
Meeting	Joint Standards Committee
Date	6 July 2021
Present	Councillors Rowley (Chair), Carr and Fisher Councillors Rawlings (Vice-Chair), Chambers and M Waudby (for Agenda Items 1-8) (Parish Council Members) Mr Laverick (Independent Person)
Apologies	Councillors Baker and Douglas Ms Davies (Independent Person)

10. Declarations of Interest

Members were asked to declare any personal interests not included on the Register of Interests, or any prejudicial interests or disclosable pecuniary interests which they might 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 the 'exempt' versions of Annexes A and B to Agenda Item 11 (Monitoring Report in Respect of Complaints Received), on the grounds that they contain information likely to reveal the identity of individuals, which is classed as exempt under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006.

12. Minutes

Members agreed that in future no distinction should be made in the minutes between City of York and parish council Members, except in the list of those present and apologies.

Resolved: That the minutes of the meeting held on 23 June 2021 be approved, and signed by the Chair as a correct record.

13. Public Participation

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme.

Gwen Swinburn spoke on matters within the remit of the committee. She raised concerns about the Monitoring Officer's dismissal of a complaint she had made, differences in the treatment accorded to complaints against Executive Members compared with other Members, and the content of the draft Annual Report.

Antony Green spoke on Agenda Item 11 (Monitoring Report on Complaints Received). He queried the Monitoring Officer's decision to dismiss a recent complaint made on behalf of the York Taxi trade, representing 800 taxi drivers.

Cllr Warters also spoke on Item 11. He raised concerns about the systems for dealing with complaints and stated that the committee should demand to be more involved in the process.

14. Annual Report for Municipal Year 2020-2021

Members considered the amended finalised version of the committee's draft Annual Report to Council for the 2020-21 Municipal Year contained in Agenda Supplement 1.

A further amendment was reported to the Chair's Foreword in the draft, replacing the word 'statutory' in the first line with 'discretionary'.

In respect of the section headed 'Dispensation of the 6 Month Rule during Lockdown', Members queried whether this dispensation extended to members of parish councils.

Resolved: (i) That the draft, as amended, be formally accepted as the committee's Annual Report for 2020-21.

Reason: So that the Annual Report can be presented to Council later in the year.

(ii) That the Monitoring Officer be requested to provide further clarification regarding dispensation of the 6-month rule during lockdown.

Reason: To determine whether the dispensation extends to parish councillors.

15. Update on the Recruitment of Independent Persons

Members considered a report which provided an update on the process of recruiting Independent Persons to the committee.

The terms of office of the current Independent Persons, Mr Laverick and Ms Davies, had come to an end. It was therefore necessary to recruit two replacements, with scope for a third person to add resilience. The recruitment process was under way; an advertisement had been placed on the council's website and interviews were due to take place in the week commencing 26 July. It was proposed that a panel comprising the Chair, Vice-Chair, Monitoring Officer and Deputy MO interview the applicants and make recommendations to Council on the appointments.

Resolved: (i) That Mr Laverick and Ms Davies be thanked for their continuing contribution to the work of the committee.

(ii) That the appointment of an interview panel be agreed.

Reason: In order to progress the recruitment process and satisfy the requirements of the Localism Act.

16. Review of York's Parish Charter

Members considered a report which presented the results of a review of the charter between City of York Council and the 31 parish and town councils within the York local authority area, 30 of which were represented by the York Branch of the Yorkshire Local Councils Association (YLCA).

The review of the charter, which was last reviewed in 2016, had been co-ordinated by the York Parish Council Liaison Group, which included 6 parish councillors appointed by YLCA and

representatives of City of York Council. The draft revised charter was attached as Annex 1 to the report. Members were invited to comment on the draft and either recommended it for signing or suggest amendments.

Members commented that members of parish councils that did not belong to YLCA should also be kept informed. With regard to paragraph 7 of the draft, the Chair remarked on the treatment of Ward Members by some parish councils when attending parish meetings. With reference to paragraph 13, it was noted that it would be helpful to include details of proposed traffic diversions in the highway works weekly bulletins.

Resolved: That the draft revised charter be recommended to the Executive and to the York Branch of the YLCA for signature, subject to an amendment to paragraph 12 to clarify the regulations referred to and, after '2012', replace the words '*the Neighbourhood Plans adopted will be used*' with '*account will be taken of the Neighbourhood Plans adopted*'.

17. Model Code of Conduct for Elected Members

Members considered a report which sought their views on the Local Government Association's Model Code of Conduct, following the workshop with Hoey Ainscough on 23 June 2021.

The LGA had produced an updated version of the Model Code attached at Annex A to the report, and this had been published in Agenda Supplement 2. Members were invited to decide whether to accept this version in its current form or whether any amendments or additions were required.

It was noted that the policies and procedures that underpinned the Code were currently being re-written. The Chair requested that consideration of these documents be scheduled for a future meeting.

Resolved: That the Model Code of Conduct at Annex A to the report (as published in Agenda Supplement 2) be accepted, subject to the following amendment:

- In paragraph 10.2 (Gifts and hospitality), delete '£50' and insert '£25'.

Reason: To ensure that the Code fits the needs of City of York Council before the final draft is considered by Full Council.

18. Review of Work Plan

Members considered the committee's work plan for the current municipal year.

Resolved: That the work plan be approved subject to the following additions to the agenda for the next meeting, in September 2021:

- Update on the recruitment of Independent Persons.
- Update on the Parish Charter.
- Update on implementation of the Model Code of Conduct and its adoption by parish councils.
- Member Training.

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

19. Monitoring Report on Complaints Received

Members considered a report which provided an update on current business regarding complaints.

An anonymised list of live complaints was attached at Annex A to the report, and an anonymised list of closed complaints at Annex B. Full details were provided in an exempt version of each annex. Discussion of the exempt lists took place in private session, in accordance with the resolution in Minute 11 above.

Resolved: (i) That the report be noted.

Reason: To ensure that the committee is aware of current levels of activity and is able to provide oversight of the complaints procedure.

(ii) That future reports include a simple flow diagram to illustrate the progress of each case.

Reason: To provide further clarity on the process for dealing with complaints.

Cllr M Rowley BEM, Chair

The meeting started at 4.30 pm and finished at 6.40 pm.