

Report of the Chair of Standards Committee

**Annual Report of Standards Committee
Year 09/10**

Foreword by the Chair

This year the Standards Committee has successfully met the challenge of consolidating their Local Assessment Framework role. The Committee has now had an opportunity to work through a full cycle of the framework including one investigation.

The Committee continues to promote good ethical standards within the City of York and the parishes and has been successful in attracting a number of Parish Councillors to training earlier in the year

I would like to take the opportunity to say thank you to all Members of the standards committee for their patience throughout a difficult year that has seen us working with three different Monitoring officers.

Summary

1. This report sets out a summary of the work and activity of the City of York Council Standards Committee during the municipal year 09/10.

Background

2. Each local authority is required by law to establish a standards committee to uphold and promote good standards of ethical conduct within the authority and any parish councils within the authority's area, focussing primarily on the activities of elected members. A major aspect of the committee's work concerns interpreting and applying the members' code of conduct when dealing with complaints from members of the public. In addition the committee contributes to ensuring high ethical standards in other ways such as the review of internal protocols and raising awareness through training.
3. By law the chair of the committee and its sub-committees must be a co-opted independent member and when the committee/sub-committee is dealing with parish council matters, it must include at least one co-opted parish council representative.

4. The Membership of the main Committee in 2009/2010 was as follows:
 - Mrs. Christine Bainton – Independent Chair
 - Councillor David Horton – Vice Chair and CYC member
 - Councillors Irene Waudby, Ben Hudson and Dave Taylor – CYC members
 - Mr. Alan Dixon, Mr. Mike Hall and Mr. D Wilson – Independent Members
 - Councillors Crawford, Mellors and Forster – Parish Council Members

Casework

5. The Assessment Sub Committee, which considers allegations made against members and decides whether to refer them for investigation or some other action, met six times. No cases were referred for investigation. In one case training was recommended for a Councillor.
6. The Review Sub Committee meets at the request of complainants to review decisions not to refer an allegation for investigation. That Sub Committee met three times and confirmed the Assessment Sub Committee's decision in each case.
7. When a case has been referred for investigation the resulting report must be referred to a "Consideration" Sub Committee. Where the report concludes that there has not been a breach of the Code the Sub Committee must decide whether it accepts that recommendation or whether it considers the matter should be referred for a hearing. Where the report finds that there has been a breach of the Code the Consideration Committee must refer the case for hearing either locally, or in the case of a serious breach, to the national Adjudication Panel. The Consideration Committee met on one occasion during 2009/10 to deal with a case which had been through the assessment process in the previous year.
8. One case was referred for hearing in 2009/10. The hearing Sub Committee found that the Code of Conduct had not been breached.

Work of the main Committee

9. The full Standards Committee met on four occasions during 2009/2010. During the year the Monitoring Officer left the Council and, although he was replaced on an interim basis pending a recruitment exercise, the gap did impact on the Committee's ability to progress some aspects of its work plan. Nevertheless the Committee did move forward on a number of matters.
10. The Committee received applications for and granted a number of dispensations.

11. The Committee received a number of reports which related to the operation of the Standards Committee, its Sub Committees and the Code of Conduct. In particular it considered changes to the Regulations affecting the Committee, took an overview of the cases which had been coming before the Sub Committees, considered the procedures in place for hearings, reviewed the gifts and hospitality register and considered and sought further information about the possibility of establishing Joint Standards Committees with other Councils.
12. One key piece of work related to the Member Officer protocol. In last year's annual report the Committee indicated that it had conducted a review of the Protocol in response to the findings of an Ethical Governance Health check undertaken by the Audit Commission in 2008. During 2009 the Standards Committee finalised a revised protocol which was adopted by the Council at its October meeting.
13. During the course of the year the Committee was pleased to take on the responsibility to act as the reporting Committee for the Member Development Steering Group. In that capacity the Committee has approved a Training and Development Policy for Members and monitored the progress of the Working Group in leading the Council's preparations for assessment for the Member Development Charter.
14. The Standards Committee has started to consider how it can raise its profile within the general community in York and particularly with Parish Councils. Training events are one way the Committee can do this and a training session in January had strong attendance from Parish Councillors. In addition Independent Members have started to attend some City Council meetings both to raise the profile of the Committee and as a learning exercise for the Independent Members themselves. Generally though this remains an area where the Committee would have liked to see more progress.
15. The Chair, Vice Chair and one Independent member attended the Standards for England annual Assembly on 13th-14th October at which developments in respect of the role of Standards Committees and the implementation of the local assessment of complaints were discussed. The conference also includes a number of workshops. The Standards Committee Chair delivered a workshop, along with Mike Wilkinson, the Chair of City of Leeds Standards committee, about the benefits of a Member induction and training programme.

The future for the Standards Committee

16. The new Government has announced that it intends to abolish the "Standards Board" regime and draft legislation is expected soon. Recent announcements have suggested that the Standards Committee may lose its statutory role as part of this process. The Committee though remains of the view that a formal system for handling complaints against Members based largely at a local level is a key element in maintaining public confidence in local government and has expressed this concern in letter to Eric Pickles the Communities and Local Government Minister.

Closing Remarks from the Chair

The continued commitment to good ethical standards by this Council and its Councillors helps to raise the confidence of the public in Good Governance. I hope that the Standards Committee will be able to offer assistance to the Council in continuing to be able to demonstrate this commitment while implementing whatever requirements the forthcoming legislation imposes.

Christine Bainton,

Independent Member and Chair of Standards Committee

Contact Details

Author:

Name: Christine Bainton

Job Title Chair of Standards Committee

Chief Officer Responsible for the report:

Name Andy Docherty

Job Title Head of Civic, Democratic &
Legal Services

For further information please contact the Chief Officer responsible for the report