
STANDARDS COMMITTEE

14th March 2008

Report of the Interim Head of Civic, Democratic and Legal Services

THE ANNUAL REPORT OF THE STANDARDS COMMITTEE

Summary

1. This report sets out a review of the work carried out by the Standards Committee of City of York Council during the municipal year 2007/08.

Background

2. **Meetings** – The Standards Committee has met formally on six occasions during the municipal year 2007/08 namely 8th June 2007, 10th August 2007, 28th September 2007, 9th November 2007, 25th January and 14th March 2008.
3. **Membership** – The Committee currently consists of 5 members – Councillors M Kirk, D Horton and B Hudson, one Parish Councillor representative, Councillor D Crawford (with Councillor B Mellors as substitute who also regularly attends the meetings) and one independent member Mrs C Bainton (Chairman). The other independent member, Mrs R Leaman, resigned from the Committee in January 2008 due to other commitments. The Committee recorded their appreciation for her contribution to the work of the Committee and an exercise is currently taking place to recruit a replacement.
4. **Work Programme** – The Standards Committee has an approved work programme which is reviewed at each meeting, to assess progress. Where necessary the work programme is amended during the course of the year.
5. **The Revised Code of Conduct** – The revised Code of Conduct for Members was considered by the Committee at its June meeting and recommended for adoption by the Council. It was adopted with effect from 1st August 2007. The Code was also adopted by all the Parish Councils in York. The necessary public notices were given and the Standards Board for England advised of the adoption.
6. **Training** – A training session for members on the revised Code of Conduct was given by the Monitoring Officer in October. It was attended by 15 York City Councillors and a significant number of Parish Councillors.
7. **Local Government and Public Involvement in Health Act 2007** – This legislation introduces important changes in the role of the Standards Committee. The most significant is the fact that the Standards Committee will

assume responsibility for the assessment of complaints about councillors and deciding whether they should be investigated. It is expected that this new role will take effect on 1st April 2008. The Committee has considered the implications of this role for its structure and organisation. Importantly the Committee will need to expand in size in order to discharge its new functions and set up sub-committees. Constitutional changes are being recommended to Council to enlarge the Committee to 11 members, consisting of 4 councillors, 3 Parish Representatives and 4 independent members. A recruitment exercise is being undertaken to find these additional members.

8. The Act also introduced a requirement that the Chairman of the Standards Committee is an independent member. That is already the situation in York. Consultation is currently taking place on regulations dealing with the detailed operation of the new system. The Standards Committee has made a response to Government on the consultation paper.
9. **6th Annual Assembly of Standards Committees** – The Committee was represented at the Assembly in Birmingham in October by the Chairman, Christine Bainton. The Monitoring Officer was also present.
10. **Ethical Governance Audit** – The Committee received reports at its meetings in November and January on the outcome of the Ethical Governance Audit carried out by the Audit Commission. The first part of the audit assessed the policies and practices of the Council against statutory requirements and best practice in relation to ethical issues. The second part examined the awareness of ethical governance issues amongst members and officers. The Council's arrangements to deliver high standards were found to be satisfactory. Members were found to have a strong level of awareness and understanding of the Code of Conduct and its impact on their behaviour and actions. An action plan has been agreed by the Standards Committee to address issues raised by the audit. Further work is also to be undertaken with officers and members to further explore the issues around member/officer relations identified in the report.
11. **Complaints** – The Monitoring Officer has been notified of one complaint against a member of the City of York Council. However the Standards Board decided it did not disclose a breach of the Code of Conduct and consequently was not referred for investigation. This is a reduction of 4 in the number of complaints over the previous year. In addition there have been investigations into the conduct of two members of Nether Poppleton Parish Council and one member of Upper Poppleton Parish Council by an Ethical Standards Officer. All cases related to alleged failures to declare an interest. In all cases the conclusion was that there had not been a failure to comply with the Code. In another similar case involving a member of Nether Poppleton Parish Council the Standards Board decided not to investigate. All these parish council cases originated from the same complainant.
12. **Dispensations** – The Committee dealt with its first application to grant a dispensation to permit members of Bishopthorpe Parish council to speak and vote on a matter in which they all had a prejudicial interest. All members of the Council were trustees of the village hall and needed the dispensation so

that they could deal with matters relating to the village hall when they would all have an interest. The dispensation was granted for a period of 4 years at the Standards Committee meeting held on 28th September 2007.

Consultation

13. The Standards Committee continues to consult with Parish Councils through their representatives on the Committee.

Options

14. Not applicable

Analysis

15. Not applicable

Corporate Priorities

16. The effectiveness of the standards Committee is a core part of the Council's ethical governance arrangements and as such contributes to improving leadership in the organisation.

Implications

17. There are no specific financial, HR, equalities, crime and disorder, IT, property or other implications arising out of this report. It is a constitutional requirement that the Standards Committee submits an annual report to the Council.

Risk Management

18. There are no known risks associated with this report.

Recommendations

19. The Standards Committee are asked to agree the contents of this report and submit it, with any amendments to the Council for its consideration

Reason:

To fulfil the constitutional requirement for an annual report to Council from the Standards Committee.

Contact Details

Author:

Author's name

Colin Langley
Interim Head of Civic,
Democratic and Legal Services
Chief Executive's Department
Tel No. 551004

Chief Officer Responsible for the report:

Colin Langley
Interim Head of Civic Democratic and Legal
Services

Report Approved *tick*

Date 27th February 2008

Specialist Implications Officer(s) *List information for all*

None

Wards Affected: *List wards or tick box to indicate all*

All *tick*

For further information please contact the author of the report

Background Papers:

None