

## North Yorkshire County Council

### Standards Committee

Minutes of the meeting held on Friday 20 March 2015 at 10 am at County Hall, Northallerton.

**Present:-**

County Councillors Caroline Patmore (Chairman), Andrew Goss, Helen Grant and Robert Windass (as substitute for County Councillor Jeffels) and Independent Persons Hilary Gilbertson MBE and Louise Holroyd

Apologies were received from County Councillor David Jeffels.

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**Copies of all documents considered are in the Minute Book**

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**26. Minutes**

**Resolved –**

That, subject to the following clarification, the minutes of the meeting held on 19 September 2014, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

It was clarified that in relation to the final bullet point in relation to minute 24 'Complaints Update', this reflected a general discussion by the Standards Committee: there had been no complaint or assertion that the Independent Persons for Standards were not independent of the authority and the Standards Committee had full confidence in the independence and impartiality of the Independent Persons.

**27. Public Questions or Statements**

There were no questions or statements from members of the public.

**28. Local Ethical Framework Developments**

Considered -

The report of the Monitoring Officer updating Members on the development of the Ethical Framework under the Localism Act 2011.

The report provided details of the Annual Report 2013/14 of the Committee on Standards in Public Life (CSPL), which was provided as an Appendix to the report.

The report also highlighted a report published by the National Audit Office regarding conflicts of interests and provided links to the National Audit Office website where the full report and Executive Summary could be found.

The Monitoring Officer provided key highlights of these matters and the following issues and points were raised in the discussion that followed:-

- ◆ The Committee noted the 'Local government standards' section of the CSPL Annual Report and that the CSPL would maintain a watching brief of the

national ethical framework. It further noted the CSPL concerns over the effectiveness of the sanctions regime under the ethical framework. The range of sanctions available to the Standards Committee and the loss of the power to suspend a subject Member were discussed, along with the types of matters which may be considered by the Police under the Localism Act. The Standards Committee noted the need for councillors to be accountable and that effective sanctions were required to assist in this and it was important to keep this area under review. Discussions focussed on the sanction of an apology and how this could be made more effective, for example if made in front of the Standards Committee or the Monitoring Officer seeing all draft written apologies. The Committee noted the assistance the Independent Persons could give in order to guide the authority in maintaining high standards of conduct.

- ◆ The Committee noted the Annual Report's conclusion that public sector procurement processes should take account of ethical issues and highlighted that it was important to ensure the embedding of proper standards with contractors delivering public sector contracts.
- ◆ The National Audit Office report Executive Summary set out the importance of recognising and adequately managing conflicts in the public sector. The Committee noted the documents and processes in place within the Council which assist in identifying and managing potential conflicts of interests, enabling the Council to be well-placed to deal with the types of issues raised in the report.

#### **Resolved -**

- (i) That the contents of the report be noted.

## **29. Complaints Update**

#### **Considered -**

The report of the Monitoring Officer presenting to the Committee for consideration, amendments to the standards complaint form and also providing Members with an update in respect of ethical framework complaint activity since the Committee's last meeting in September 2014.

The report provided details of required administrative updates to the standards complaint form for sending to potential complainants, to update the Monitoring Officer details in the opening section and also to include the more recent version of the Code of Conduct in the Appendix to the form. These amendments had been undertaken by the Monitoring Officer and a revised copy of the complaint form was attached as an Appendix to the report for endorsement by the Committee.

The Monitoring Officer provided details of the two new complaints received since the Committee's last meeting, the context behind those complaints and how they had been or were being addressed and further provided statistics for complaints received for the year 1 April 2014 – 11 March 2015.

Members discussed the report and the following points were raised:-

- ◆ It was noted that in relation to the complaint assessed, it had been agreed by the Monitoring Officer in consultation with the Independent Person for Standards that no action should be taken in relation to the complaint. In relation to the other new complaint, this was due for assessment.

- ◆ It was noted that for the year 1 April 2014 – 11 March 2015, the Council had received three complaints that Members may have breached the Members' Code of Conduct. Of those three complaints, one was being scheduled for assessment, no action was required in relation to the other two complaints; and all were made by different complainants against different subject Members.
- ◆ An update was provided in relation to, and a discussion took place regarding, the handling of complaints/complainants previously considered to be unreasonably persistent and/or vexatious. Vexatious complaint activity targeted at certain individuals could lead to those individuals refusing to undertake public work in the future. The Monitoring Officer expressed gratitude to the Independent Persons on behalf of the Committee for their assistance in shaping the work of the Committee, particularly in this regard.

**(County Councillor Patmore declared an interest as she was a member of the North York Moors National Park Authority, which was currently the subject of some of the complainants' enquiries).**

**Resolved -**

- (i) That the current position on complaints received and the update on unreasonably persistent complaints be noted;
- (ii) That the revised standards complaint form attached at Appendix 1 to the report be approved.

**30. Standards Bulletin**

Considered -

The report of the Monitoring Officer presenting, for consideration, a draft of the next edition of the Standards Bulletin.

A copy of the draft of the Bulletin was appended to the report.

**Resolved -**

That the Bulletin be circulated.

**31. Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances**

Considered –

The Chairman queried whether any further meetings would be arranged between neighbouring authority independent persons for standards, as the meetings previously held had been very helpful and it was important to maintain a high profile for standards matters.

The Monitoring Officer agreed to raise this matter at a future meeting of neighbouring authority Monitoring Officers.

In response to a question from an Independent Person, a brief, general discussion also took place around the issue of devolution of powers.

**Resolved -**

That the arrangement of a future meeting of neighbouring authority Independent Persons for Standards be considered.

The meeting concluded at 11.00 am.

MPB