

Joint Standards Assessments Sub-Committee

30 September 2021

Public Report

Report of the Monitoring Officer

Code of Conduct Complaint received in respect of a City of York Councillor

Summary

1. To review the draft report of the Investigating Officer as a result of a Code of Conduct complaint made in respect of a City of York Councillor.

Recommendations

2. The options available to the Sub-Committee are as follows:
 - 1) Rule that the draft report is not complete and that further investigation needs to take place. This will mean that the draft report will be returned to the Investigating Officer with a recommendation as to areas for further investigation.
 - 2) Rule that the report is complete and the finding is accepted. This will mean that no further action is taken and the matter is brought to a close. There are no rights of appeal to this decision.
 - 3) Rule that the report is complete but the finding is not accepted. This will mean that the Sub-Committee may recommend that the case be referred for a hearing.

Background

3. On 23 April 2021, the Sub Committee considered a draft report of the Investigating Officer in relation to complaints made about a City of York Councillor. The Sub Committee recommended that further investigation take place, therefore, the report was returned to the Investigating Officer.

Current Position

4. The Investigating Officer has now concluded their further investigation and have found that the Councillor did not breach the Code of Conduct.

Options

5. The Sub-Committee must now consider the following options:
 - a. The report is not complete and further investigation needs to take place;
 - b. The report is complete and the finding is accepted;
 - c. The report is complete but the finding is not accepted.

Implications

Financial

6. Not applicable to this report.

Human Resources (HR)

7. Not applicable to this report.

Equalities

8. The Councillor has been offered the support of an Independent Person as part of this process.

Legal

9. The Monitoring Officer is required to consider all formal complaints received in respect of the Code of Conduct in line with the published Procedure for managing Code of Conduct Complaints.

Crime and Disorder, Information Technology (IT) and Property

10. Not applicable to this report.

Other

11. Not applicable to this report.

Contact Details

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Chief Officer Responsible for the report:

**Janie Berry
Director of Governance & Monitoring
Officer**

Report **Date** 16 September 2021
Approved

Wards Affected: All

All

For further information please contact the author of the report

Background Papers:

- City of York Council Code of Conduct and Procedure for Handling of Complaints
- City of York Council Constitution