

---

Meeting	Joint Standards Committee
Date	30 September 2020
Present	Councillors Douglas, Baker, Carr, Fisher and Rowley (CYC Members)  Cllrs Chambers and Rawlings (Parish Council Members)  Ms Davies and Mr Laverick (Independent Persons)

---

#### **49. Appointment of Chair**

As a result of Councillor Douglas indicating that she wished to stand down as Chair of the Committee, nominations for the appointment of a Chair for the remainder of the Municipal Year were sought. Councillor Rowley was moved and seconded to be appointed as Chair, with no other nominations being made, it was

Resolved: That Councillor Rowley be elected as Chair of Joint Standards Committee for the remainder of the 2020/21 Municipal Year, with thanks being extended to Councillor Douglas for undertaking the role with such commitment over the last year.

#### **Councillor Rowley in the Chair**

#### **50. Appointment of Vice Chair**

Nominations were sought for the vacant Vice-Chair and Parish Councillor Rawlings was duly moved and seconded. There being no other nominations, it was

Resolved: That Parish Councillor Rawlings be elected as Vice – Chair for the remainder of the current Municipal Year.

## **51. Declarations of Interest**

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.

## **52. Exclusion of Press and Public**

Resolved: That the public and press be excluded from the meeting during consideration of Agenda Item 10 (Monitoring Report in respect of Complaints received) on the grounds that it contains information likely to identify individuals, which is classed as exempt under paragraph 2 of part 1 of Schedule 12A to the Local Government 1972, as amended by the Local Government (Access to Information) Variation Order 2006.

## **53. Minutes**

Whilst there were no direct amendments to the minutes of the last meeting (22 July 2020) proposed, the former Chair, Councillor Douglas, clarified for the record that, in relation to Minute No 45 (Model Code of Conduct Consultation), concerns about the cumulative effect of gifts/hospitality under the value of £25 had been identified in the response to the Local Government Association (LGA). At this point, the Monitoring Officer also clarified that a full response to the consultation had been submitted to and acknowledged by the LGA, but, as yet, no formal response to that had been received from the LGA.

Resolved: That the minutes of the meeting of the Joint Standards Committee held on 22 July 2020, be approved and signed as a correct record by the Chair, on behalf of the Committee.

## **54. Urgent Business**

The Chair reported that no urgent business for this meeting had been received.

## **55. Public Participation**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme.

Gwen Swinburn spoke about her concerns about the impartiality of support for this Committee, with particular regard to handling complaints received against Councillors. She informed the Committee that she had specifically asked for complaints she had herself made not to be processed until the outcome of the Mazar's investigation had been determined and had further asked that these be investigated externally, in light of her concerns.

## **56. Report on Parish Council membership**

Members considered a report outlining steps taken to fill an outstanding Parish Council vacancy on this Committee through the Yorkshire Local Councils Association (YLCA). The Committee would be informed when a Parish or Town Council nomination had been received, to ensure appropriate local representation continued on the Committee.

In response to some concerns raised about variations in the process for nominating Parish or Town Council representatives in recent years, the Deputy Monitoring Officer advised that the process currently being applied had been recommended by the YLCA but she would refer Members' comments to the Association.

Resolved: That the update and current position be noted, with the Chair to meet with the new appointee should one be received prior to the next formal meeting of the Committee in January 2021.

## **57. Monitoring Report on Complaints Received**

Members considered a report which provided an update on progress relating to complaints received by the Committee. Both the Monitoring Officer and Deputy Monitoring Officer responded to Members' queries in relation to cases reported.

It was noted that, in future, for the purpose of greater clarity, details of cases closed would be reported separately to ongoing

ones and reasons would be given where cases had been closed down.

Resolved: That the report be noted.

Reason: To ensure that Members were kept up to date with progress made against cases.

*(In accordance with paragraph 2 of Schedule 12A to the Local Government Act 1972, the above matter was considered in private session)*

**58. Dispensation Granted to City of York Council Elected Members**

Members considered a report advising them of a dispensation granted by the Monitoring Officer to all Members of the Customer & Corporate Services Management & Policy Scrutiny Committee, in conjunction with the then Chair of this Committee and in accordance with the Constitutional requirements, to enable them to freely participate in a Special Meeting, requiring them to comment on a Government Consultation relating to changes in the current planning and future systems.

Resolved: That the dispensation granted be noted.

**59. Planning and Pre-determination: Advice for Council Members and the role of JSC in disseminating this**

Members considered a report summarising the requirements upon Members to act in accordance with the principles of the Local Planning Code of Conduct when involved in the determination of planning matters. It invited Members consider whether there was role for this Committee in disseminating the guidance further across local and parish Councillors.

A full debate followed on the Council's duty to support locally elected Members adequately in their learning and skills development.

Resolved: That the report be noted and options for retraining those Members appointed to planning committees in abiding by the requirements of the Local Planning Code of Conduct, be considered as part of a wider

appraisal on Member training by this Committee in January 2021.

**60. Update on Whistleblowing Policy**

Members considered a report giving an update on the review of the Council's Whistleblowing Policy, initially undertaken by Veritau in 2018/19 and subsequently revised by a Task Group of this Committee and by Corporate Management Team.

Resolved: That the update be noted.

**61. DBS checks and Remit of Joint Standards Committee**

Members considered a report giving a brief update on whether the decision making relating to Members requiring DBS checks rested with this Committee or not, formally. Members were informed that constitutionally it was not within the remit of this Committee, rather it was a matter for Group Leaders, given that this was not a mandatory requirement but a discretionary one.

In response to Members' queries, the Monitoring Officer confirmed that, due to their roles, she would expect Executive Members for Children's and Adult Social Services to be DBS checked and was aware that current postholders had been.

Resolved: That the update be noted.

**62. International Travel Protocol**

Members considered a report setting out a draft skeleton framework for an International Member Travel Protocol, intended for wider circulation and views, prior to referral to Audit & Governance Committee for inclusion within the Council's Constitution.

The Protocol would aim to establish the need and objectives for the trip, prior to agreement to travel and the benefits gained on return.

In debate, Members felt that cost of the trip, perception and a similar staff protocol would be important in addressing this protocol for Members.

Resolved: That a more complete draft be considered by the Committee at its next meeting, following wider consultation.

**63. Report on how the Joint Standards Committee and City of York Council can better support Parish Councils in their work**

Members considered a report outlining potential areas for the Committee and the Council to better support Parish Councils, within available resources. Earswick Parish Council had made a number of suggestions, including completing the review of the Parish Charter, the current draft of which was appended to the report, and better communications between the Council and Parish Councils.

Parish Councillors Rawlings and Chambers commented variously on the need to improve feedback between Parishes and the Council and vice versa and to offer training to Parish Councillors on appropriate areas.

It was suggested that the Assistant Director (Lifelong Learning & Communities) be invited to attend a future meeting to set out the review being undertaken by his team in their capacity to support and liaise with Parish Councils.

Resolved: That the Assistant Director (Lifelong Learning & Communities) be invited to a future meeting to outline the review of support to Parish Councils being undertaken in his area, as a starting point for future discussion.

**64. Update on Draft Annual Report**

Members considered a report advising them that the Monitoring Officer was currently preparing a draft Annual Report for the Committee, to include a breakdown of complaints received by the Committee, work carried out and any dispensations granted. The Monitoring Officer confirmed she would circulate a draft version for comment covering 2 years initially to address the pandemic period, with reports being annually thereafter.

Resolved: That the update be noted and the Monitoring Officer circulate a draft report, with a view to

formal consideration by a future meeting in January 2020.

**65. Review of Work Plan**

Members considered the Committee's work plan for the remainder of the current municipal year.

Resolved: That the work plan be approved subject to:

- (i) the addition of the following items reporting back to the next meeting of the Committee in January 2021:
  - draft international Member travel protocol;
  - member development review for elected Members;
  - draft Annual Report
- (ii) an appropriate date for the Committee to consider the revised model Code of Conduct, in consultation with the Chair/Vice Chair of the Committee;
- (iii) an appropriate date being set to receive an update from the Assistant Director (Lifelong Learning & Communities) on liaison with and support to Parish Councils.

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

Cllr M Rowley, Chair

The meeting started at 4.00 pm and finished at 6.01 pm.