

**Notice of meeting of
Joint Standards Committee - Assessments Sub-Committee**

To: Councillors Fisher and Rowley (CYC Members)
Councillor Rawlings (Parish Council Member)

Angharad Davies (Independent Person)

Date: Monday, 26 October 2020

Time: 5.00 pm

Venue: Remote Meeting

AGENDA

1. Appointment of Chair

To appoint a member to chair the meeting.

2. Declarations of Interest

Members are asked to declare:

- Any personal interests not included on the Register of Interests
- Any prejudicial interests or
- Any disclosable pecuniary interests

which they may have in respect of business on this agenda.

3. Exclusion of Press and Public

To consider excluding the public and press from the meeting during consideration of the private report at Agenda Item 4 (Code of Conduct Complaint received in respect of a City of York Councillor), on the grounds that it contains information relating to an individual. This information is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

4. Code of Conduct Complaint received in respect of a City of York Councillor (Pages 1 - 14)

To consider a Code of Conduct complaint received in respect of a City of York councillor and to determine whether they should be investigated in accordance with the procedure for handling received Code of Conduct complaints.

Note: the private report referred to in Agenda Item 3 above follows the public report on this item.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democratic Services Officer responsible for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

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

- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

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

 (01904) 551550



Joint Standards Assessments Sub-Committee**26 October 2020****Public Report**

Report of the 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 to determine if they should be investigated in accordance with the procedure for handling received Code of Conduct Complaints.

Background

2. The Monitoring Officer has received a complaint in respect of a City of York Councillor and it is necessary for the same to be considered in accordance with the Council's published procedure for the handling of the complaint received in respect of alleged breach of the Code of Conduct.
3. The Monitoring Officer has requested a meeting of the Sub Committee of the Joint Standards Committee to determine if the complaint received should be investigated.

Role of the Sub Committee

4. The Procedure for the handling of a complaint states the following at Section 4:
 - a. *Occasionally, the Monitoring Officer may decide that the decision as to whether a complaint should be investigated should be made by members of the Joint Standards Committee. In this case a small Sub Committee of 2 Members of the Joint Standards Committee which consists of City and Parish Councillors will meet to consider your complaint. At least 1 Independent Person will be present or*

will be consulted ahead of the Sub Committee considering your complaint.

b. Examples of matters which the Sub Committee will consider include multiple complaints made about the same Councillor, counter complaints made by Councillors about each other, vexatious or repeated complaints or where special procedures may need to be implemented to classify complaints.

5. The options available to the Sub Committee are as follows:

- Rule that the complaint in respect of the City of York 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. There are no rights of appeal to this decision; OR
- Rule that the complaint should progress to an investigation. This will mean that the Monitoring Officer will appoint an Investigating Officer in accordance with the Procedure for the handling of complaint.

Implications

Financial

6. Not applicable to this report.

Human Resources (HR)

7. Not applicable to this report.

Equalities

8. The City of York Councillor who is the subject matter of this complaint has been offered the support of an Independent Person as part of this process.

Legal

9. The 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 and Property

10. Not applicable to this report.

Recommendations

11. The options available to the Sub Committee are as follows:
- Rule that the complaint in respect of the City of York Councillor do 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. There are no rights of appeal to this decision; OR
 - Rule that the complaint should progress to an investigation. This will mean that the Monitoring Officer will appoint an Investigating Officer in accordance with the Procedure for the handling of complaint.

Author & Chief Officer responsible for the report:

Janie Berry

Director of Governance & Monitoring Officer

01904 555385

Report Approved

Date 15/10/2020

Specialist Implications Officer(s): none

Wards Affected:

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

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

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