Joint Standards Committee - Assessments Sub-Committee.
Date	23 January 2025
Present	Cllrs Fisher and Pavlovic (City Council Members) Cllr Waudby (Parish Council Member) Joe Leigh (Independent Member)
Officers In Attendance	Frances Harrison (Deputy Monitoring Officer)

6. Appointment of Chair (5:45pm)

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

7. Declarations of Interest (5:45pm)

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.

Both Cllr Fisher and Parish Cllr Waudby declared that they were members of the Liberal Democrat Party, as was the Subject Member in this case.

8. Exclusion of Press and Public (5:46pm)

Resolved: That the press and public be excluded from the meeting during consideration of the private reports at Agenda Item 5 (A Code of Conduct Complaint received in respect of 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.]

9. Code of Conduct Complaint Received in Respect of a City of York Councillor (5:46pm)

Members considered a report from the Deputy Monitoring Officer which set out a Code of Conduct complaint received in respect of a City of York Councillor.

The Subject Member had raised an issue in relation to procedural propriety, namely whether the complaint was properly constituted and accepted by the Monitoring Officer. This was dealt with by the panel as a preliminary matter.

The panel members considered that the complainant's email clearly raised an allegation of disrespect contrary to the Member Code of Conduct which the Monitoring Officer was right to accept and invite members to consider under the adopted procedure.

The complainant felt their reputation had been impugned by the Subject Member, whilst the Subject Member denied any personal attack.

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.

Reason: The assessment sub-committee concluded that the matters complained of were capable of constituting breaches of the Member Code of Conduct and the complaint was consequently in scope.

Members however made no findings and recommended that the matter be resolved informally.

Cllr Michael Pavlovic, Chair

[The meeting started at 5.45 pm and finished at 6.50 pm].

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Joint Standards Committee**18 March 2025**

Report of the Monitoring Officer

Annual Report for 2024/2025**Summary**

1. This report provides the Joint Standards Committee with a draft Annual Report for 2024/2025.

Background

2. It is good practice for the Committee to prepare an Annual Report at the start of each municipal year, setting out work undertaken by the Joint Standards Committee during the previous year.
3. The report can be presented to Full Council at the meeting on 17th July 2025 subject to finalisation. This will allow it to be presented alongside the Annual Report from Audit & Governance Committee.
4. The breakdown of complaints received during the municipal year has been calculated to date. A full year comparison is not yet available due the timing of the report, but the figures are sufficient to demonstrate trends and will be a like for like comparison to last year's report which was also prepared in March. Complaints will continue to be recorded.
5. A draft of the annual report is attached at Annex A.

Implications**Financial**

6. Not applicable to this report.

Human Resources (HR)

7. Not applicable to this report.

Equalities

- 8. The Equality Act 2010 places specific duties on Local Authorities, and Members, including Members of the Joint Standards Committee who play a vital role in ensuring that equality issues are integral to the aims and performance of a Local Authority. Providing an Annual Report of work undertaken by the Committee, providing an overview of the Code of Conduct complaints received and reviewing the procedures in place for such complaints ensures that all Members adhere to the principles of the Act.

Legal

- 9. As detailed within the report.

Crime and Disorder, Information Technology and Property

- 10. Not applicable to this report.

Recommendations

- 11. Members are recommended to note the report and provide their views on the draft Report, ahead of it being presented to Full Council later in the year.

Author & Officer Responsible for the report:

Frances Harrison
Deputy Monitoring Officer
frances.harrison@york.gov.uk

Chief Officer Responsible for the report:

Bryn Roberts
Director of Governance & Monitoring Officer

Report Approved

Date 7 March 2025

Specialist Implications Officer(s):

Wards Affected:

All

For further information please contact the author of the report.

Annexes

- Annex A – Draft Annual Report 2024/25

Background Papers:

- City of York Council Constitution

18 March 2025

Annual report for 2024/2025

Foreword from the Chair of the Joint Standards Committee

[To be inserted]

Cllr M Rowley BEM
Chair of Joint Standards Committee

Membership of the Committee

The Committee would like to thank all of its Members for supporting and attending the meetings during this year. The Committee appointed Councillor Martin Rowley as the Chair and Councillor Mark Waudby as the Vice Chair.

City of York Council:

- Councillor Martin Rowley BEM
- Councillor Tony Fisher
- Councillor Jenny Kent
- Councillor Michael Pavlovic
- Councillor Carol Runciman

Parish Councils

- Councillor Mark Waudby
- Councillor Diane Geogheghan-Breen
- Councillor Christopher Chambers

Independent Persons

- Mr Joe Leigh

- Ms Rose Mazza

Complaints

The Council received the following Code of Conduct complaints in the Municipal year May 2024 to May 2025:

Total number of complaints made: 9

Of those, number closed: 8

Number of current year complaints ongoing: 1

The following pie charts illustrate the nature of the complaints, who they came from, whether they were Parish or CYC and how they were dealt with (if closed) in the municipal year 22/23, 23/24 and 24/25 to allow for comparison.

Figure 1
Nature of complaints 24/25

8/9 disrespect/disrepute
1/9 not declaring an interest

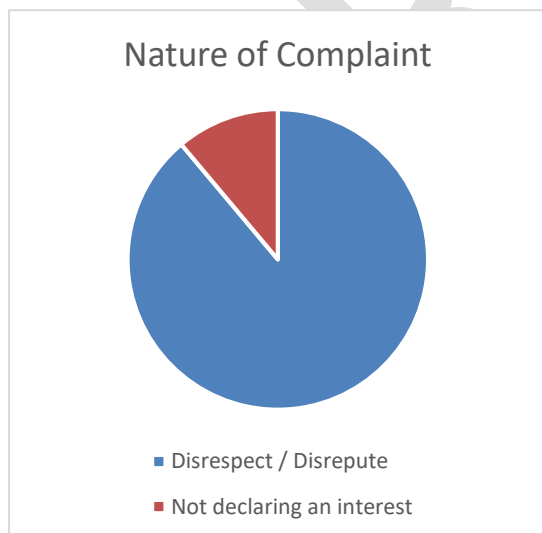


Figure 2
Nature of complaints 23/24

19/21 disrespect/disrepute
2/21 not declaring an interest

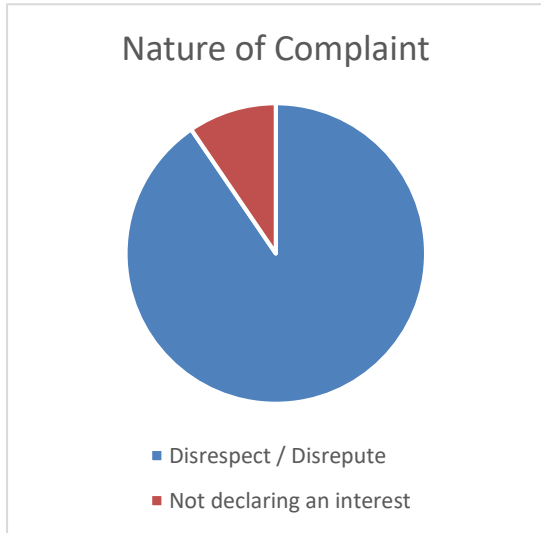


Figure 3
Nature of complaints 22/23

11/14 disrespect/disrepute
3/14 not declaring an interest

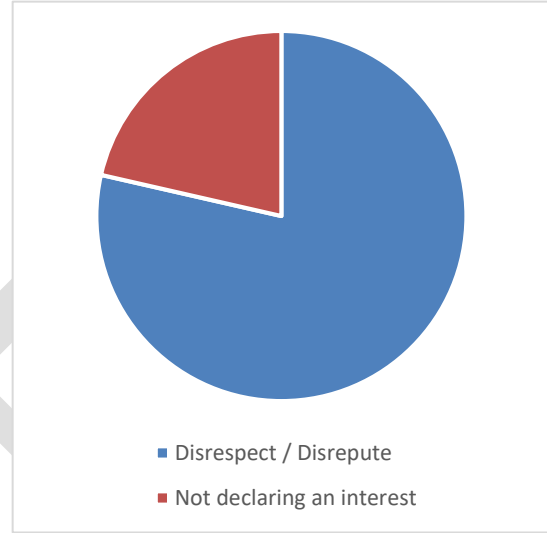


Figure 4
Origin of complaint 2024/25

CYC Councillor 2/9
Parish Councillor 1/9
Member of the Public 5/9
Officer/Other 1/9

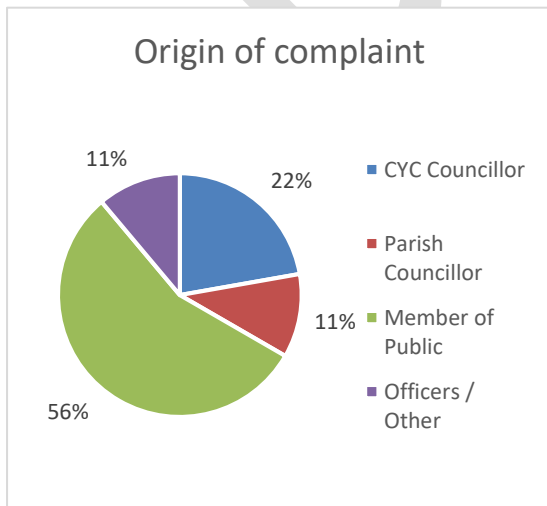


Figure 5
Origin of complaint 2023/24

CYC Councillor 1/21
Parish Councillor 7/21
Member of the Public 11/21
Officer/Other 2/21

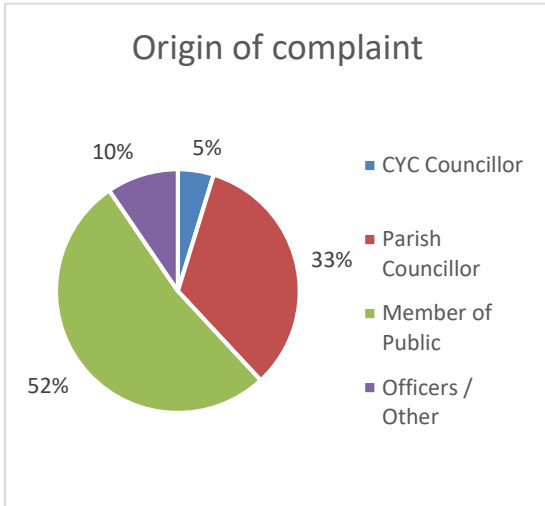


Figure 6
Origin of complaint 2022/23

CYC Councillor 3/14
Parish Councillor 5/14
Member of the Public 4/14
Officer/Other 2/14

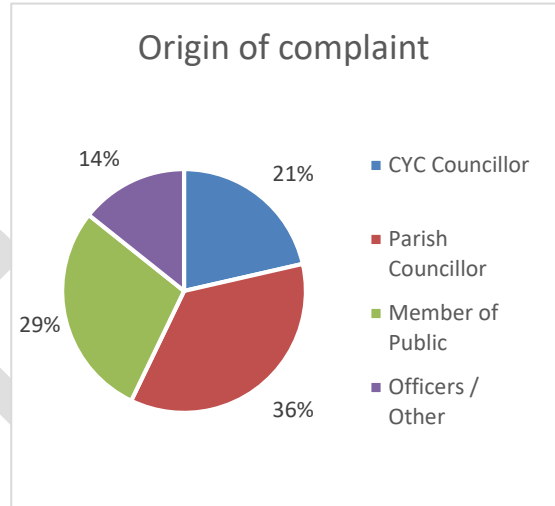


Figure 7
Subject Member of complaint 2024/25

CYC Councillor 5/9
Parish Councillor 3/9
Unknown 1/9

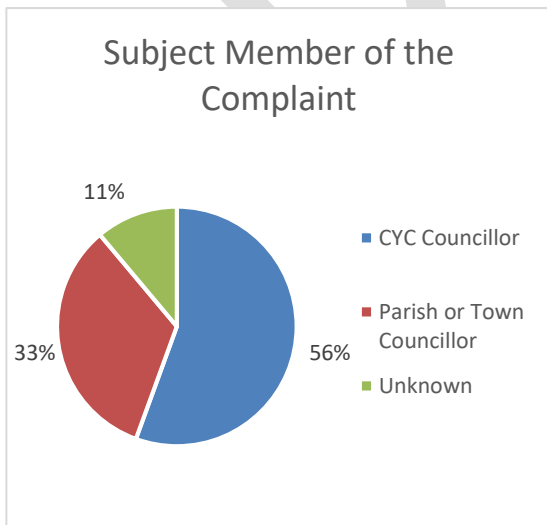


Figure 8
Subject Member of complaint 2023/24
 CYC Councillor 8/21
 Parish Councillor 13/21

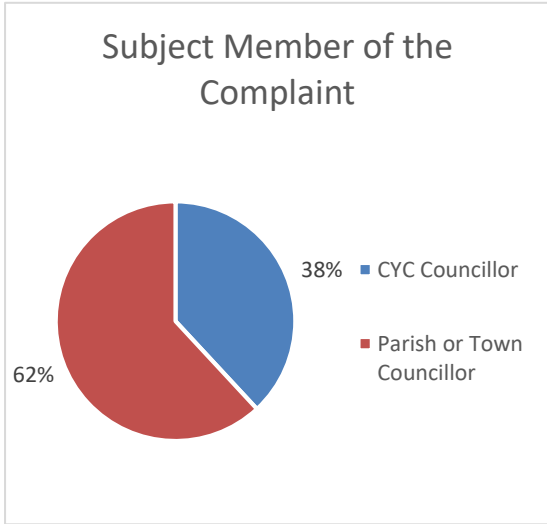


Figure 9
Subject Member of complaint 2022/23
 CYC Councillor 8/14
 Parish Councillor 6/14

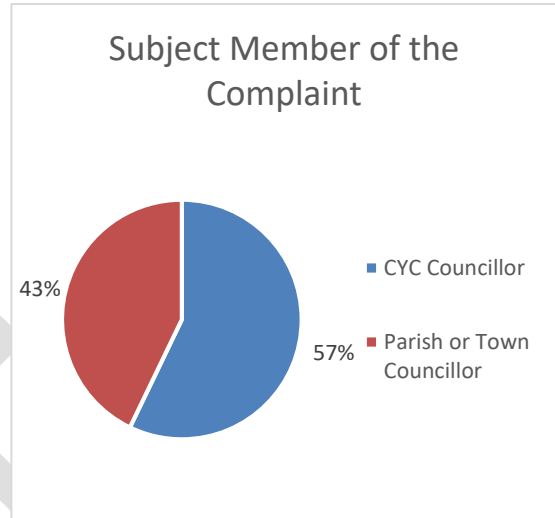


Figure 10 - Outcome of complaints received 2024/25
 Currently being assessed by the Monitoring Officer 0/9
 NFA at filter stage 4/9
 Referred to Assessment Sub-Committee – outstanding 0/9
 Closed following Assessment Sub-Committee - no breach found 1/9
 Informal resolution 3/9
 Progressed to investigation - investigation ongoing 0/9
 Closed following investigation - breach found 1/9

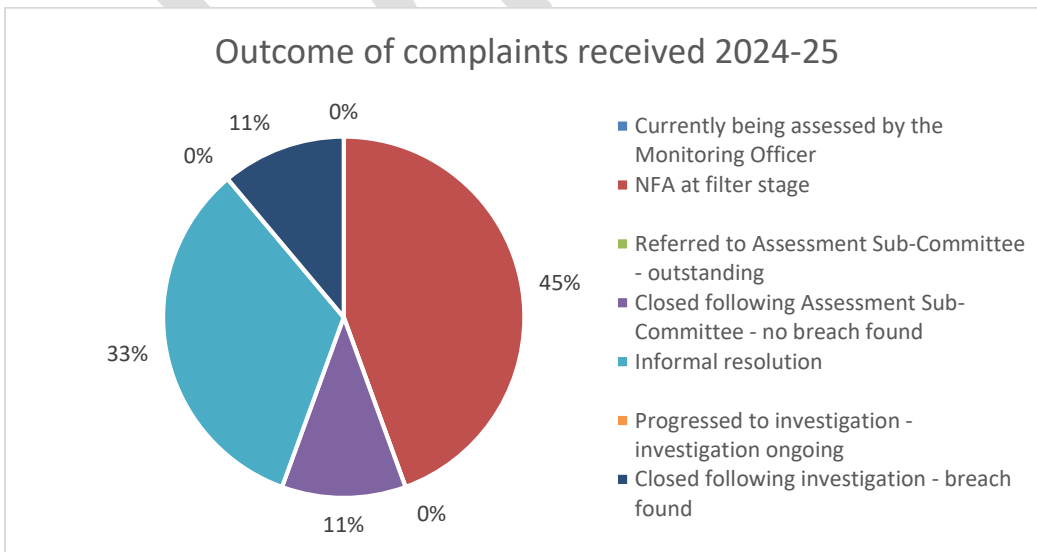


Figure 11 - Outcome of complaints received 2023/24

Currently being assessed by the Monitoring Officer 5/21
 NFA at filter stage 6/21
 Referred to Assessment Sub-Committee – outstanding 0/21
 Closed following Assessment Sub-Committee - no breach found 5/21
 Informal resolution 1/21
 Progressed to investigation - investigation ongoing 3/21
 Closed following investigation - breach found 1/21

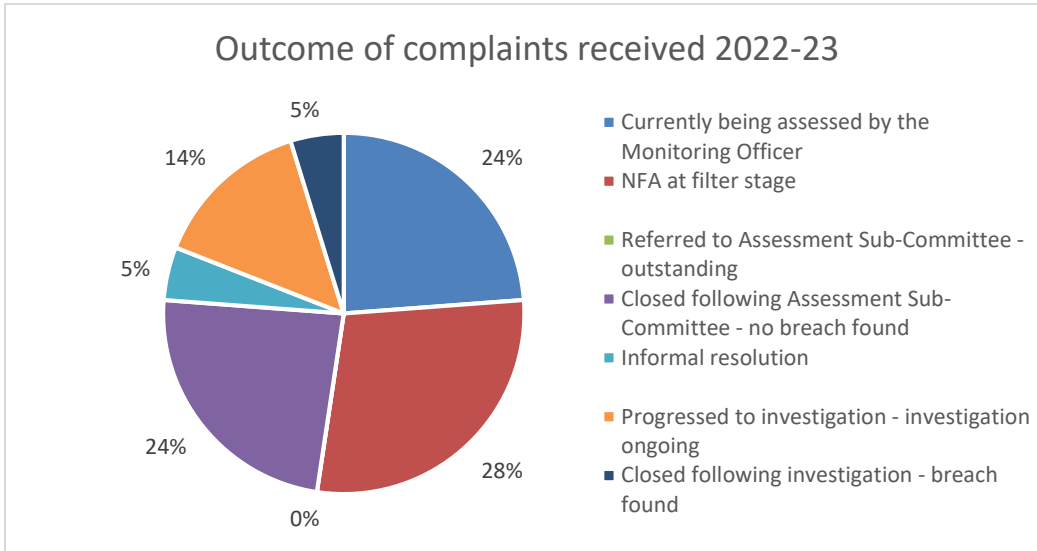
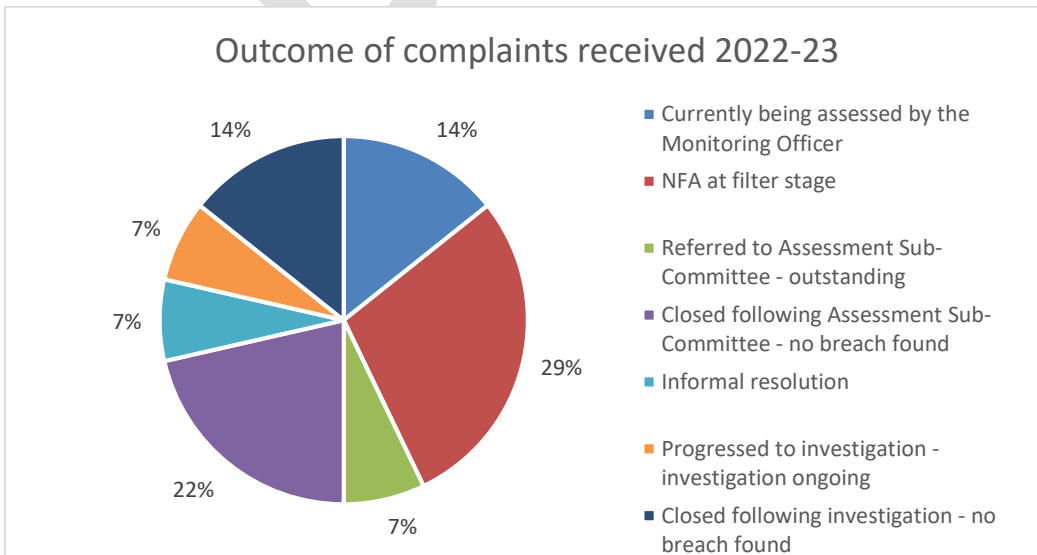


Figure 12 - Outcome of complaints received 2022/23

Currently being assessed by the Monitoring Officer 2/14
 NFA at filter stage 4/14
 Referred to Assessment Sub-Committee – outstanding 1/14
 Closed following Assessment Sub-Committee - no breach found 3/14
 Informal resolution 1/14
 Progressed to investigation - investigation ongoing 1/14
 Closed following investigation - no breach found 2/14



All of the complaints received have been reported to meetings of the Joint Standards Committee throughout the year.

Other work

Consultation on Strengthening the standards and conduct framework for local authorities in England

On 18 December 2024, the Government published a consultation paper on strengthening the standards and conduct framework for local authorities in England.

The Localism Act 2011 provides the legislative framework for the current standards regime in English authorities. It provides local authorities (“LAs”) with a broad discretion as to the 'arrangements' they implement and the form of the Member Code of Conduct they adopt. It also removed the requirement for LAs to have a Standards Committee.

Members and co-opted members of the Council Joint Standards Committee, as well as the wider local government community, have long voiced frustration with the weakness of sanctions available for dealing with poor conduct. This was recognised in the consultation paper which sought views on how best to equip LAs to deal effectively with conduct issues in the context of the wider devolution agenda.

Members of the Joint Standards Committee considered the consultation paper in full and agreed a response to be submitted on behalf of the Council in consultation with the Leader and the Chief Operating Officer.

The consultation closed on 26 February 2025.

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Work Plan for Joint Standards Committee 2024/25

Meeting Date (4.00pm start time)	Items	Notes
18 March 2025	<ul style="list-style-type: none"> • Monitoring report in respect of complaints received. • Review of Work Plan • Draft Annual Report • YLCA Representative, Sheena Spence attending 	Standard Item
13 May 2025	<ul style="list-style-type: none"> • Monitoring report in respect of complaints received. • Review of Work Plan 	Standard Item

Pending items for consideration:

- Review of Citywide Democratic Engagement of Parished and Non Parished areas
- Case Handling Procedures
- Local Government Standards Framework Update

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Joint Standards Committee**18 March 2025**

Report of the Deputy Monitoring Officer

Monitoring Report in respect of Complaints Received**Summary**

1. This report is to update the Committee on the position regarding ongoing and recently closed complaints.

Background

2. The Joint Standards Committee is responsible for promoting a culture of openness, accountability, probity and the maintenance of high standards of conduct by members. In order to do this, it reviews all code of conduct complaints. This enables, amongst other things:
 - Monitoring overall numbers of complaints allowing comparison with similar authorities
 - Monitoring trends of increasing/decreasing levels of complaints and identifying links to key events or triggers
 - Identifying common types of complaints which may illustrate a need for enhanced training and information
 - Assessing the efficacy of sanctions imposed by linking an increase/decrease in complaints regarding a particular member or from a particular locus to intervention or sanctions previously imposed.
 - Assessing the efficacy of the complaints procedure and identifying possible improvements.

Commentary on Case Logs**Open cases**

3. Case reference 2024/15 falls under paragraph 5 of the complaints handling process and was considered by a JSC Assessment Sub Committee on 23 January 2025. The Sub Committee recommended informal resolution by way of a conciliation meeting which has been scheduled to be facilitated by the Monitoring Officer.

Cases closed since last JSC

4. Case reference 2023/21 falls under paragraph 5 of the complaints handling process and was considered by a JSC Assessment Sub Committee on 30 January 2024. The Committee decided to refer the matter for investigation which it indicated should be external. The cost of an external investigation was explored and found to be disproportionate. An investigation was undertaken by CYC lawyers who completed and circulated their draft report to the parties for comment. Significant representations were received in response during December 2024. The report and all representations were then fully reviewed by the Monitoring Officer. Two subject members were found to have not breached the code. One subject member was found to have made a technical breach of the code. The Monitoring Officer concluded that this should be resolved informally by way of mediation and training. An external mediator has been identified and the parties invited to participate

Implications

Financial

5. The cost of external mediation applicable to case reference 2023/21 above are as follows:
6. Fixed fee of £1100 + VAT (includes up to 4 hours preparation / administration time and up to 7 hours mediation). Alternatively, an hourly rate of £120 per hour + VAT. Offers video conference option to reduce time and travel costs.

Human Resources (HR)

7. Not applicable to this report.

Equalities

8. Maintaining standards across the City through the Code of Conduct ensures that an ethical framework can be adhered to, including ensuring that equality issues form an integral part of that framework.

Legal

9. As detailed within the report.

Crime and Disorder, Information Technology and Property

10. Not applicable to this report.

Recommendations

11. That the Joint Standards Committee notes the report, in order to ensure that the Committee is aware of the current levels of activity and is able to provide oversight of the complaints' procedure.

**Author & Officer Responsible
for the report:**

Frances Harrison
Deputy Monitoring Officer
frances.harrison@york.gov.uk

**Report
Approved**



Date 7 March
2025

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

- Annex A (i) Table showing open complaints received.
- Annex B (i) Table showing recently closed complaints.
- Annex A (ii) Table showing open complaints received (confidential)
- Annex B (ii) Table showing recent complaints (confidential)

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Open Complaints Log - Public

Case ref	City or Parish	Complainant	Date Received	Nature of Complaint	Status / updates
2024/15 (FH)	CYC	CYC Officer	06/11/24	The complainant alleges that during a Council meeting, the Councillor breached the code of conduct and points 1.2, 1.3, 2.4, 4.2, 4.3 & 4.4 of the Protocol for Officer / Member Relations.	<p>This complaint is currently being assessed by the Deputy Monitoring Officer.</p> <p>IP views sought.</p> <p>This complaint falls under paragraph 5 of the complaints handling process. It will therefore be referred to a JSC Sub Committee for assessment.</p> <p>Informal resolution by way of a conciliation meeting between parties proposed. The meeting is arranged and will be facilitated by the Monitoring Officer.</p>

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Recently Closed Complaints Log - Public

Case ref	City or Parish	Complainant	Date Received	Nature of Complaint	Status / updates
2023/21 (LT)	CYC	York residents	26/11/23	The complainants allege that the behaviour of the 3 Councillor's is not in line with the code. Multiple examples of these allegations over a period of time have been provided by all complainants.	<p>This complaint falls under paragraph 5 of the complaints handling process. It will therefore be referred to a JSC Sub Committee for assessment.</p> <p>Views of the IP sought.</p> <p>Assessment Sub Committee arranged for 30th January 2024.</p> <p>The Assessment Sub Committee assessed the complaint and recommended to progress to investigation. Parties notified.</p> <p>An investigation has been completed and a draft report has been prepared. This has been shared with the parties and IP in accordance with the case handling procedure. Further representations have been made which will be considered by the investigating officer and the report updated before a Sub Committee is asked to determine the outcome.</p> <p>The draft report is now with the Monitoring Officer for their review and consideration.</p> <p>The Monitoring Officer has reviewed the investigation report and the following decision was</p>

Recently Closed Complaints Log - Public

Case ref	City or Parish	Complainant	Date Received	Nature of Complaint	Status / updates
					<p>made: 2 Councillors were found to have not breached the code. 1 Councillor was found to have made a technical breach of the code. Resolution by way of mediation and training will be sought. The decision notice was sent to all parties. Complaint closed.</p>

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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