

JOINT STANDARDS COMMITTEE - ASSESSMENTS SUB-COMMITTEE

THURSDAY, 30 SEPTEMBER 2021

Decision Notice

Attendance

Members of the Assessments Sub-Committee:
Cllr S Rawlings (Parish Councillor and Vice Chair of the Joint Standards Committee) – Chair
Cllr C Douglas
Cllr T Fisher

Background

The Sub-Committee was constituted in accordance with procedures approved by the City of York Council Joint Standards Committee to consider a complaint in relation to the conduct of a City of York Councillor.

The Sub-Committee had previously considered a draft report of the Investigating Officer appointed by the Monitoring Officer on 23 April 2021. At that meeting, the Sub-Committee recommended that further investigation needed to take place. The Investigating Officer conducted the additional areas of investigation and prepared a supplement to their draft report to take account of this additional work.

The Investigating Officer found that the Councillor did not breach the Code of Conduct because at the material time the Councillor was not acting as a Councillor and was acting in their personal capacity.

Decision

The Assessments Sub-Committee accepted that it is unusual to issue a decision notice at the assessment stage of a Code of Conduct complaint, however, the Sub-Committee felt it was necessary on this occasion as they were concerned with the conduct leading to the investigation and also the nature of the complaints made.

The Assessments Sub-Committee considered the Investigating Officer's report and determined that the draft investigating officer's report was complete and the finding of no breach of the Code of Conduct was accepted, on the basis that the Councillor was acting as a private individual, not as a Councillor at the material time. As a result of this, no further action is to be taken and the matter is brought to a close. The Sub-Committee would like to put on record that they were deeply concerned about the complaints, however, whilst disappointed, they noted the repeated apologies made by the Councillor.

The decision of the Assessments Sub-Committee will be reported to the Joint Standards Committee at their next meeting. The Assessments Sub-Committee also considered whether the Councillor should be identified in this decision notice, they weighed up the views and considerations for all parties involved and determined that it was not in the public interest to identify the Councillor.

The Assessments Sub-Committee note that all City Councillors are receiving Code of Conduct training on the LGA Model Code of Conduct which will include issues raised as a result of this matter. Further training around specific areas of the Model Code of Conduct, including social media training, will also be offered to all Councillors in due course and the LGA have issued guidance around key parts of the Model Code, which the Assessments Sub-Committee are pleased to note.

Councillor S Rawlings
Councillor C Douglas
Councillor T Fisher