

Notice of a public meeting of

Joint Standards Committee - Assessments Sub-Committee

To: Councillors Carr and Fisher (CYC Members)
Councillor Rawlings (Parish Council Member)

Ms Davies (Independent Person)

Date: Friday, 23 April 2021

Time: 2.00 pm

Venue: Remote Meeting

AGENDA

1. Appointment of Chair

To appoint a member to chair the meeting.

2. Declarations of Interest

Members are asked to declare:

- Any personal interests not included on the Register of Interests
- Any prejudicial interests or
- Any disclosable pecuniary interests

which they may have in respect of business on this agenda.

3. Exclusion of Press and Public

To consider excluding the public and press from the meeting during consideration of the private report at Agenda Item 4 (Code of Conduct Complaint received in respect of a City of York Councillor), on the grounds that it contains information relating to an individual. This information is classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

4. Code of Conduct Complaint Received in Respect of a City of York Councillor (Pages 1 - 30)

To consider a Code of Conduct complaint received in respect of a City of York councillor and to determine the next steps.

Note: the private report referred to in Agenda Item 3 above follows the public report on this item.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democratic Services Officer responsible for this meeting:

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 Democratic Services Officer responsible for servicing this meeting:

- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

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Joint Standards Assessments Sub-Committee

23 April 2021

Public Report

Report of the Monitoring Officer

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

Summary

1. To consider a Complaint in respect of the Code of Conduct received in respect of a City of York Councillor to determine next steps.

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. The Monitoring Officer received a complaint in respect of a City of York Councillor and it is necessary for this to be considered in accordance with the Council's published procedure for handling the complaint received in respect of the alleged breach of the Code of Conduct.

4. The Joint Standards Assessments Sub-Committee met on 26 October 2020 in order to consider the Complaint and decided that the Complaint needed to progress to an investigation. As a result of this, the Monitoring Officer appointed an Investigating Officer in accordance with the Procedure. The reason for this was because the Sub-Committee considered that further information was required before a decision could be made in the case.

Current Position

5. An Investigating Officer was appointed who conducted an investigation. The Investigating Officer found that the Councillor did not breach the Code of Conduct.

Options

6. 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

7. Not applicable to this report.

Human Resources (HR)

8. Not applicable to this report.

Equalities

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

Legal

10. 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

11. Not applicable to this report.

Other

12. Not applicable to this report.

Contact Details

Author:

**Rachel Antonelli
Senior Solicitor & Interim
Deputy Monitoring Officer
Legal Services
Tel No. 01904 551043**

Chief Officer Responsible for the report:

**Janie Berry
Monitoring Officer**

Report **Date** 07 April 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

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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