



Notice of a public meeting of the Joint Standards Committee

- To:** Cllrs Cannon, Hayes, Mercer, Runciman and Taylor (City of York Councillors)
Cllrs Martin, Perrett and Waudby (Parish Councillors)
Mr Hall (Independent Person) and Mr Laverick (Independent Person)
- Date:** Thursday, 26 November 2015
- Time:** 3.00 pm
- Venue:** The John Carr Room - 3rd Floor, West Offices (T021)

AGENDA

- 1. Appointment of Chair**
To appoint a Chair of the Joint Standards Committee for the municipal year.
- 2. Appointment of Vice-Chair**
To appoint a Vice-Chair of the Joint Standards Committee for the municipal year.
- 3. Declarations of Interest**
At this point, Members are asked to declare:
 - Any personal interests not included on the Register of Interests
 - Any prejudicial interests or
 - Any disclosable pecuniary interestswhich they may have in respect of business on this agenda.

- 4. Minutes** (Pages 1 - 6)
To approve and sign the minutes of the meeting of the Joint Standards Committee held on 9 February 2015.
- 5. Minutes of Sub-Committees** (Pages 7 - 14)
To approve and sign the minutes of the Assessment Sub-Committee meetings of:
- 9 February 2015
 - 12 November 2015
- 6. Public Participation**
At this point in the meeting, members of the public who have registered their wish to speak, regarding an item on the agenda or an issue within the remit of the Joint Standards Committee, may do so. The deadline for registering is **5:00 pm on Wednesday 25 November 2015.**

To register to speak please contact the Democracy Officer for the meeting on the details at the foot of the agenda.

Filming or Recording Meetings

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at https://www.york.gov.uk/downloads/file/6453/protocol_for_webcasting_filming_and_recording_council_meetingspdf

- 7. Review of Complaints for the last Municipal Year** (Pages 15 - 18)
This report provides an overview of the standards complaints received during the previous municipal year.

- 8. Monitoring Report in respect of complaints received**
The Monitoring Officer will give a verbal update in respect of complaints received.
- 9. Case Law Update - Bias** (Pages 19 - 22)
This report draws Members' attention to a recent case where apparent bias on behalf of a Councillor led to a decision being overturned.
- 10. Review of the Code of Conduct** (Pages 23 - 42)
This report seeks to prompt discussion on whether the City Council should make any changes to its current code of conduct and draws attention to the similarities and differences between the codes adopted by the City Council and local Parish Councils.
- 11. Appointment of an Independent Person** (Pages 43 - 46)
This report seeks Members' approval for a process leading to the appointment of an Independent Person following the decision of one of the current appointees to stand down once a replacement is identified.
- 12. Review of Work Plan** (Pages 47 - 48)
Members are asked to review the Committee's work plan and suggest items for consideration at future meetings.
- 13. Urgent Business**
Any other business which the Chair decides is urgent under the Local Government Act 1972.

Democracy Officer:
Name: Jayne Carr
Contact Details:
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For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- 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 میا کی جا سکتی ہیں۔ (Urdu)

 **(01904) 551550**

City of York Council

Committee Minutes

Meeting	Joint Standards Committee
Date	9 February 2015
Present	Councillor Runciman (Chair) (CYC Member), Councillor Martin (Vice-Chair) (Parish Council Member), Councillor Horton (CYC Member), Councillor Taylor (CYC Member), and Councillor Steward (CYC Member - Substitute for Councillor Barton)
In attendance	Mr Laverick (Independent Member)
Apologies	Councillor Barton (CYC Member), Councillor Simpson (Parish Council Member) and Mr Hall (Independent Member)

10. Declarations of Interest

Members were 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 the agenda. None were declared.

11. Minutes

Resolved: That the minutes of the meeting of the Joint Standards Committee held on 10 September 2014 be confirmed and signed by the Chair as a correct record.

12. Minutes of Sub-Committees

Resolved: That the following minutes of meetings of sub-committees of the Joint Standards Committee be approved and signed by the Chair as a correct record:

- Assessments Sub-Committee meeting of 10 September 2014
- Assessments Sub-Committee meeting of 21 November 2014

- Assessments Sub-Committee meeting of 18 December 2014

13. Public Participation

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

14. Joint Committee Membership

Members considered a report which sought their views on future membership of the Standards Committee.

Members noted that Councillor Crawford, who had served on the Committee and its predecessor for many years, had recently retired. In May, Parish Council elections would also take place affecting both Councillors Martin and Simpson. Members agreed that it had been very beneficial to have Parish Councillors represented on the committee and they would wish this arrangement to continue.

- Resolved:
- (i) That thanks to be recorded to Councillor Don Crawford for the contribution he had made to the committee and the work that he had carried out.
 - (ii) That Members reaffirmed their commitment to full Parish Council representation on the committee.
 - (iii) That the Monitoring Officer be asked to seek nominations from the Local Councils Association for the new Municipal Year and that arrangements also be made to advise those Parish Councils who were not members of the Local Councils Association of the vacancies¹.
 - (iv) That, if nominations were received prior to the next meeting of the Committee, the nominees be invited to attend that meeting.

Reason: To ensure that the deliberations of the Joint Standards Committee reflect the circumstances of Parish as well as City Councillors.

Action Required

1. Contact YLCA

AD

15. Local and Neighbourhood Planning - Standards Issues

Members considered a report that started to identify potential ethical standards issues which may arise during the process of agreeing local and neighbourhood plans. The report was intended to prompt debate on the issue with a view to considering whether further guidance should be offered to Councillors involved in these processes and to determine whether the Committee should do more to promote high ethical standards in relation to this matter.

Members commented on the difficulties of promoting high standards of ethical conduct when neighbourhood plans were produced by groups such as neighbourhood forums whose members were not bound by statutory requirements. They suggested that consideration be given to including guidance on this matter with the information that was issued by City of York Council to groups involved in preparing such plans. Members also queried whether the code of conduct adopted by parish and town councils made suitable provision for issues arising in respect of neighbourhood planning.

Resolved: (i) That the report be noted.

(ii) That the Chair and Monitoring Officer request a meeting with the Chair of the Yorkshire Local Councils Association to discuss the issues raised in the report¹.

Reason: To support Members involved in local and neighbourhood planning in achieving high standards of conduct.

Action Required

1. Contact YLCA

AD

16. Dispensations

Consideration was given to a report which sought Members' approval to a change in the City Council's arrangements for granting dispensations.

Members noted the reasons why it was now more likely that dispensations would need to be considered, as detailed in the report, and why it may not be practicable to convene a meeting of the Joint Standards Committee to consider the matter.

Resolved: That the Monitoring Officer, in consultation with the Chair of the Committee, be delegated powers to grant dispensations on the grounds that: *"that it is otherwise appropriate to grant a dispensation"*.

Reason: To ensure that high standards are maintained while allowing effective decision making.

17. Local Government Association (LGA) Report

Consideration was given to a report that advised Members of the contents of a report prepared by the Local Government Association following a recent peer review. It was noted that the Audit and Governance Committee had considered the report and had requested that a draft action plan be developed in response. The draft action plan was due to be considered by the Audit and Governance Committee at their forthcoming meeting.

Members' attention was drawn to the following recommendations in the LGA report which related to the Joint Standards Committee:

- "For the Standards Committee to consider how to supplement the work of Group Leaders, whips and officers in enforcing behaviour, and also how to work with members outside the influence of whips, such as independent members. More generally for the Joint Standards Committee to review its way of working".
- "Review the Member Code of Conduct and Member/Officer Protocol; including access to officers". It was noted that it was proposed that the protocol be reviewed by a cross party group.

Members agreed that, in order for the issues identified in the LGA report to be addressed, there needed to be a culture change, including more collaborative ways of working, and a collective response supported by all Members. Whilst the Joint Standards Committee acknowledged its responsibilities to promote high standards of behaviour and would look to being more proactive in promoting ethical standards generally as well as considering breaches of the Code of Conduct, this had to be seen in the context of the limited sanctions that were available to it.

Members agreed:

- That the Joint Standards Committee would meet with group leaders and group whips at the start of the new municipal year to raise awareness of their particular responsibilities to model good behaviour, reaffirm and reinforce good behaviour and to challenge poor behaviour. Arrangements would also be put in place to meet with independent members who were outside the influence of whips or group leaders.
- That consideration would be given to the drawing up of a protocol on the use of social media.

Resolved: (i) That the report be noted.

- (ii) That the Audit and Governance Committee be notified of the proposed actions that the Joint Standards Committee would be taking to address those issues identified in the LGA review which fell within its remit.

Reason: To ensure that the Committee makes a positive contribution to the development of high ethical standards in the Council.

18. Monitoring Report in respect of complaints received

The Monitoring Officer gave a verbal report in respect of complaints that had been received.

Resolved: That the update on complaints received and the progress in investigating the complaints be noted.

Reason: To ensure that the Committee is kept updated on complaints received.

19. Review of Work Plan

Members were asked to review the Committee's work plan and suggest items for consideration at future meetings.

Resolved: That the Committee's work plan be approved.

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

Chair

[The meeting started at 3.15 pm and finished at 4.05 pm].

City of York Council

Committee Minutes

Meeting	Joint Standards Committee - Assessments Sub-Committee
Date	9 February 2015
Present	Councillors Runciman, Taylor and Martin
In attendance	Mr Laverick – Independent person

10. Declarations of Interest

Members were 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 the agenda. None were declared.

11. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of agenda items 3 and 4 on the grounds that they contain information relating to individuals. 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.

12. Complaint against a Member of a Council covered by the Joint Standards Committee

Members gave further consideration to a complaint made against a Member of a Council covered by the Joint Standards Committee. This complaint had been given initial consideration by the Assessments Sub-Committee at their meeting on 18 December 2014 and it had been agreed that the matter be referred to the Group Whips of the parties concerned in the expectation that they would resolve the issue in an appropriate manner.

The Group Whip of the complainants was in attendance along with the Group Leader of the subject of the complaint (the

Group Whip was unable to be present). They were invited to report back to the committee on the action taken. The Group Whip stated that he objected to the Group Leader being present, as he believed that he was partially involved in the complaint. He requested that this objection be recorded in the minutes.

The Group Whip and Group Leader gave details of the communication that had taken place between the Whips regarding this issue.

The Group Whip and Group Leader withdrew from the meeting.

The report of the Monitoring Officer and the views of the Independent Persons were noted.

Having considered the evidence provided in support of the complaint, it was

Resolved: That the subject of the complaint be requested to withdraw the remark and apologise in writing to the Member concerned. (The apology to be copied to the Monitoring Officer and sent by the end of February 2015).

Reason: In the interests of good ethical governance.

13. Complaint against a Member of a Council covered by the Joint Standards Committee

Members considered a complaint made against a Member of a Council covered by the Joint Standards Committee and were asked to decide whether, and how, the matters should be pursued.

The substance of the complaint related to comments made at a Council meeting.

The report of the Monitoring Officer and the views of the Independent Persons were noted.

Having considered the evidence provided in support of the complaint, it was

Resolved: That no further action be taken but that the subject of the complaint be advised of the proper route for raising such issues.

Reason: The Sub-Committee considers that no breach of the Code of Conduct has taken place requiring investigation.

Councillor Runciman, Chair

[The meeting started at 2.15 pm and finished at 3.10 pm].

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Meeting	Joint Standards Committee - Assessments Sub-Committee
Date	12 November 2015
Present	Councillors Hayes, Taylor and Perrett
In attendance	Mr Hall and Mr Laverick – Independent persons

1. Appointment of Chair

Resolved: That Councillor Taylor be appointed to Chair the meeting.

2. Declarations of Interest

Members were 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 the agenda. None were declared.

3. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of agenda items 4 and 5 on the grounds that they contain information relating to individuals. 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. Complaint against a Member of a Council covered by the Joint Standards Committee

Members considered a complaint made against a Member of a Council covered by the Joint Standards Committee and were asked to decide whether, and how, the matters should be pursued.

The substance of the complaint related to public statements made by a Member in respect of another Member of the Council.

The report of the Monitoring Officer and the views of the Independent Persons were noted.

Having considered the evidence provided in support of the complaint, it was

Resolved: (i) That the subject of the complaint be asked to reflect on his actions.

(ii) That it be recommended that the wording of the Members' Code of Conduct be reviewed.

Reasons: (i) Having viewed the evidence, Members agreed that, in respect of the second part of the complaint, there appeared to have been a breach of the Code of Conduct but they determined that in this case a full investigation of the complaint would not be a good use of resources.

(ii) To ensure that there is clarity in the Code regarding the required standards of behaviour.

5. Complaint against Members of a Council covered by the Joint Standards Committee

Members considered two complaints made against three Members of a Council covered by the Joint Standards Committee and were asked to decide whether, and how, the matters should be pursued.

The substance of the complaints related to statements made by the Members during the course of a meeting of the Council of which they were Members.

The report of the Monitoring Officer and the views of the Independent Persons were noted.

Having considered the evidence provided in support of the complaint, it was

Resolved: (i) That the conduct of one of the Members be referred for investigation, but consideration be given as to whether it was possible to resolve the complaint without the need for a full investigation.

(ii) That no further action be taken in respect of the other two members.

Reasons: (i) The Sub-Committee considers that the facts of the case indicate a prima facie breach of the Code by the Member concerned.

(ii) That it is not considered that the facts of the case indicate a prima facie breach of the Code by the two Members.

Chair

[The meeting started at 1.00 pm and finished at 1.55 pm].

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Joint Standards Committee
26th November 2015
Report of the Monitoring Officer
Review of Complaints for the last Municipal Year
Summary

1. This report provides an overview of the standards complaints received during the previous municipal year.

Complaints received

2. The table below describes the complaints handled during the last municipal year.

City or Parish Councillor	Complainant	Date Received	Outcome	Date Concluded
Parish	Parish Councillor	23/5/2014	Referred for investigation. The investigation identified a probable breach of the Code but no further action was required.	27/7/2015
City	Staff Member	23/5/2014	Withdrawn	16/7/2014
City	Councillor	24/6/2014	After an unsuccessful attempt by the Monitoring Officer to secure an informal resolution via Group Whips the	12/9/2014

			assessment sub committee requested Monitoring Officer to seek an apology	
City	Councillor	8/9/2014	No breach	19/9/2014
City	Councillors	13/10/2014	Assessment sub committee asked Group Whip to speak to the Member concerned	21/11/2014
City	Councillor	6/11/2014	No breach	21/11/2014
City	Councillor	13/11/2014	Referred for investigation. Investigator found no breach	18/6/2015
City	Councillor	30/11/2014	Referred for investigation after attempts to resolve informally including by an Assessment Sub Committee Investigator found no breach	19/5/2015
City	Councillor	16/12/2014	Referred to Assessment sub No breach demonstrated but informal advice given	13/2/2015
City	Councillor	06/01/15	No breach	20/01/15

			demonstrated	
Parish	Members of the public	30/04/15	Outside of jurisdiction. Complaint related to behaviour as an election candidate	18/05/15

3. Eleven complaints were received last year in comparison to five and seven in the preceding two years. This is the highest number of complaints received in recent years. Two complaints related to Parish Councillors and the rest concerned City Councillors. Given the numbers of City Councillors in comparison to Parish Councillors the latter are significantly underrepresented in the numbers of complaints received. Three Members were the subject of more than one complaint.
4. By far the most common reason for a complaint was that a Member had allegedly failed to treat someone with respect or had brought the Council into disrepute. One case, however, related to an alleged failure to register an interest.
5. The higher number of complaints did not lead to a higher number of cases being referred for investigation. Three investigations were conducted as in the previous year. There has been only one investigation in the year before that. One of the investigations concluded that there had been a breach of the code and, in that case, the Monitoring Officer and both Independent Persons agreed that the circumstances were such that no further action was required. The other two identified no breach. The investigations were conducted by a member of the in house legal team, an external lawyer and the former Chair of the Standards Committee.
6. No cases resulted in hearings and the Committee has therefore only had to deal with one hearing since the current standards regime came into effect in 2012.
7. Cases where no obvious breach of the code has been identified have continued to be processed promptly. On average these cases take a fortnight from a complaint being submitted to it being finalised. The use of delegated powers to determine these cases

following consultation with the independent persons facilitates this. Inevitably cases take a little longer when they are referred to a Sub Committee. In some cases where attempts to secure an informal resolution have failed, that has caused delays. The three cases referred for investigation took between six and fourteen months to resolve.

Recommendations

8. Members are recommended to:

1) Note the report

Reason: To ensure that the Committee continues to make an effective contribution to ethical standards within the City Council.

Contact Details

Author:

Andrew Docherty
Monitoring Officer
Customer and Business
Support Services
Tel No. 01904 551004

Report
Approved

Date 13/11/15

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None



Joint Standards Committee**26th November 2015****Case Law Update - Bias****Summary**

1. This report draws Members' attention to a recent case where apparent bias on behalf of a Councillor led to a decision being overturned.

Background

2. For many years one of the most difficult areas of the law relating to local authority decision making related to predetermination and bias. A number of conflicting decisions by the Courts had left a great deal of uncertainty particularly on the issue of when a Member may be disqualified from decision making because of their previous actions or statements in relation to the matter under debate. Eventually, however, the case law moved to a relatively certain position and established that a Member could legitimately have a predisposition to a particular outcome, even a strong one, but could still participate in a decision so long as his or her mind was not totally closed to an alternative.
3. The Localism Act 2011 has largely codified the position the case law reached and says, in summary, that a decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind just because he or she had previously done anything that indicated the view he or she would take in relation to the matter.
4. Without being able to rely on previous statements or actions it is difficult evidentially to establish that a Member has pre-determined a matter.
5. In 2014 the Chairman of Lichfield District Council's Planning Committee sent an e-mail to his fellow Conservative Councillors saying:

“Hello all, this is to remind group members who attended the last group meeting and inform those who did not, that the group decided in government parlance to have a three line whip in place at the council meeting on Tuesday. In plain terms group members either vote in favour of the report I will be giving regarding the local plan or abstain. Also if you are approached by anyone promoting alternative sites, please make no comment. If group members are reported making negative comments it would without any doubt derail our local plan. Sorry if you find this a little heavy handed but there is an awful lot at stake. Have a kind weekend. Kind regards, Ian.”

The Court decided that this was a strongly worded predisposition. There was no evidence that the debate itself was a sham and the indication of view expressed in the e-mail did not amount to predetermination.

6. The recent case of *Kelton v Wiltshire Council* is though a reminder that the law of bias is not dead in a local authority context. This was a challenge to a planning permission granted with a requirement for affordable housing. The developers had identified a local housing association to act as their partner in delivering the affordable housing. It was the only provider which had been willing to give assistance on the scheme, had expressed a clear interest in delivering it, had been named by the applicants as their potential partner, and had written in support and attended the planning committee meeting when it was considered.
7. The permission was passed by one vote. One of the members of the Planning Committee was a director of the housing association. He declared that he was a member of its board but, because it was only a prospective partner rather than the applicant for permission, he decided to vote on the planning application.
8. When the granting of planning permission was challenged the Court determined that the Councillor did not have a disclosable pecuniary interest which would have disqualified him. It was noted that the housing association was not the applicant and did not have a contract with the developer.
9. This part of the decision shows how difficult the law relating to disclosable pecuniary interests can be. The Councillor’s directorship was a disclosable pecuniary interest. The Localism Act says that if a Councillor: *“has a disclosable pecuniary interest in any*

matter to be considered, or being considered, at the meeting”, then he or she cannot participate in the decision. While the Councillor was not found to have breached the law on this occasion there was clearly a case to be argued that he did have a DPI in the business which would have resulted in him committing a criminal offence by voting.

10. The Court went on to consider the issue of apparent bias. The legal test for apparent bias is whether the fair-minded and informed observer, having regard to all material facts, would conclude that there was a real possibility of bias. It was plainly in the association's interests, and those of the Councillor director, for the planning application to be approved. Accordingly the Councillor should not have participated in the decision making and the planning permission was overturned.
11. This case is a useful reminder that the code of conduct is not the last word on determining whether a Councillor can participate in a meeting. It is interesting though to consider whether the City of York Council's code of conduct might have led to the Councillor making a different decision on participating. Under the City Council's code of conduct a housing association would be considered to be a body “exercising functions of a public nature”. The City Council's code says that a Member has a personal interest *“in any business of your authority where it relates to or is likely to affect...”* such a body. A City Councillor would therefore have a personal interest in the matter.
12. The question of whether a personal interest disqualifies a Member from participating depends under the City's Code primarily on whether the interests is such that : “a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it would be likely to prejudice your judgement of the public interest”. On the facts of this case that test would seem to be satisfied.
13. Under the City's code these rules though only apply to certain categories of interest. They apply, for example, where the matter relates to: *“the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in the second schedule”*. In this case, though, as the applicant was not the body in which the Councillor had an interest this provision would not apply. It would, however, be caught by the alternative provision which covers interests which: “affect your

financial position or the financial position of a person or body named in the second schedule”.

Recommendations

14. Members are recommended to:

- 1) Note the report and take it into account in considering the report on this agenda relating to the review of the Code of Conduct

Reason: To ensure that the Members are familiar with recent case law.

Contact Details

Author:

Andrew Docherty
Monitoring Officer
Customer and Business
Support Services
Tel No. 01904 551004

**Report
Approved**

Date 16/11/15

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None



Joint Standards Committee**26th November 2015****Review of the Code of Conduct****Summary**

1. This report seeks to prompt discussion on whether the City Council should make any changes to its current code of conduct and draws attention to the similarities and differences between the codes adopted by the City Council and local Parish Councils.

Background

2. The enactment of the Local Government Act 2000 included a framework governing the ethical conduct of Councillors. This included a statutory code of conduct which all Councils had to adopt. There was an option to add to it which few Councils took.
3. The statutory code was abolished by the Localism Act 2011. The Act instead contains:
 - A duty for Councils to promote and maintain high standards of conduct by members and co-opted members of the authority.
 - A duty for Councils to adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity
 - A requirement for the Code to include the provision the authority considers appropriate in respect of the registration in its register, and disclosure, of—
 - a) pecuniary interests, and
 - b) interests other than pecuniary interests
 - A requirement that the code, viewed as a whole, must be consistent with the following principles:
 - (a) selflessness;

- (b) integrity;
- (c) objectivity;
- (d) accountability;
- (e) openness;
- (f) honesty;
- (g) leadership.

4. Following the implementation of the 2011 Act the City Council adopted a code of conduct largely based on the previous statutory model with modifications reflecting the then new concept of disclosable pecuniary interests. A copy of the code appears at Annex A. Parish Councils adopted a code based on a model suggested by the National Association of Local Councils a copy of which appears at Annex B. There are many similarities but some differences between the two codes.

When does the Code apply?

5. As mentioned the statutory duty is to have a code which applies to Members when they are acting in that capacity. The City Council's code confirms this in its introduction but then goes on to say that:

"You are acting as a Councillor or acting as a co-opted Member only when conducting the business of the Council or acting, claiming to act or giving the impression that you are acting as a representative of the Council."
6. It is possible to argue for a restrictive definition of "conducting the business of the Council". At one extreme it could mean simply attending meetings. A better interpretation would certainly include Ward work undertaken by Councillors. Councillors acting as community champions is surely the business of Council.
7. The wording set out above could though be extended if that would aid clarity. The model Parish code says it applies to members "whenever they conduct the business of the Council, *including the business of the office to which they were elected or appointed*, or when they claim to act or give the impression of acting as a representative of the Council"

8. There is though a question as to whether either the current City or the NALC wording adds anything of value to the Code. Would the code be any less clear if it simply contained a statement that it applies to Members and co-opted Members when acting in that capacity? Would that ensure some activity was covered which might not be otherwise?

General Duties

9. These duties closely reflect the former model code and no issues have been identified in relation to their application in practice. Much of the same ground is covered by the NALC code although with different wording. The key differences are that:

- The NALC code does not contain an equivalent to the City Council's requirement that Members must not conduct themselves in a manner which could reasonably be regarded as bringing the Council or their position as a Councillor into disrepute.

This is one of the most frequent grounds upon which complaints are founded although very often it features alongside a complaint that a Member has failed to treat someone with respect.

- The NALC code does not contain the same specific exceptions to the rule against disclosing confidential information.

It is difficult to imagine a situation where a Parish Councillor might actually breach this provision where a City Councillor can claim the benefit of the exceptions but the inclusion of them in the City Council's code does perhaps act as an aid to understanding.

- The NALC code does not contain a provision relating to preventing people obtaining access to information to which they are entitled.

10. While no particular difficulties have been identified with the general obligations Members are invited to discuss whether any improvements can be made. Would there perhaps be any merit in moving to wording more closely aligned with the NALC code?

Disclosable pecuniary interests

11. The requirement to register DPI's simply reflects the law. It seems sensible to repeat these provisions in the Code both for ease of reference and because there may be circumstances where a breach does not warrant criminal proceedings being pursued by the police but could warrant action by the Committee.
12. The requirement to declare DPI's at meetings set out in paragraph 4(3) of the Code is in line with the rather unfortunate phraseology of the Act in saying:

“If you are present at a meeting and you *have a disclosable pecuniary interest* in any matter to be considered or being considered at the meeting”

13. Disclosable pecuniary interests are defined in Regulations and include interests such as a person's employment. The wording used in the NALC code therefore makes rather more sense in saying: “Where a matter arises at a meeting which relates to an interest...”. It does, however, leave open the question of how closely the business must relate to the interest. That is a rather troubling gap when criminal penalties are attached but is a gap caused by the legislation.
14. Members may wish to consider whether adopting wording closer to that used by NALC would be helpful or not.

Notification of other interests

15. Both the City and Parish Councils require the registration of interests associated with the membership of certain outside bodies. The wording of these provisions is identical and is in line with the previous statutory model. No issues have been identified with this.
16. Both sets of codes also require the registration of gifts or hospitality valued in excess of £50. The City's code goes further than the Parishes in requiring the registration of offers of gifts of hospitality as well as their receipt. It also clarifies that the details of the person who has offered the gift should be recorded. Members may wish to revisit the question of whether a declined offer of a gift need be registered. They may also wish to review whether £50 is the right limit. Occasionally issues are raised as to how to value

an offer of hospitality and this may be something that Members wish to discuss.

Declarations in relation to other registered interests

17. The impact of having a registered interest which relates to business being considered by the Council can be significantly different for City in comparison to Parish Councillors. For the former it falls to be considered as a personal and/or prejudicial interest as described below. The NALC model automatically means that the Councillor will not be allowed to vote on the matter but may speak. This has the advantage of being simple and clear to apply where the relationship between the business and the interest is clear. It does though disqualify Councillors from voting on matters even where their only interest is that the Council itself has asked the Council to be its representative on a body.

Other interests of the Councillor and their associates

18. The NALC code disqualifies a Councillor from voting on a matter which relates to the financial interest of a friend, relative or close associate. The City's code does not restrict itself to financial interests. It says that a Councillor has a personal interest in any business which relates to or is likely to affect the Councillor, a person with whom they have a close association or one of the persons or bodies named in their register of interest. If not already registered the personal interest has to be declared.
19. The City's code follows the previous statutory code in then having a concept of "prejudicial interests". This is an interest which "a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it would be likely to prejudice [the Councillor's] judgement of the public interest." Certain interests set out in paragraph 6(4) of the code are excluded from being treated as prejudicial. Members may wish to discuss whether the relative complexity of these provisions strikes the right balance.
20. The current City code is not as clear as it could be on the impact of having such an interest which is left to standing orders. It seems appropriate to include a provision within the code.

Dispensations

21. Dispensations may be granted allowing Members to participate in business even where they may otherwise have an interest. In the case of the City Council these may be granted by the Monitoring Officer in consultation with the Chair of the Committee. The NALC code makes reference to the availability of dispensations. Members may wish to consider whether a similar reference in the City's code would be appropriate.

Recommendations

22. Members are recommended to:
- 1) Discuss the report and identify any areas where the wording of the City Council's code may be improved
 - 2) Ask the Monitoring Offer to bring back a revised draft Code to a future meeting

Reason: To ensure that the City Council has an effective and easily understood code of conduct.

Contact Details

Author:

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Customer and Business
Support Services
Tel No. 01904 551004

Report
Approved

Date 13/11/15

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers: None

Annex A – City Council Code of Conduct
Annex B - NALC Model Code of Conduct

Members' Code of Conduct*Part 1: General Provisions**Introduction*

1. (1) This Code sets out the standards of behaviour required of you whenever you are acting as a Councillor of the City of York Council. This Code also applies to any person appointed as a co-opted member of the City Council or any of its Committees when acting as such.
- (2) The Code has been adopted by the City Council and is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Definitions

2. (1) In this Code:

You are acting as a Councillor or acting as a co-opted Member only when conducting the business of the Council or acting, claiming to act or giving the impression that you are acting as a representative of the Council.
- (2) A "co-opted member", is a person who is not an elected member of the authority but who –
 - (a) is a member of any committee or sub-committee of the authority, or
 - (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority and is entitled to vote at any meeting of that committee or sub-committee
- (3) "meeting" means a meeting of the Council or of any committee, sub-committee, joint committee or joint sub-committee of the authority or of the Cabinet or any committee of the Cabinet.
- (4) A "sensitive interest" is one where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees.

General Duties as to Conduct

3. (1) You must treat others with respect.
- (2) You must not do anything which may cause the Council to breach any equality enactment.

- (3) You must not bully or intimidate any person, or attempt to bully or intimidate them.
- (4) You must not do anything which compromises the impartiality of anyone who works for or on behalf of the Authority, or do anything that is likely to compromise their impartiality.
- (5) You must not disclose information which is confidential, unless:
 - (a) You have the permission of a person authorised to give it; or
 - (b) You are required by law to disclose the information; or
 - (c) You disclose it to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - (d) The disclosure is reasonable; and is in the public interest; and is made in good faith.
- (6) You must not prevent another person gaining access to information which that person is entitled by law.
- (7) You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council into disrepute, or your position as a Councillor into disrepute.
- (8) You must not use your position as a Councillor improperly to obtain any advantage or disadvantage for yourself or any other person, or attempt to do so.
- (9) When you use or authorise the use by others of the resources of the Council you must:
 - (a) abide by the Council's reasonable requirements; and
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- (10) You must have regard to relevant advice given by the Council's Chief Financial Officer or Monitoring Officer when making decisions and must give reasons for those decisions, in accordance with any requirements imposed by statute or the Council.

*Part 2: Interests**Disclosable Pecuniary Interests*

Registration of disclosable pecuniary interests

4. (1) Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'. These will be included in the register of interests which is published on the Council's website

Definition of disclosable pecuniary interests

- (2) A 'disclosable pecuniary interest' is an interest of a kind described in the first schedule to this Code. An interest is disclosable if the interest is of yours or of your partner. Your partner means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Non participation at meetings in case of disclosable pecuniary interest

- (3) If you are present at a meeting and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,
- (a) You may not participate in any discussion of the matter at the meeting.
 - (b) You may not participate in any vote taken on the matter at the meeting.
 - (c) If the interest is not registered, you must disclose the interest to the meeting.
 - (d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition, Standing Orders require you to leave the room where the meeting is held while any discussion or voting takes place.

Non participation in individual executive decision making in case of disclosable pecuniary interest

- (4) Where a Cabinet member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the Cabinet member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

Notification of Interests

5. (1) In addition to the disclosable pecuniary interests you must, notify the Monitoring Officer of any interests you have of a kind described in the second schedule. You must make that notification within 28 days of this Code coming into effect or of you becoming a Member or co-opted Member if that is later.
- (2) You must notify the Monitoring Officer of any changes to these interests or of any new interests within 28 days of becoming aware of them.

Disclosure of Interests

6. (1) You have a personal interest in any business of your authority where it relates to or is likely to affect you, a body named in the second schedule or any person with whom you have a close association.
- (2) If you are present at a meeting and you have a personal interest in any matter to be considered or being considered at the meeting:
 - (a) If the interest is not registered, you must disclose the interest to the meeting.
 - (b) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
- (3) If you have a personal interest and a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it would be likely to prejudice your judgement of the public interest then you have a prejudicial interest. This is subject to the exceptions set out in paragraph 6.4.
- (4) You do not have a prejudicial interest in any business of the authority where that business:
 - (a) does not affect your financial position or the financial position of a person or body named in the second schedule;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in the second schedule; or
 - (c) relates to the functions of your authority in respect of:
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time

education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Sensitive Interests

- 7. (1) If you have a sensitive interest which is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.
- (2) If you are required to declare a sensitive interest at a meeting you need only declare the fact of the interest and not the details of the interest itself.

Compliance with Standing Orders

- 8. (1) Standing Orders may require you to leave the meeting room when you have a personal interest. You must comply with any such Standing Order.

First Schedule – Interests which are Disclosable Pecuniary Interests

<i>Interest</i>	<i>Description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to your knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>i. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p>

- ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” includes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“relevant period” means the period of 12 months ending with the day on which you give a notification for the purposes of section 30(1) of the Act;

“relevant person” means you or any your partner as defined in paragraph 4.2

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000() and other securities of any description, other than money deposited with a building society.

Second Schedule – Other Interests

1. Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
2. Any body —
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
3. Any person from whom you have received the offer of a gift or hospitality with an estimated value of more than £50 (whether or not you accept the offer) which is attributable to your position as an elected or co-opted member of the Council.

FINAL

NALC template code of conduct for parish councils

Introduction

Pursuant to section 27 of the Localism Act 2011, X [Parish/Town/Village/Community/Neighbourhood] Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.

2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the

Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

11. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
12. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
13. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest of a person in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Dispensations

14. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A

Interests described in the table below.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partner which is within the area of the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)— (a) the landlord is the Council; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where— (a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

**'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

- (ii) any body—
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;

- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

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Joint Standards Committee**26th November 2015****Report of the Monitoring Officer****Appointment of an Independent Person****Summary**

1. This report seeks Members' approval for a process leading to the appointment of an Independent Person following the decision of one of the current appointees to stand down once a replacement is identified.

Background

2. The City Council is required by law to appoint at least one Independent Person whose views must be sought before it makes a decision following an investigation into a complaint that the Code of Conduct may have been breached. Under the Joint Standards Committee's procedures the Independent Persons are also consulted whenever a complaint is received and their views taken into account in determining whether a complaint should be investigated. The Independent Persons are also invited to participate in meetings of the Committee and Sub Committees.
3. On the Committee's recommendation the City Council has appointed two Independent Persons. This allows for any occasion when one of them may feel that he has a conflict of interest. A more recent change in the law requires the involvement of two independent persons in disciplinary proceedings affecting certain statutory chief officers. It therefore remains appropriate for the City Council to seek to have two such persons in place.
4. Mr. Nicholas Hall was appointed to one of the current positions in 2013 and has provided invaluable assistance since that time. He now wishes to stand down although he has kindly continued to act while the process of indentifying a successor has been underway. That process has included:

- An advert on the Council's website in the jobs and the volunteers section
- An approach to CVS who advertised the vacancy
- A press release
- A note to all Members advising them of the forthcoming vacancy

Although several application forms were requested no applications have been received. The closing date for applications has though been extended and those who expressed an interest are being contacted individually.

5. The Committee previously decided that it would not consider applications from individuals who were members of a political party. It is known that at least one potential applicant was disqualified by that provision and Members are asked whether they feel that it should remain an essential qualification.
6. In due course it will be necessary to agree a process for appointment. The final decision rests with Full Council but the process adopted previously of a panel comprising members of the Committee interviewing applicants and making a recommendation via the Committee worked well. If Members are minded to support the same process then it is suggested that a Panel of three should be appointed including either the Chair or Vice Chair of the Committee and at least one City and one Parish Councillor.

Recommendations

7. Members are recommended to:
 - 1) Thank Mr. Hall for his continuing contribution to the work of the Committee

Reason: To reflect the Committee's gratitude for his contribution to promoting ethical standards amongst Members
 - 2) Determine whether to maintain membership of a political party as a disqualification from acting as an Independent Person
 - 3) Agree the appointment of an interview Panel

Reason: To enable an appointment to be progressed

Contact Details

Author:

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Tel No. 01904 551004

**Report
Approved**

Date 13/11/15

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None

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Work Plan for Joint Standards Committee 2015-2016

<u>Meeting Date (3.00pm start)</u>	<u>Items</u>	<u>Notes</u>
Wednesday 25 November 2015	<ul style="list-style-type: none"> • Appointment of Chair for municipal year • Appointment of Vice-Chair for municipal year • Monitoring report in respect of complaints received • Review of Complaints for the last municipal year • Case law update – bias • Review of the Code of Conduct • Appointment of an Independent Person 	Annual item Annual item Standard item Annual item
Wednesday 24 February 2016	<ul style="list-style-type: none"> • Monitoring report in respect of complaints received 	Standard item
Wednesday 27 April 2016	<ul style="list-style-type: none"> • Monitoring report in respect of complaints received 	Standard item

Suggested items for inclusion on the work plan:

- *Promoting ethical standards (requested at meeting of 20 February 2013 – minute 25)*
- *Electoral Probity (requested at meeting of 19 February 2014 – minute 28 refers)*
- *Raising the profile of the work of the Joint Standards Committee eg Press Release, information circulated to Parish Council Clerks (as suggested at Development Session)*
- *Training provision for Parish Councillors on standards issues (as suggested at Development Session)*
- *Guidance/training for Planning Panels (as suggested at Development Session)*
- *Ethical standards of bodies managing council functions (as suggested at Development Session)*
- *Review of guidance to members serving on outside bodies (as suggested at Development Session)*

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