

North Yorkshire County Council

Standards Committee

Minutes of the meeting held on Friday 21 September 2018 at 10am at County Hall, Northallerton.

Present:-

County Councillors Caroline Patmore (Chairman), John Blackie, Andy Paraskos, Peter Sowray and Cliff Trotter; together with Independent Persons for Standards Hilary Gilbertson MBE and Louise Holroyd.

Copies of all documents considered are in the Minute Book

1. Minutes

In considering the Minutes of the last meeting of the Standards Committee held on 18 April 2018, the Chair drew attention to Minute 16 and the consultation on Councillor Disqualification Reform, and reiterated her view that there should be a light touch DBS check for all Councillors as they all come into contact with children, the elderly and the vulnerable.

Moira Bighton, NYCC Senior Lawyer confirmed that the monitoring officer was currently investigating whether Members were automatically subject to a DBS check. She also confirmed that the Committee's consultation response to the new Ministerial Code of Conduct, had been echoed by other Local Authorities with the same two key issues being identified nationally.

Finally, Members welcomed the Leader of the Council who was in attendance in line with the Committee's request at the previous meeting.

The Leader provided a statement endorsing the views expressed by the Chief Executive at the last meeting. He confirmed his full support for the work of the Standards Committee and agreed it was important to record and monitor the attendance of Members. He also drew attention to the amount of time County Councillors spend working in their communities.

In regard to complaints, the Leader confirmed that the number received was minimal taking account of the millions of transaction undertaken by the County Council annually, and that each complaint provided an opportunity to learn and make improvements. He also stated that in his view, the County Council was well run in regards to conducting its business and that County Councillors were respectful of each other and of officers.

Resolved –

That the Minutes of the meeting held on 18 April 2018, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

2. Declarations of Interest

There were no declarations of interest from Members at this stage of the meeting.

3. Public Questions or Statements

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

4. 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 presented by Moira Beighton, NYCC Senior Lawyer updated Members on the following:

- The Review of Local Government Standards
- Committee of Standards in Public Life (CSPL) Report on ‘The Continuing Importance of Ethical standards for Public Service Providers’
- CSPL Annual Report 2017-18

Moira Beighton confirmed Committee would be kept informed of future developments and the Chair thanked her for the update.

Resolved –

That the Committee noted the update report.

5. Annual Report of the Standards Committee

Considered -

The report of the Monitoring Officer presenting Members with a draft annual report of the work of the Standards Committee for the period 1 April 2017 to 31 March 2018.

Members considered the draft copy of the annual report for Members’ consideration attached as an Appendix to the report.

Resolved -

That the annual report be approved and submitted for consideration to a forthcoming meeting of the full County Council.

6. Members’ Attendance Monitoring

Considered -

The report of the Monitoring Officer reporting the record of attendance of Members of the County Council at meetings of the County Council and its Committees for the period 1 April 2017 to 31 March 2018.

It was considered that overall, Members had a good percentage attendance of meetings. However, Members agreed that attendance figures alone did not truly

reflect the commitment of County Councillors to their role. County Councillor John Blackie suggested that the record should also try to reflect the efforts required by some to attend meetings, and proposed the inclusion of a column containing the distance travelled for each Member from home to County Hall in order to add clarity on the time commitment required. He also suggested that some context should be added to the report that reflected the important role of community leader undertaken by all County Councillors and the time dedicated to that role, in order to balance the attendance at meetings against the other time consuming duties undertaken by County Councillors.

County Councillor Carl Les queried why attendance at Fire Authority meetings was not included. County Councillor Andy Paraskos raised the issue of attendance at Parish Council meetings, highlighting that some County Councillors had a high number of parish councils in their electoral division requiring County Councillor attendance, and Cllr Helen Swiers noted that the attendance at a number of other meetings, training sessions and seminars associated with committee membership was also not recorded in the statistics.

Cllr Blackie questioned whether a summary of the other duties could be added to the appropriate webpage that the public use to view the attendance figures, in order to provide some context and balance.

The chair suggested that the issues needed to be addressed and independent member Louise Holroyd proposed that feedback on the proposals made at the meeting be brought to a future meeting.

Resolved -

- (i) That the report be noted;
- (ii) That copies of the statistics be circulated to the Leaders of the Political Groups of the County Council.
- (iii) That feedback on the proposals made be provided at a future Standards meeting

7. Complaints Update

Considered -

The report of the Monitoring Officer updating the Committee regarding ethical framework complaint activity since the Committee's last meeting on 18 April 2018.

The report presented by Moira Beighton, NYCC Senior Lawyer highlighted five new formal complaints received since the last meeting of the Committee. It was confirmed that the Monitoring Officer having completed his consideration of two of those complaints in consultation with the Independent Persons for Standards, had deemed that both cases required no further action.

Moira Beighton confirmed that consideration was ongoing on the three remaining complaints.

Specifically in regard to Complaint No. NYCC/SC/62 the Chair confirmed that the complaint had been sent by post to all members of the Standards Committee. Moira Beighton summarised the actions of the Monitoring Officer to date in response to that particular complaint and confirmed that it was not the role of the Standards Committee to consider the conduct of officers or the decisions they had taken, but

rather to focus on the conduct of Members. In that regard she confirmed the Monitoring Officer had already considered the member conduct in the case and decided that no further action was required, and that all other issues raised in the complaint were still under investigation.

County Councillor John Blackie proposed that once the full outcome was known, the complainant should be provided with a written response from the Committee outlining the process that had been undertaken and the decisions reached, in order to ensure the complainant fully understands, which the Chair and other Members endorsed.

Resolved -

That the current position on all complaints received since the last meeting of the Committee be noted.

8. Standards Bulletin

Considered -

The report of the Monitoring Officer presenting a draft copy of the forthcoming Standards Bulletin.

Members noted the content of the Bulletin and proposed the inclusion of additional information relating to:

The limits associated with the acceptance of gifts and hospitality;
The declaration of pecuniary interests and the consideration of the public perception

Maira Beighton, NYCC Senior Lawyer confirmed that Members need to give due consideration to both common law and bias when considering the public perception and agreed this could be highlighted in the Bulletin

Resolved -

- (i) That the bulletin be approved for circulation, subject to the addition of the extra information identified by Committee Members

The meeting concluded at 10:50am

MLC