

Joint Standards Committee

31 January 2024

Report of the Deputy Monitoring Officer

Parish Council Engagement

Summary

1. The Joint Standards Committee is keen to ensure that parish councillors are properly engaged with the Standards process. This report addresses the wider issue of parish engagement and members are invited to offer proposals on how this can be developed and strengthened.

Recommendations

2. The Joint Standards Committee is asked to note the existing opportunities for parish council engagement in terms of code of conduct and Standards matters, as set out below, and to offer proposals for developing and strengthening those opportunities.

Background

3. Parishes are the smallest areas of civil administration in England and their Town and Parish Councils provide the statutory tier of local government closest to the people.
4. There are thirty-one parish or town councils within the City of York Council area, although these concentrated within the outer part of the authority area; the inner areas of the city are currently unparished. Councillors are elected at all-out elections every four years, with the ordinary elections for the parishes being held on the same date as the CYC ordinary elections.
5. Town and Parish Councils are an essential part of the structure of local democracy and have a vital role in acting on behalf of the communities they represent, for example:

- giving views, on behalf of the community, on planning applications and other proposals that affect the parish
 - undertaking projects and schemes that benefit local residents
 - working in partnership with other bodies to achieve benefits for the parish
 - alerting relevant authorities to problems that arise or work that needs to be undertaken
 - helping the other tiers of local government keep in touch with their local communities.
6. Town and Parish Councils have a wide range of legal duties, and they have the power to raise money through the local council tax. Parish councils must appoint someone to act as their Proper Officer, this role might be taken on by a councillor in a voluntary capacity in smaller parishes, but most will employ a clerk and some larger parishes employ additional staff.

City of York Council Role

7. Under the provisions of the Localism Act 2011, all relevant authorities (including parish councils) must promote and maintain high standards of conduct by their members and co-opted members and must adopt a code of conduct. Parish councils may adopt the code of conduct adopted by their principal authority or one of the model codes or can draft their own code. The code must be consistent with the seven Nolan principles.
8. Principal councils are required have in place arrangements for investigating alleged breaches of their code, and the codes of any parish councils in their area, if parish councils have adopted different codes from the principal authority, and for making decisions on those allegations. These arrangements must include having an Independent Person on board, whose views must be sought and taken into account before the principal authority makes its decision on an allegation it has decided to investigate.
9. CYC as principal authority is responsible for conducting community governance reviews of parishes within its area. CGRs can cover issues such as amending parish boundaries and ward boundaries; warding and de-warding; amending the electoral cycle; changing the council size (number of councillors); grouping and de-grouping parishes; establishing new parish councils; abolition of existing parish councils.

Liaison with Parish Councils

10. There are a number of existing opportunities for CYC members to engage with parishes within their areas.
 - **Ward Committees:** Each of the CYC wards has its own committee which meets up to four times each year. In those wards where a parish council exists, the parish should be able to make use of those meetings to scrutinise local services and raise issues of concern. The terms of reference for the ward committees include a provision that the agenda for a meeting will be set in consultation with community partners.
 - **Parish Council meetings:** CYC members regularly attend parish council meetings within their ward to share information, discuss areas of concern and act as a conduit between the two authorities.
 - **Parish Liaison meetings:** quarterly liaison meetings are held between CYC members, parish council representatives and the Yorkshire Local Councils Association (YLCA).
11. In respect of the Standards procedures, the Joint Standards Committee of CYC includes parish council representatives. Where an Assessment Sub Committee is required to assess a code of conduct complaint against a parish councillor, one member of the sub-committee will be a parish representative.
12. Any Standards / Code of Conduct training provided to CYC members and to the Joint Standards Committee will be shared with parish councils and clerks, to ensure high standards of behaviour, adherence to the Nolan principles and understanding of the Joint Standards process.

Implications

13. **Financial** – Any training provided to parish councils may incur some costs
14. **Human Resources (HR)** – None directly
15. **Equalities** – Encapsulated within the Joint Standards process and engagement with parishes will seek to ensure equality of access
16. **Legal** – Adherence to the requirements of the Localism Act 2011
17. **Crime and Disorder, Information Technology and Property** - None directly arising from this report.

Recommendations

18. The Joint Standards Committee is asked to note the existing opportunities for parish council engagement in terms of code of conduct and Standards matters, and to offer proposals for developing and strengthening those opportunities.

Reasons for the Recommendation

19. The Joint Standards Committee has responsibility for promoting high standards of conduct for City of York and parish council members.

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**Report
Approved**



Date 22 January 2024

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Localism Act 2011 [Localism Act 2011 \(legislation.gov.uk\)](http://legislation.gov.uk)

LGA Guidance Document: A councillor's workbook on working with town and parish councils (2018) [11.136 A Councillor's Workbook on town and parish councils.pdf \(local.gov.uk\)](http://local.gov.uk)

CYC Constitution, Standards Procedures: [Appendix 29 - Joint Standards Committee Procedures.pdf \(york.gov.uk\)](http://york.gov.uk)

Community Governance Review legislation: [Local Government and Public Involvement in Health Act 2007 \(legislation.gov.uk\)](http://legislation.gov.uk)