

North Yorkshire County Council

Standards Committee

Minutes of the remote meeting held on Friday 18 September 2020 at 10.00 am.

Present:-

County Councillor Caroline Patmore (Chairman); County Councillors Andy Paraskos, Stuart Parsons, Peter Sowray and Cliff Trotter, together with Louise Holroyd (Independent Person for Standards).

Apology for Absence:-

An apology for absence was received from Hilary Gilbertson MBE (Independent Person for Standards).

Copies of all documents considered are in the Minute Book

55. Minutes

Resolved -

That the Minutes of the meeting held on 6 March 2020, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

56. Declarations of Interest

There were no declarations of interest from Members.

57. Public Questions or Statements

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

58. 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 a summary of the following, together with links to the full documents:-

- New Model Code of Conduct for Members - The LGA's consultation on a new Model Code, and the response sent by the Committee's Chairman on behalf of North Yorkshire County Council.
- Various blogs published by the Committee on Standards in Public Life during the Covid-19 pandemic. The blogs aimed to ensure that standards were still kept at the forefront of people's mind whilst authorities were dealing with Covid-19 and its consequences.

- The intention of the Committee on Standards in Public Life to seek, in the autumn, information from local authorities regarding progress made against best practice recommendations regarding local government ethical standards.

With regard to the LGA's consultation about a New Model Code of Conduct for Members, the Committee discussed the following:-

- The potential to change the requirement for councillors to treat people with "civility" rather than "respect" - It was felt that treating people with "civility" would be a lesser standard than "respect". Some Members felt that "respect" was more appropriate than "civility". A Member suggested that both words should be used because they had different meanings.
- The need for clear guidance to describe the circumstances when councillors were not acting in their official capacity as councillor - It was felt that, in the absence of clear guidance, often the public perception was that councillors were acting in their official capacity as councillor 24 hours a day, 7 days a week.
- It was suggested that officers should undertake further work to collect information about the circumstances when County Councillors, in their official capacity as councillor, were offered but refused gifts and hospitality. A Member highlighted that there was an issue about explaining the reasons for refusing gifts and hospitality. The Monitoring Officer confirmed that he would find it helpful for further work to be undertaken because he was interested to learn which organisations and individuals were offering County Councillors gifts and hospitality. *(This conversation took place during a later stage of the meeting.)*

With regard to the best practice recommendations regarding local government ethical standards, it was felt that North Yorkshire County Council was in a very good place and complied with, if not exceeded, the vast majority of best practice recommendations. Barry Khan (Monitoring Officer) commented that, in his view, Members of the County Council had really good and strong and challenging relationships with officers in an appropriate manner.

The Chairman thanked Moira Beighton (Senior Lawyer, Governance) for all her hard work in relation to local government ethical standards.

Resolved -

That the contents of the report be noted.

59. Complaints Update

Considered -

The report of the Monitoring Officer updating the Committee regarding Ethical Framework complaint activity.

It was reported that two new complaints had been received since the Committee's meeting on 6 March 2020. Details of the complaints were provided, including the results of the assessments undertaken, as summarised below:-

- One complaint related to a post on social media and an allegation regarding the Member's close proximity to other people at a pub prior to formal Covid-19 lockdown. The conclusion of the assessment was that there was no potential breach of the Code because the Subject Member was not acting in his/her official capacity as a county councillor at the relevant time and therefore no action needed to be taken.

- The second complaint was currently under consideration by the Monitoring Officer and had been referred for investigation. It was reported that further details would be reported to the Committee at a future meeting.

Regarding the two complaints against the same county councillor regarding the same matter, receipt of which had been reported at the Committee's previous meeting, these had been dealt with under informal resolution whereby the Monitoring Officer had given words of advice to the Subject Member.

During the year ended 31 March 2020, ten standards complaints had been received, four of which related to the same subject Member and matter. None of the ten complaints was referred for investigation. However, one complaint was dealt with by local settlement under informal resolution, namely, the Subject Member should issue a formal apology; undergo suitable diversity training as directed by the Monitoring Officer; and the assessment record should be published on the Council website.

For the year 1 April 2020 to the date of this meeting, one standards complaint had been received, receipt of which had been reported to this meeting.

The Chairman commented that she was proud that so few complaints were made about the conduct of Members of North Yorkshire County Council and about the way such complaints were so well handled.

Resolved -

That the current position, regarding complaints received, be noted.

60. Standards Bulletin

Considered -

The report of the Monitoring Officer presenting for the Committee's consideration, a draft of the latest Standards Bulletin, a copy of which was at Appendix 1 to the report.

No amendments were suggested by Members.

Resolved -

That the Bulletin be approved for circulation.

61. Annual Report of Standards Committee

Considered –

The report of the Monitoring Officer presenting, for Members' comments and suggested amendments, a draft of the Annual Report of the Standards Committee for the period 1 April 2019 to 31 March 2020.

No amendments were suggested by Members.

Resolved –

That the Annual Report 2019-20 be submitted to a forthcoming meeting of the County Council.

The meeting concluded at 10.40 am.

RAG