

Meeting	Joint Standards Committee
Date	18 April 2018
Present	Councillors Runciman, Cannon, Hayes, Kramm, Richardson (for agenda items 1-6) (CYC Members) Councillor Wiseman (Parish Council Member) Mr Laverick (Independent Person)
Apologies	Ms Davies (Independent Person)

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### **30. Minutes of Sub-Committees**

Resolved: That the minutes of the Assessments Sub-Committee meetings held on 23 February 2018 and 8 March 2018 be approved and signed by the Chair as a correct record.

### **31. Declarations of Interest**

Members were 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 the agenda.

No interests were declared, but Cllr Richardson indicated that he had been involved in one of the complaints referred to in the minutes of the Assessment Sub-Committees at Agenda Item 3.

### **32. Minutes**

Resolved: That the minutes of the meeting of the Joint Standards Committee held on 21 January 2018 be approved and signed by the Chair as a correct record.

### **33. Public Participation**

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

Gwen Swinburn spoke on Agenda Item 6 (Review of Local Government Ethical Standards), expressing her views on a number of issues in the draft response. She also queried the legal basis for calling the Assessments Sub-Committee meeting on 8 March 2018 at short notice (item 3). The

Monitoring Officer responded, confirming that the Local Government Act 1972 included provisions for dealing with urgent business.

In respect of the matters raised on the whistleblowing policy, the Chair indicated that she would like the policy to be reviewed initially by the Audit & Governance Committee, as it fell within the remit of that committee as well as relating to standards issues.

### **34. Monitoring Report on Complaints Received**

Members received a routine update report on recent standards complaints.

Since 31 January, six new complaints had been received about city councillors and two about parish councillors. Three cases had been referred to assessments sub-committees and three concluded by the Monitoring Officer in consultation with the Independent Persons. Of the two cases reported as still going through the assessments process, one was now complete.

Members discussed how they would like to receive this update information in future. The general view was that more case detail was needed. Exempt reports or annexes should be avoided unless essential, but a short, anonymised summary of each case should be provided. It might also be appropriate to draw attention to instances of multiple complaints about, or by, the same person.

Resolved: (i) That the report be noted.

Reason: To ensure that the committee is aware of current levels of activity.

(ii) That additional details of standards cases be provided with this report in future, taking into account the views expressed by Members at the meeting.

Reason: So that Members are better informed, and the public can be assured that cases are being properly considered.

### **35. Review of Local Government Ethical Standards**

Members considered a report which informed them of a review of ethical standards being conducted by the Committee on Standards in Public Life and presented a draft response to consultation on the review.

The review would consider all levels of local government in England. Stakeholders were invited to respond to a series of questions, draft responses to which were set out in the annex to the report. During an extensive discussion, Members agreed on the following amendments /additions to these responses (*numbers refer to paragraphs in the annex*):

- 3.1 – recommend a single code of conduct for all councillors, with a simplified version for parish councillors (subject to the views of the Yorkshire Local Councils Association (YLCA)).
- 5.1 – insert ‘generally’ after ‘experience’ (subject to the views of political groups).
- 7.2 – expand on the response, recommending removal of this provision.
- 8.6 – seek the views of political groups and the YLCA on a response to this question.
- 9.1 – add ‘across all local authorities’ to the end.
- 10.2 – remove or re-word the second sentence.
- 11.1 – add ‘after a standards process has been completed’ after ‘period of time’.
- 15.2 – remove the second sentence.
- 16.1 – seek the views of political groups; possibly consider whether national political parties should provide support.
- 16.2 – seek the views of YLCA.
- 18.1 – remove / re-word the second sentence.
- 18.2 – include a recommendation for training / support for members.

The Chair circulated a set of suggested amendments to the draft that she had already received from the city council’s Liberal Democrat group.

Resolved: (i) That the comments of the Liberal Democrat group be noted.

(ii) That the draft response be circulated to the remaining political groups, independent members of the city council, and the YLCA for their comments, with all comments to be submitted to the Monitoring Officer by 4 May at the latest.

(iii) That the Monitoring Officer, in consultation with the Chair, prepare an amended response, taking into account all comments and suggested amendments received, including those made by Members at the meeting.\*

(iv) That the amended response be circulated to all members of the Joint Standards Committee, and the Independent

Persons, before it is submitted to the Committee on Standards in Public Life.\*

Reason: To ensure that the views of all affected members are reflected in the response to the consultation and that a final response can be submitted to meet the consultation deadline.

*\*Note: The finalised response has been circulated to Members and published as a supplement to the agenda for this meeting.*

### **36. Updating the Code of Conduct**

Members considered a report which advised them of the work of the task group set up by the committee to review the Member code of conduct.

On 31 January, the committee had asked the task group to convene again to reconsider the revised code (Minute 27 of that meeting refers). The task group had met on 13 March and, in the light of recent experience from complaints, now proposed a further addition to the code, relating to voluntary registration of interests. This amendment was highlighted in the revised version of the draft code annexed to the report.

Resolved: (i) That the revised version of the draft code be circulated to the city council's political groups for their comments.

(ii) That the draft code be brought to a future meeting of the committee for consideration in the light of those comments.

Reason: To ensure that appropriate consultation is carried out before the revised code is recommended to Council for approval.

(iii) That approval of the revised code of conduct be secured before the annual meeting of Council in May 2019.

Reason: So that the revised code comes into force at the start of the 2019-20 municipal year, after the local authority elections.

### **37. Civic Guide and Gifts**

Members considered a report which sought their views on the inclusion of further guidance in the Civic Guide for the Lord Mayor and Civic Party in relation to receiving gifts.

A copy of the current guidance, in Section 5 of the Civic Guide, was attached as Annex 1, with the model guidance on gifts provided by the National Association of Civic Officers (NACO) at Annex 2.

There was some discussion as to whether the Lord Mayor should be responsible for all decisions on gifts, as suggested in the model guidance, or whether members of the civic party, including those who were not councillors, should have individual responsibility.

Resolved: That the above comments be noted and that consultation on the inclusion of guidance on gifts in the Civic Guide be undertaken with political groups and former Lord Mayors.

Reason: So that an informed decision can be made.

### **38. Membership of the Committee**

Members considered a report which provided an update on changes to the Committee's membership and progress towards securing additional parish representation.

It was reported that, since the last meeting, Cllr Mercer had been replaced on the committee by Cllr Richardson as the Conservative group's representative. One of the parish council representatives, Cllr Perrett, had resigned from the committee. With the existing vacancy, this had left two of the three parish councillor places vacant. The Yorkshire Local Council Association (YLCA) had been asked to begin the process of filling these vacancies. They had recently contacted the Monitoring Officer to confirm they would be running the ballot on the committee's behalf.

Members placed on record their thanks to Cllr Perrett for his work as Vice Chair of the committee. They also queried the position regarding independent city council members on the committee. The Monitoring Officer agreed to clarify this with Group Leaders.

Resolved: That the report be noted

Reason: To confirm that the committee is aware of efforts to fill the current parish councillor vacancies.

### **39. Review of Work Plan**

Members considered the committee's work plan and potential items for inclusion on agendas for the 2018-19 municipal year.

- Resolved: (i) That the following topics be added to the work plan:
- The city council's Whistleblowing policy and its link to ethical standards (following review of the policy by Audit & Governance Committee)
  - Wider issues of intimidation
  - Review of the Joint Standards Committee's terms of reference and procedures
  - Guidance for elected Members on their behaviour during the election process (to the meeting on 13 February 2019)
  - Updating the Member Code of Conduct (following consultation with groups)

(ii) That Officers assign these topics to appropriate meeting dates and circulate an updated version of the work plan to Members.

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

Cllr C Runciman, Chair

[The meeting started at 4.00 pm and finished at 6.25 pm].