

City of York Council Constitution Review 2019/2020

Welcome to the City of York Council Constitution Review Survey

On 26 September 2019, the Council's Executive Committee resolved on to undertake a review of the Constitution at City of York Council. The purpose of the review will be to ensure that the Constitution document is accurate, up to date and effective. The Committee resolved that the review of the Constitution would include consideration of the provisions regarding key decisions, to ensure that legal requirements are met.

The timetable for this review will include consultation with all City Councillors and those involved in Committees which form the basis of the Constitution, as well as Chief Officers. The draft Constitution document will then be presented to Audit and Governance Committee for recommendation to Council. It was anticipated that this could be completed within 2 months; however, this will be subject to the dates of those Committees who wish to review the Constitution, Audit and Governance Committee and Council.

The Constitution is a framework of rules and procedures governing how City of York operates and makes decisions, in delivering its priorities transparently to York Citizens. Views will be sought on how the Constitution can be improved in the following ways:

1. An initial Member consultation and involvement process, by way of an online survey during November 2019.
2. Discussions in political group meetings during December 2019.
3. A report to a Council meeting in early 2020 (it is hoped it can be brought to Council on 26 March 2020) with proposals for an amended Constitution to be agreed to take effect from May 2020.

Questions

1. The City of York Council Constitution should provide guidance on how the Council provides leadership to the community and partnership with citizens, businesses and other organisations.

Comments:

N/A

2. The City of York Council Constitution should support and include active involvement of citizens in the process of Council decision making and should be easy to understand and up to date.

Comments:

N/A

3. The City of York Council Constitution should help Councillors to represent their constituents more effectively.

Comments:

N/A

4. The City of York Council Constitution should enable decisions to be taken efficiently and effectively.

Comments:

The Joint Standards Committee has been considering and discussing the current version of the Procedure for dealing with Councillor Code of Conduct Complaints and is in the process of finalizing an updated procedure. We feel it is of the utmost importance to ensure timely consideration and decision making within the complaints procedure and good procedures for keeping complainant and subject member fully informed of the progress of the complaint. The revised procedure should and does incorporate these principles. We have also agreed to incorporate as many of the recommendations of good practice from the January 2019 Report 'Local Government Ethical Standards: A Review by the Committee on Standards in Public Life'. We feel this is a highly important review of current standards procedures and protocols and want to see its recommendations reflected in the update of the CYC Constitution.

5. The City of York Council Constitution should ensure that those responsible for decision-making are clearly identifiable to local people and reasons for decisions are explained.

Comments:

The Joint Standards committee is in full agreement with this. The constitution should include a statement committing that local people should be easily able to find information on how and to whom to make complaints and all decisions should be clearly communicated to those directly involved in a complaint. Where a breach of the Code of Conduct is found to have been made the decision should be clearly communicated and available to the public.

6. The City of York Council Constitution should create an effective means of holding decision makers to public account.

Comments:

The Joint Standards Committee has discussed and agreed during this municipal year that in order to best hold decision makers and members to public account the independence of decision making by the Joint Standards Committee is highly important. The committee members believe and have agreed that the role of members of the committee should not be politically biased. The current makeup of the committee with proportionality not being imposed is correct. We also believe that in order to best show the public our commitment to independence the constitution should state words to the effect that membership of the Joint Standards Committee is a non-political role and that substitutes should not be allowed for any member to ensure consistency of approach and parity of treatment between all committee members.

7. The City of York Council Constitution should ensure that proposals and decisions are effectively and fairly reviewed.

Comments:

N/A

8. The City of York Council Constitution should provide a means of improving the delivery of services to the community.

Comments:

N/A

9. If there any specific areas within the Constitution where you have experienced difficulties, please specify in the comments box below.

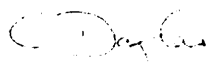
Comments:

- a. **The Committee believes there should be strengthening of the constitution (Members Code of Conduct) around Members Register of Interests. The constitution should include a requirement for members to update their Register at minimum on an annual basis and 28 days after any change in their circumstances requiring a new or revised entry on their Register of Interests.**
- b. **The Register of Interests should include the requirement to register a declaration of payments received due to membership of external bodies.**
- c. **The requirement to declare both offers and receipt of gifts and entertainment needs strengthening. It appears that few members understand the need to declare offers of gifts and entertainment.**
- d. **The Register of Interests should include the requirement to declare travel undertaken in an official capacity as a member.**

Please complete this survey and send it to Robert Flintoft by email (Robert.flintoft@york.gov.uk) by **31 DECEMBER 2019**.

This response was submitted on 23/12/2019 by Claire Douglas, Chair of Joint Standards Committee on behalf of the committee.

Signed:



23/12/2019