

Standards Committee

- To:** Mrs Bainton (Independent Member, in the Chair)
Cllrs Horton (Vice-Chair), Waudby, Hudson and Taylor
(CYC Members)
Mr Dixon, Mr Hall and Mr Wilson (Independent Members)
Cllrs Crawford, Mellors and Forster (Parish Council
Members)
- Date:** Friday, 13 March 2009
- Time:** 3.00 pm *(or at the conclusion of the pre-meeting training
session, if this is later)*
- Venue:** The Guildhall, York

AGENDA

Note to Members:

This meeting will be preceded, at 2:00 pm, by a short training session on declarations of interest.

1. Declarations of Interest

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes

(Pages 3 - 6)

To approve and sign the minutes of the meeting of the Standards Committee held on 23 January 2009.

3. 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 Standards Committee, may do so. The deadline for registering is 10 am on Thursday 12 March 2009.

4. Review of Work Plan

(Pages 7 - 8)

To review the work plan for the Standards Committee for the 2008/09 municipal year. A copy of the latest approved work plan is attached.

5. Review of Member / Officer Protocol - Update

To receive a verbal update from the Monitoring Officer on progress with the review of the Council's Member / Officer Protocol.

6. Any other business which the Chair decides is urgent under the Local Government Act 1972.

Democracy Officer:

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 Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোঅবী সরবরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

Yeteri kadar önceden haber verilmesi koşuluyla, bilgilerin terümesini hazırlatmak ya da bir tercüman bulmak için mümkün olan herşey yapılacaktır. Tel: (01904) 551 550

我們竭力使提供的資訊備有不同語言版本，在有充足時間提前通知的情況下會安排筆譯或口譯服務。電話 (01904) 551 550。

اگر مناسب وقت سے اطلاع دی جاتی ہے تو ہم معلومات کا ترجمہ مہیا کرنے کی پوری کوشش کریں گے۔ ٹیلی فون (01904) 551 550

Informacja może być dostępna w tłumaczeniu, jeśli dostaniemy zapotrzebowanie z wystarczającym wyprzedzeniem. Tel: (01904) 551 550

Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	STANDARDS COMMITTEE
DATE	23 JANUARY 2009
PRESENT	MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR), CLLRS HORTON (VICE-CHAIR), WAUDBY, HUDSON AND TAYLOR (CYC MEMBERS) MR DIXON AND MR HALL (INDEPENDENT MEMBERS) CLLRS CRAWFORD, MELLORS AND FORSTER (PARISH COUNCIL MEMBERS)
APOLOGIES	MR WILSON (INDEPENDENT MEMBER)

24. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. No interests were declared.

25. MINUTES

RESOLVED: That the minutes of the meeting of the Standards Committee held on 15 December 2008 be approved and signed by the Chair as a correct record.

26. PUBLIC PARTICIPATION

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

27. REVIEW OF THE PROTOCOL ON OFFICER/MEMBER RELATIONS

Members considered a report which presented details of the review of the Officer / Member Protocol currently in place at City of York Council and suggested amendments to the current Protocol.

The review formed part of the actions arising from the findings of the recent Ethical Governance Health Check carried out with the Audit Commission. Other actions had included two awareness-raising sessions for Members and Officers.

A draft amended version of the current protocol was attached at Annex A to the report. Protocols from a number of other authorities were also provided, at Annexes B-E, for the purpose of comparison. Members were invited to decide whether to:

- Retain the existing Protocol unaltered (Option A)
- Agree an amended draft version of the Protocol, based on the existing one, and instruct the Monitoring Officer to undertake a consultation exercise on the resulting document (Option B) or
- Agree a set of criteria to enable a complete re-draft of the existing Protocol (Option C).

RESOLVED: (i) That Option B be approved.

(ii) That the following amendments be agreed to the revised draft Protocol at Annex A:¹

- a) In the introduction, include reference to those Officers with certain responsibilities in law and add 'Whistleblowing Policy' to the list of documents in para. 1.2.
- b) In para. 3.1 add compliance with the Officer Code of Conduct to the list of what Members can expect from Officers.
- c) In para. 4.2, delete the words '*should, therefore, be avoided*' in the last line and substitute '*Therefore care should be exercised*'.
- d) Clarify the content of para. 4.3
- e) In para 4.4, include reference to the information on confidential documents etc. in paras. 7.1 and 7.2 and in the last line change '*will*' to '*may*'.
- f) Remove para. 5.6.
- g) Re-word paras. 7.4, 7.5 and 7.6 to reflect recent changes to legislation (in particular, the Freedom of Information Act).
- h) In para. 8.2, include reference to electronic / e-mail communication.

(iii) That, having made the above amendments, the Monitoring Officer be instructed to undertake a consultation exercise based upon the proposed draft document (as amended) and to report the results of that consultation back to the Committee in due course.²

(iv) That the consultation be carried out with Group Leaders, Group Secretaries, Directors and Trades Unions.²

REASON: In order to agree a more effective Member / Officer Protocol for City of York Council and to respond to the issues raised during the Ethical Governance Health Check.

Action Required

- | | |
|---|----|
| 1. Make the agreed amendments to the draft revised Protocol | GR |
| 2. Carry out consultation as agreed | GR |

28. REVIEW OF WORK PLAN

Members reviewed the work plan for the Standards Committee for the current Municipal Year.

In respect of the item on the Review of the Officer Code of Conduct, previously scheduled for this meeting, it was reported that this had been deferred pending the outcome of Government consultation.

RESOLVED: That the Chair and the Monitoring Officer provide a training session on declarations of interest, to be open to Members of this Committee and any City of York Council Members who wish to attend, and to be held at 2:00 pm on 13 March 2009, before the formal business of the next meeting.¹

REASON: To improve Members' knowledge on this issue and to help raise the profile of the Standards Committee.

Action Required

1. Arrange training session for 13 March

GR

29. THE BULLETIN OF THE STANDARDS BOARD FOR ENGLAND - DECEMBER 2008

Members received a copy of the latest edition of 'The Bulletin', published by the Standards Board for England in December 2008.

The Chair drew attention in particular to the articles relating to feedback on adjourning local assessment decisions and the shortlist for the Standards and Ethics category of the Local Government Chronicle Awards.

RESOLVED: That the information in 'The Bulletin' be noted.

C Bainton, Chair

[The meeting started at 3.00 pm and finished at 4.40 pm].

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2008/2009 Work Plan for Standards Committee

Ongoing Activities

Local assessment of complaints
Standards Board Guidance
Member and Officer Training

Programme of New Work

<u>Programme of New Work</u>	<u>Meeting Date</u>	<u>Notes</u>
Training session on declarations of interest	13 March 2009 (before formal business of meeting)	To be open to all Members of CYC
Follow-up on ethical governance workshops – Review of Member / Officer Protocol	23 January 2009 / tba	Minute 27 of meeting on 23 January refers. Further report to be brought to Committee (<i>date tba</i>)
Review of the profile and operation of the Standards Committee within the Council, and raising the profile of ethical issues generally.	tba (<i>was scheduled for 14 November 2008</i>)	As discussed at meeting on 18 July 2008
Review of the Officer Code of Conduct	tba	Deferred pending the outcome of Government consultation

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