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MEETING	STANDARDS COMMITTEE
DATE	25 JUNE 2010
PRESENT	MRS BAINTON (INDEPENDENT MEMBER, IN THE CHAIR) COUNCILLORS HORTON (VICE-CHAIR), HUDSON, TAYLOR AND, KIRK (SUBSTITUTE) (CYC MEMBERS) MR DIXON AND HALL (INDEPENDENT MEMBERS) COUNCILLORS CRAWFORD, MELLORS AND FORSTER (PARISH COUNCIL MEMBERS)
APOLOGIES	COUNCILLOR WAUDBY (CYC MEMBER) MR WILSON (INDEPENDENT MEMBER)
IN ATTENDANCE	COUNCILLOR RUNCIMAN (AS CHAIR OF MEMBER DEVELOPMENT STEERING GROUP)

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## **PART A - MATTERS DEALT WITH UNDER DELEGATED POWERS**

### **1. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

Cllr Horton declared a personal and prejudicial interest in agenda item 3 (Minutes of Sub-Committees), due to his involvement in the three cases dealt with by the sub-committees.

### **2. MINUTES**

RESOLVED: That the minute of the Standards Committee meeting held on 22 January 2010 be approved and signed by the Chair as a correct record.

### **3. MINUTES OF SUB-COMMITTEES**

The minutes of the following meetings of the Standards Committee Sub-Committees were approved by the relevant members and signed by the relevant Chair of each meeting as a correct record:

- Assessment Sub-Committee – meetings held on 28 January and 30 April 2010
- Review Sub-Committee – meeting held on 30 April 2010.

#### **4. PUBLIC PARTICIPATION**

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

#### **5. FUTURE OF THE CURRENT STANDARDS REGIME**

Members considered a report which drew their attention to the announcement in the Queen's Speech that the new Government's Decentralisation and Localism bill would include proposals to 'abolish the Standards Board regime.'

Standards for England had cancelled this year's annual assembly in the light of the announcement. However, details of the proposals were not yet known and until legislation was passed the Standards Committee would continue to perform its current statutory roles. The bill was scheduled to be published in the autumn.

Members voiced concern that the abolition of Standards for England could undermine current standards and consistency. They hoped that something would be put in its place to ensure that standards were maintained

RESOLVED: (i) That authority be delegated to the Monitoring Officer, in conjunction with the Chair, to write to the appropriate government minister expressing the Committee's views as outlined above.<sup>1</sup>

REASON: To ensure that the Committee's concerns on this matter are made known to the government before the bill is enacted.

(ii) That the Monitoring Officer be asked to keep the Committee apprised of further developments.

REASON: To ensure that the Committee can prepare for any changes to its role and continue to support the City and Parish Councils in maintaining high standards of ethical conduct.

#### Action Required

1. Write to government minister, as agreed

AD

#### **6. GUIDANCE ON BLOGGING**

Members considered a report which presented a quick guide to blogging and social networking, produced by Standards for England.

The recent growth in the number of councillors using new technology to interact with their constituents had resulted, in some cases, in councillors coming into conflict with the Code of Conduct. The guide, attached as Annex 1 to the report, was designed to help councillors avoid such conflicts.

RESOLVED: That the Monitoring Officer be asked to draw the guidance to the attention of City Councillors and Parish Clerks.<sup>1</sup>

REASON: In order to support councillors who may be using, or planning to use, new technology to assist them in interacting with their constituents.

Action Required

1. Notify CYC Councillors and Parish Clerks of the guidance AD

## **7. CASES BEFORE THE FIRST TIER TRIBUNAL**

Members considered a report which identified some key messages from cases decided recently by the First Tier Tribunal.

The First Tier Tribunal (Local Government Standards in England), previously called the Adjudication Panel, dealt with appeals from decisions of local Standards Committees and cases referred to them at first instance by an Ethical Standards Officer of Standards Committee. Nineteen decisions of the Tribunal had been reported in 2010. The decisions were fact specific and did not operate as formal precedents.

The report highlighted a number of cases involving decisions made by the Tribunal on the following issues:

- Whether a member was acting in his/her official capacity
- The right to freedom of speech versus others' rights to protection of reputation etc.
- Prejudicial interests
- Requirements to maintain confidentiality of information
- The correct sanction to impose

The Chair noted with approval a recent report in the Press indicating that members of the City of York Council's Planning Committee had declined to comment on proposals for a Community Stadium, on the grounds that they could risk prejudicing their decisions on a future application.

RESOLVED: That the report be noted and that similar reports be brought to future meetings of the Committee from time to time.

REASON: To ensure that the Committee is aware of current good practice.

## **8. PLANS/WORK UNDERTAKEN TO PROMOTE THE CODE**

Members received a verbal update from the Monitoring Officer on work recently undertaken and planned within City of York Council to promote the Code of Conduct.

At the start of the municipal year, an e-mail had been circulated to all City of York Council Members reminding them to review and update their entries on the Register of Interests. This had yielded results and a similar reminder would be circulated to Parish Clerks. The Chair of Standards Committee and the Monitoring Officer would be meeting the Council Leader and Chief Executive shortly to discuss standards issues. Finally, the new Member Training Programme included two sessions linked to standards. Further work would follow once the future of the standards regime was known.

Members commented that they had had difficulties in amending the Register of Interests, and a technical guide would be appreciated. They also stressed the need for the training on standards issues to include practical examples.

RESOLVED: That the information provided be noted and that Officers note Members' comments thereon.

REASON: So that the Committee is aware of, and involved in, work to promote standards within the Council.

## **9. REVIEW OF WORK PLAN**

Members reviewed the Standards Committee's work plan for the 2010/11 Municipal Year.

RESOLVED: (i) That the revised work plan (attached as an annex to these minutes) be approved.

REASON: To ensure an organised approach to the Committee's work in the current Municipal year.

(ii) That the Monitoring Officer look into the possibility of including in a future publication of the Your Ward newsletters an item on promoting the work of the Standards Committee.<sup>1</sup>

REASON: To ensure that this information is circulated as widely as possible, including to parish councils.

### Action Required

1. Look into the inclusion of an item in Your Ward, as agreed AD

## **PART B - MATTERS REFERRED TO COUNCIL**

### **10. ANNUAL MONITOR OF MEMBER TRAINING AND DEVELOPMENT**

Members considered a report which provided information on the take-up at events offered as part of the City of York Council's 2009/2010 core programme of Member Training and Development, together with feedback

from those who had attended these events. The Chair of the Member Development Steering Group was in attendance to present the report.

It was reported that:

- 21 non-Executive Members had achieved the minimum target of attending 8 qualifying sessions, 19 of whom had exceeded the target
- 19 non-Executive Members had not achieved the target
- 5 Executive Members had exceeded the target of attending 12 qualifying sessions and 2 Members had achieved the minimum target
- 4 non-Executive Members had not undertaken any qualifying events or activities.

A summary of feedback received was provided in paragraphs 14 to 17 of the report and in Annex A. In addition to the feedback on the sessions themselves, a number of comments had been made in relation to venues, refreshments etc.; these had been taken on board when arranging the 2010/11 programme.

It was further reported at the meeting that a provisional date of 28 September had been selected for the Council to be assessed for Charter status. A successful result would make York one of the first councils to receive the Charter. The Chair of the Steering Group, and Members of the Standards Committee, extended their thanks to Officers for their work in reaching this stage.

**RECOMMENDED:** That Council consider the Annual Monitor of Member Training and Development.

**REASON:** In order to comply with the monitoring arrangements set out in the Member Development Steering Group's Terms of Reference.

C Bainton, Chair

[The meeting started at 3.00 pm and finished at 4.10 pm].

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## 2009/2010 Work Plan for Standards Committee

### Ongoing Activities

Local assessment of complaints  
Standards Board Guidance  
Member and Officer Training

<u>Item</u>	<u>Meeting Date</u>	<u>Notes</u>
Annual Report to Council	27 August 2010	
Whistle blowing policy	27 August 2010	
Report on complaints pre-hearing and hearing procedures	27 August 2010	
Viewing of DVD on complaints produced by Standards for England	27 August 2010	
Review of the Operation of Local Assessments of Complaints	22 October 2010	
Annual Review of Members' and Officers' Registers of Gifts and Hospitality and Members' Declarations of Interest	17 December 2010	
Report on complaints pre-hearing and hearing procedures	22 January 2011	

Other Items for 2010/11 Municipal Year (dates tba):

- *Update on the new Standards bill*
- *Report on promoting the work of the Standards Committee (once future of standards regime known)*
- *Review of Planning Code of Good Practice*

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