
Meeting	Joint Standards Committee
Date	24 July 2019
Present	Councillors Douglas (Chair), Baker, Carr, Fisher and Rowley (CYC Members) Councillors Chambers, Rawlings and Wiseman (Vice Chair) (Parish Council Members) Mr Laverick (Independent Person)
Apologies	Ms Davies (Independent Person)

7. **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.

8. **Minutes**

Resolved: That the minutes of the meeting of the Joint Standards Committee held on 17 June 2019 be approved and signed as a correct record.

9. **Public Participation**

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

Cllr Ayre spoke on matters within the Committee's remit, and with reference to Agenda Item 4 (Monitoring Report on Complaints Received). He detailed the impact on himself and his family of the delay in resolving a standards complaint made against him and urged Members to take steps to ensure this situation did not arise again.

Gwen Swinburn spoke on the same subject, expressing the view that an apology should be made to Cllr Ayre for the way in which he had been treated and that statutory officers had made errors in the process that had brought the council into disrepute.

10. Monitoring Report on Complaints Received

Members considered a report which provided an update on the position regarding ongoing complaints.

Anonymised information on the complaints and their current status was set out in the table at paragraph 2 of the report. These included two long running cases which the Monitoring Officer (MO) was seeking to bring to a conclusion and three new complaints to be progressed in line with the agreed procedure. Members were reminded that there should be no discussion in public of the details of any individual cases.

In response to Members' questions, and comments made under Public Participation, the officer deputising for the MO at the meeting (Deputy MO) outlined the procedures for dealing with complaints and the MO's role in ensuring that these were correctly followed and an outcome achieved. The process did not include issuing an apology to the subject member if they were found not to have breached the code of conduct. The MO could be asked in future to include in the monitoring report a confirmation that each completed case had been formally closed and the subject member informed of the result. The procedures were available online and a training session could be arranged for new Members. The MO would provide an update to Members on the two long running cases before the next committee meeting.

Resolved: (i) That the report be noted.

Reason: To ensure that the Committee is aware of current levels of activity and is able to provide oversight of the complaints procedure.

(ii) That future monitoring reports include confirmation, in respect of completed complaints, that the result has been communicated to the subject member and the case formally closed.

Reason: So that the Committee can be assured that the subject members have been properly informed.

(iii) That an informal training session on the procedures for dealing with complaints be arranged for Members before the next meeting.

Reason: To ensure that all Members are fully informed on these procedures.

11. Review of Work Undertaken by the Joint Standards Committee in 2017/18 and 2018/19

Members considered a report which provided information on work undertaken by the Committee during the last two municipal years, as detailed in Annex 1.

The report highlighted that the review of the Code of Conduct remained outstanding and should be concluded as a matter of urgency. With regard to the Whistleblowing Policy, an extract from the minutes of the Audit & Governance Committee that considered the draft policy on 6 February 2019 was attached as Annex 2 to the report. The Deputy MO confirmed that the comments of the Joint Standards Committee's task group on the draft policy had been forwarded to internal audit (Veritau) as agreed.

Members were asked to consider how they wished to proceed in the light of the current position on the policy.

Resolved: (i) That the contents of the report and the annexes be noted, and used to inform the Committee's discussion on the work plan.

Reason: To ensure that the Committee has a work plan that reflects what it has already achieved and is relevant to its purpose.

(ii) That an update report be requested on the review of the CYC Code of Conduct for Members, to be considered at the Committee's meeting on 4 September 2019.

Reason: To ensure that the CYC Code of Conduct for Members is up to date and reflects good practice.

(iii) That it be noted that officers had collated the task group's views on the proposed update of the Whistleblowing Policy and submitted them to internal audit for consideration in producing the final policy.

Reason: To confirm that the Whistleblowing Policy has been considered by the committee responsible for the conduct of elected Members.

12. Review of the Constitution

The Deputy MO gave a verbal update on the planned review of the City of York Council's Constitution, suggesting how the Committee might feed into that review.

The matter was due to be considered at the Executive meeting on 26 September 2019 and was on the Forward Plan for that meeting. Executive Members would be asked to consider any issues they might have with the Constitution and whether these could be addressed by making minor changes or whether a full review was required. The process was intended to be Member-led, with the MO acting in an advisory and facilitating capacity.

Once the scope of the review had been decided, a work programme would be devised for the Committee to contribute, perhaps through a Task Group, focusing on those areas relevant to the Standards remit. It was for Executive to recommend, and Full Council to approve, any substantive changes to the Constitution.

Resolved: (i) That the update be noted.

(ii) That an item on the review of the Constitution be placed on the work plan for discussion at a future meeting, once the process has moved forward.

Reason: To ensure that the Committee can make an appropriate contribution to the review.

13. Review of Work Plan

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

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

Meeting on 4 September 2019

- Review of the Code of Conduct
- Update on the Whistleblowing Policy

- Update on the position re substitutes on JSC
- Review of transparency of JSC meetings

Meeting on 20 November 2019

- Update on the review of the Constitution
- Information report on the Ethical Standards in Public Life review and its impact on standards work.
- Review of standards work in relation to parish councils (PCs to be informed via the YLCA)

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

Parish Councillor Perrett

At the close of the meeting, Members expressed their sadness at the recent death of Christopher Perrett, a former Parish Council Member of the Joint Standards Committee, and paid tribute to his work on the Committee.

Cllr C Douglas, Chair

The meeting started at 4.00 pm and finished at 5.18 pm.