

Joint Standards Assessments Sub-Committee

13 January 2022

Public Report

Report of the Deputy Monitoring Officer

Code of Conduct Complaint received in respect of a City of York Councillor

Summary

1. To consider a Complaint in respect of the Code of Conduct received in respect of a City of York Councillor and determine next steps.

Recommendations

2. The options available to the Sub-Committee are as follows:
 - 1) Rule that the complaint in respect of the Councillor does not fall within the remit of the Code of Conduct. This will mean that no further action is taken and the matter is brought to a close.
 - 2) Rule that the Complaint should progress to an investigation. This will mean that the Deputy Monitoring Officer will appoint an Investigating Officer in accordance with the Procedure for handling of Complaints.

Background

3. The Deputy Monitoring Officer has received a complaint alleging that a City of York Councillors has breached the Code of Conduct.
4. The Deputy Monitoring Officer has requested a meeting of the Sub Committee of the Joint Standards Committee to determine if the Complaint should be investigated.

5. The complainant alleges that the Councillor has breached clauses 3.1, 3.4, 3.7, 3.8 and 3.11 of the Members' Code in relation to conduct in a Committee Meeting.

Options

6. The Sub-Committee must now consider the following options:
 - a. The Complaint in respect of the Councillor does not fall within the remit of the Code of Conduct. This will mean that no further action is taken and the matter is brought to a close.
 - b. The Complaint should progress to an investigation. This will mean that the Deputy Monitoring Officer will appoint an Investigating Officer in accordance with the Procedure for Handling of Complaints.

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 Deputy 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 and Officer
Responsible for the report:**

**Rachel Antonelli
Head of Democratic
Governance & Deputy
Monitoring Officer**

Report **Date** 5 January 2022
Approved

Tel No. 01904 551043

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