

Full Council

17 July 2024

Report of the Monitoring Officer

Joint Standards Committee Annual Report for 2023/2024

(Approved by Joint Standards Committee on 6 March 2024)

Foreword from the Chair of the Joint Standards Committee

1. This has been a year of change for the Joint Standards Committee as we have responded to the results of the CYC Local elections last May.
2. We welcomed an extra member from each of the Labour and Liberal Democrat groups, who now sit alongside one Conservative member and our usual Parish Council representatives. Our Independent Persons, Joe Leigh and Rose Mazza, continue to offer their expert advice and observations.
3. We continue to review our policy and procedures, and where necessary, recommend changes to full Council. We also continue to work collaboratively with the Audit & Governance Committee, in particular relating to constitutional changes.
4. Managing the complaints received about our City and Parish and Town Councillors has remained a large part of our work during this year. We have aspired to build on our relationships with our Parish Councils and would ideally want to see a pattern of regular visits and liaison with key officers.
5. Finally, I would like to thank the Monitoring Officer, his Deputy, Frances Harrison, and their teams for their vital support and guidance. Also, I want to acknowledge the help and support given by Democratic Services, in particular Jane Meller.

Cllr M Rowley BEM
Chair of Joint Standards Committee

Membership of the Committee

6. 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 Katie Lomas
- Councillor Michael Pavlovic
- Councillor Carol Runciman

Parish Councils

- Councillor Mark Waudby
- Councillor Stuart Rawlings
- Councillor Christopher Chambers

Independent Persons

- Mr Joe Leigh
- Ms Rose Mazza

Complaints

7. The Council received the following Code of Conduct complaints in the Municipal year May 2023 to March 2024:

Total number of complaints made: 21

Of those, number closed: 13

Number of current year complaints ongoing: 8

8. 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 and 23/24 to allow for comparison.

Figure 1
Nature of complaints 23/24

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

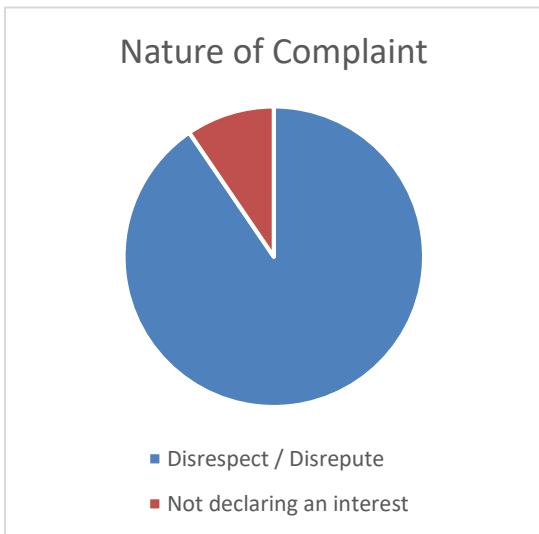


Figure 2
Nature of complaints 22/23

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

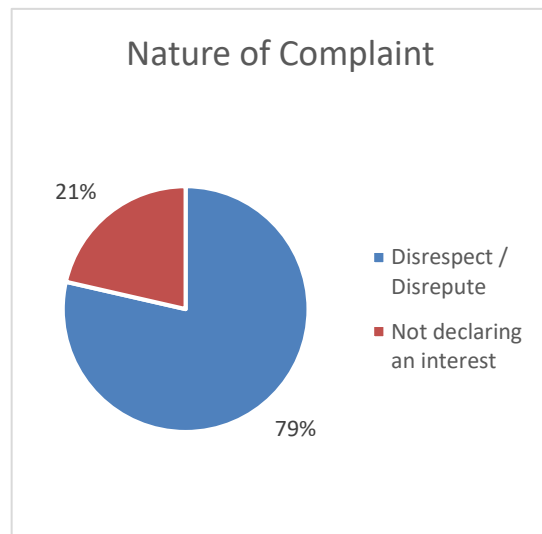


Figure 3
Origin of complaint 2023/24

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

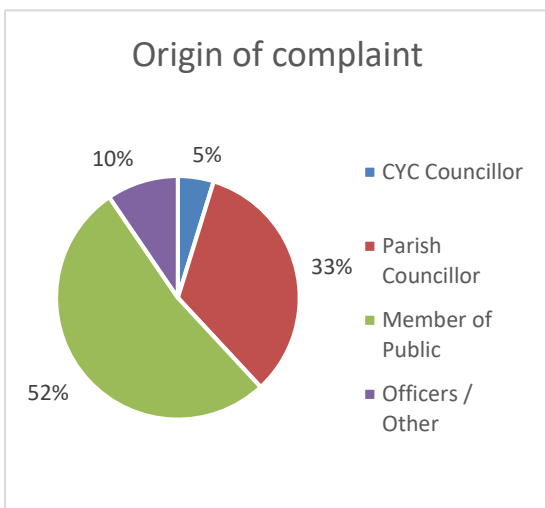


Figure 4
Origin of complaint 2022/23

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

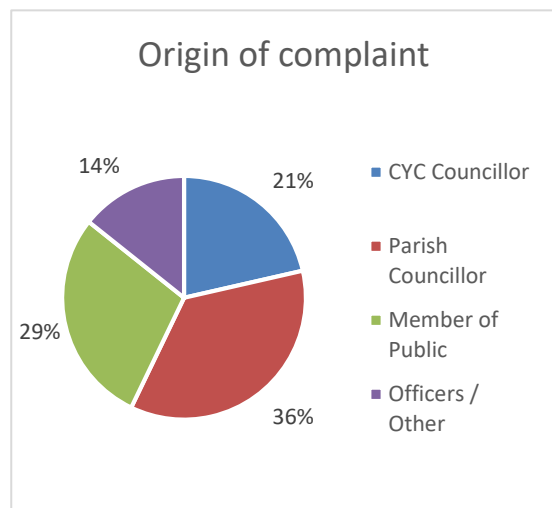


Figure 5
Subject Member of
complaint 2023/24
 CYC Councillor 8/21
 Parish Councillor 13/21

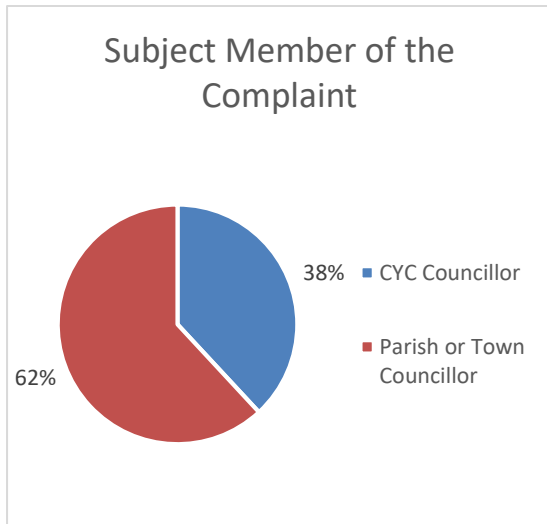


Figure 6
Subject Member of
complaint 2022/23
 CYC Councillor 8/14
 Parish Councillor 6/14

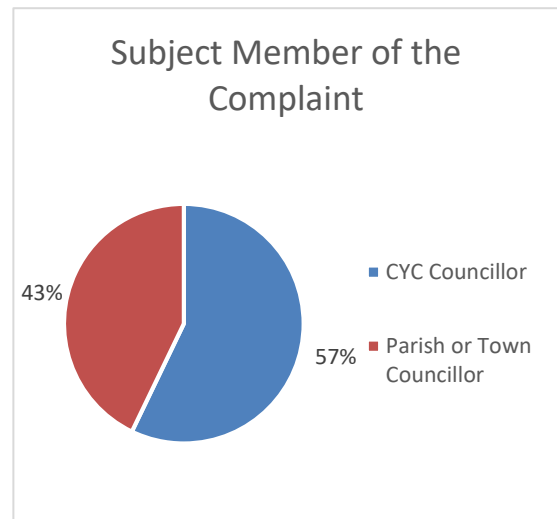


Figure 7 - Outcome of complaints received 2023-24
 Currently being assessed by the Monitoring Officer 5/21
 NFA at filter stage 6/21
 Referred to Assessment Sub-Committee – outstanding 0/21
 Closed following Assessment Sub-Committee - no breach found 5/21
 Informal resolution 1/21
 Progressed to investigation - investigation ongoing 3/21
 Closed following investigation - breach found 1/21

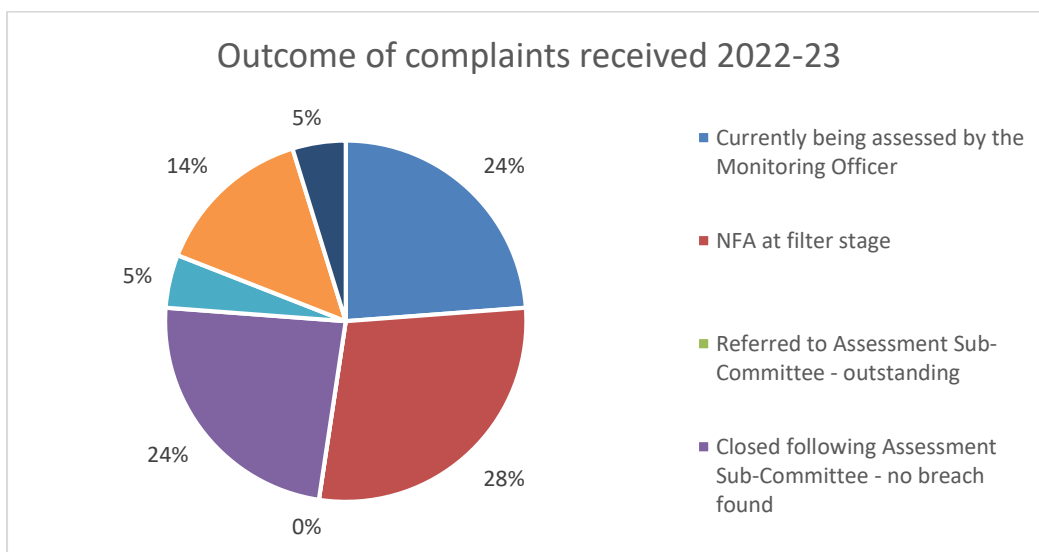


Figure 8 - Outcome of complaints received 2022-23

Currently being assessed by the Monitoring Officer 2/14

NFA at filter stage 4/14

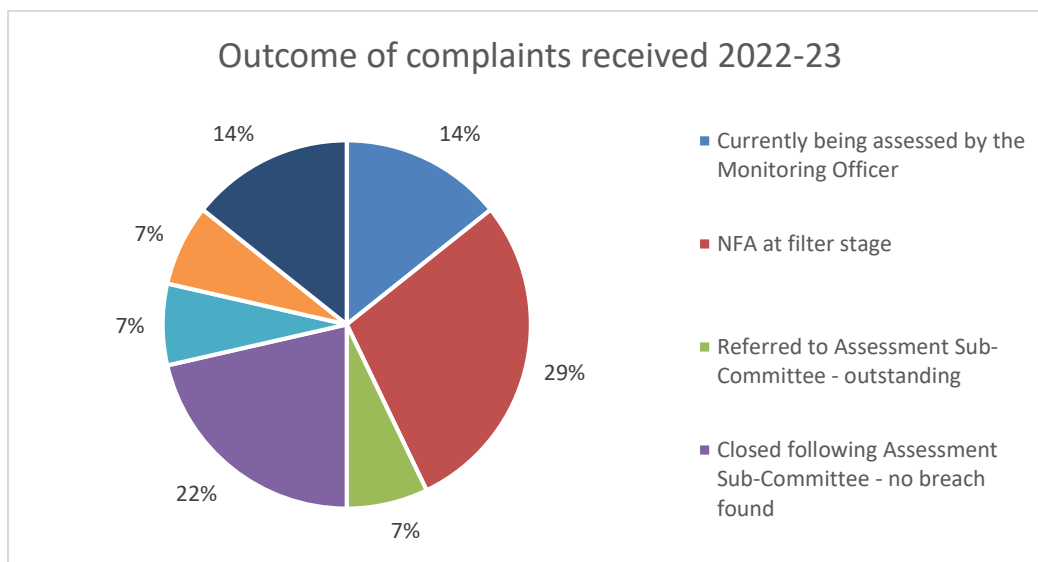
Referred to Assessment Sub-Committee – outstanding 1/14

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

Model Code of Conduct for Members and review of Supporting Procedures

9. A substantial amount of work was carried out in the years 2021/22 and 22/23 to adopt the LGA Model Code of Conduct and implement a procedure for dealing with complaints which currently forms Appendix 29 of the Council's Constitution. Reflections of the Committee's experience of using that procedure during the past two municipal years informed a review carried out in November 2023.
10. The objectives in reviewing the procedure in summary were to:
 - Maintain adherence with statutory requirements, fairness and transparency;
 - Reduce word count, remove duplication and increase clarity;
 - Ensure equality of treatment and access (e.g. the case handling procedure should not discriminate against those unable to submit a written complaint);

- Balance member involvement and oversight with efficiency and trust in the Monitoring Officer and Independent Persons to discharge their statutory obligations;
 - Set clear expectations around what is and is not capable of constituting a breach;
 - Retain discretion for each case to be considered on its own merits;
 - Maximise efficiency of committee work.
11. Because the Case Handling Procedure is part of the Constitution, any amendments must be made by full Council. The revisions recommended by the Joint Standards Committee will next be considered by the Constitution Working Group.
12. It is recognised that in light of the Council's difficult financial situation, the important work of upholding standards and providing a mechanism to deal with complaints of breach of the member code of conduct must be done with maximum efficiency and at a cost proportionate to what can realistically be achieved with the limited range of sanctions available.

Independent Persons

13. One of the Council's Independent Persons, Mr Richard Gadd resigned. The Committee wish to express their gratitude to him for his service.
14. A recruitment exercise took place and Ms Rose Mazza was successfully recruited and appointed formally by Full Council in November 2023. Rose is warmly welcomed as an Independent Person alongside Mr Leigh who is thanked for his continued commitment and diligence in discharging the role.

Civility in Public Life

15. The Committee has noted the ongoing work of the Local Government Association on Civility in Public Life¹. Through its work on dealing with complaints against members the Committee has noted the difficulties of identifying the limits of constructive debate in physical and online spaces – “debate not hate”.
16. A mutual respect between citizens and holders of public office is essential to local democracy. The committee is keen to ensure that Members continue to be held to account for breaches of the Code of Conduct but also that they are adequately protected from the

potential for abuse. Positive citizen engagement can be encouraged by Member's use of specially designed infographics and by sign up to the LGA's public statement.

<https://www.local.gov.uk/about/campaigns/debate-not-hate/debate-not-hate-sign-our-public-statement>

Code of Conduct Training for Members/Member Induction Programme

17. The Joint Standards Committee shares a responsibility with the Audit and Governance Committee for shaping training for Members around Standards. The Committee received a report on the 2023 Member Induction Programme and fed back their views on how the offer for member training generally and specifically around standards could be further improved.

Contact Details

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Bryn Roberts, Director of Governance &
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**Report
Approved**

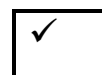


Date 8 July 2024

Specialist Implications Officer(s):

Wards Affected:

All



For further information please contact the author of the report

ⁱ <https://www.local.gov.uk/our-support/guidance-and-resources/civility-public-life-resources-councillors>