

# Human Rights & Equalities Board

Date: **Monday 20<sup>th</sup> September 2021**

Time: **2:00 pm – 4:00 pm**

Place **Zoom**

## AGENDA

Agenda	Actions
1. Notes of the meeting held on 14 <sup>th</sup> June: <ul style="list-style-type: none"><li>• Original draft minutes attached, marked up with some suggested amendments received from board members</li><li>• Discussion of future processes for formally agreeing actions to be recorded in the minutes, recording any amendments, publishing agreed minutes, etc.</li><li>• Matters arising from the minutes</li></ul>	
2. Community Voices (report attached)	Paul Gready
3. Homelessness work: discussion of next steps (draft letter / flyer attached)	Charlie Croft
4. Agreement of HREB statement on city centre access and next steps (draft to follow)	All
5. Council of Sanctuary Award (paper attached)	Charlie Croft
6. Work Programme and Membership: (proposal on membership attached together with previous paper on work programme)	Charlie Croft
7. LGA Code of Conduct: discussion of potential equality implications (code of conduct attached)	Charlie Croft
8. AOB / updates round the table	

# Human Rights & Equalities Board

Date: Monday 19th July 2021

Time: 2pm till 4pm

Place: Zoom

Present: Cllr. D Smalley (chair), Cllr. Fiona Fitzpatrick, Cllr. Rosie Baker, Marilyn Crawshaw, Daryoush Mazloum, Paul Gready, Alison Semmence, Will Boardman.

In attendance: Charlie Croft, Marynka Marquez

Apologies: Nick Sinclair, Lee Probert, Anne Mwangi

Item	Minutes	Action
1.	<p>Charlie advised that a request had been made via Stephen Pittam, Chair of YHRC Network, for the board to discuss accessibility to the city centre in the light of the Steering Group's recent statement on the matter. The Chair indicated that, whilst he was willing for a discussion to take place, it might be more productive for a meeting to be arranged with officers engaged in that area of work as this would enable the Board to have a deep dive into the issues and the work going on and to understand what the plans are going forward.</p> <p>Paul Gready said there are three issues: The first concerns York's status as a Human Rights City, and the need to be clear on the human rights and equalities implications of any new policy. Has such an assessment been done on the new accessibility proposals, and if so can the HREB see it?</p> <p>The second issue relates to a concern that, in speaking in the council debate and stating that he is Chair of HREB, listeners could easily have had the perception that Cllr Smalley was speaking on behalf of the Board and that the Board backed the position that he took in that debate. That is a cause of concern and the question of who speaks on behalf of the Board is something that requires discussion.</p> <p>Third there is the question of what constructive role this Board could play in trying to help resolve the relevant issues.</p> <p>Cllr Smalley said, with regard to the recent council debate, that he saw the amendment as removing the politicking. However, he acknowledged that, in stating that he was speaking as a portfolio holder and as chair of</p>	

HREB, this implied that he was speaking on behalf of HREB. He acknowledged that this was inappropriate and offered his apologies to the board. He explained that, in mentioning his role on HREB, he had intended only to air a potential conflict, given the heated discussion regarding conflicts of interest prior to discussing the motion, but acknowledged that it didn't achieve this and implied something entirely different.

There was discussion about the circumstances in which the chair might speak for or cite the board in future and the need for a process around this. It was agreed that, on any future occasion when the Chair of the Board might be identified as acting in that capacity he would clarify whether he was speaking on behalf of the board and talking about its processes and decisions or whether he was giving his own views. It was noted that review of work programme at future meetings may identify occasions and topics where this need may arise.

Marilyn Crawshaw said that in terms of the human rights conventions and the Public Sector Equality Duty, there are some blue badge holders who, without mitigation, will not be able to access the city centre in future and it is felt that this is getting lost in the debate. There is clear case law in the area of disability discrimination and, in the view of the York Human Rights City Network, the council is potentially breaching the rights of a number of blue badge holders. Disability groups have worked constructively with officers and consultants and to say in one of the motion's amendments that mediation is required between different groups was also, in her view, inappropriate.

Paul Gready observed that, in rights terms, there are rights on both sides. He reported that Superintendent Mark Khan had attended the Network meeting the previous week and had explained that CYC has been under pressure from the Police for some time to constrain access to the city centre linked to terrorism threats, etc. He has since asked to speak to with disabled groups in the city.

Cllr Baker said she wasn't at the recent council meeting so cannot comment on that but commented that the options are still to be looked at for how arrangements come to be implemented. She said that she completely supports a renewed green badge scheme of some kind: options need to be looked at and it is not too late for that.

	<p>Alison Semmence said there should be a co-production approach to this issue as it is divisive and could undo other really good work from CYC.</p> <p>Marilyn Crawshaw commented she is not averse to having a follow-up meeting but there are dangers of meeting without the disability groups there. Trust is broken so transparency is required and urgent action is needed.</p> <p>Charlie suggested a doodle poll to members of this Board and to ask for feedback on who else should attend.</p> <p>Paul suggested it might be better for the Board and Network to nominate a couple of people to attend rather than everyone being there.</p> <p>Cllr Fitzpatrick agreed with Paul on slimming down the meeting: two councillors would be sufficient.</p> <p>Alison suggested a statement from the Board would be helpful.</p> <p>Daryoush Mazloum said that the next steps need to happen really quickly and, whatever format is chosen for the meeting, it should not be political, but a human rights issue and be seen in that way.</p> <p>Cllr Smalley thanked the Board for their honesty and said he will soon be sending out a statement in full and frank apologies. He also added that he is always available to meet or take a call from anyone with any concerns.</p>	
2.	<p><u>Review of Work Programme and Membership</u></p> <p>The board considered the paper previously circulated. Charlie Croft commented that there is a range of work in progress from the work programme, some of it in sub-groups; however, the Board might like to consider which aspects to bear down on further or give more prominence to. Also to refresh the membership with skills that are relevant to the agenda and also to bring on board people who are keen to be on Board.</p>	

	<p>A question was raised as to whether, given the title of the Board, there should be representation from equalities groups.</p> <p>It was agreed that there needs to be a clear statement about the respective roles of and relationship between the Board and the YHRC Network. This could be worked on jointly between YHRCN and HREB.</p> <p>Regarding membership, Charlie reported on difficulties experienced when the board was first launched, in attracting membership from certain sectors such as health and business. He said that he had written to organisations and some had declined.</p> <p>Suggestions for memberships to be made to Charlie Croft.</p> <p>Suggestions for the programme of action to be made to Charlie Croft.</p>	<p>All</p> <p>All</p>
3.	<p><u>AOB</u></p> <p>Local Government reorganisation. It was noted the outcome would be known this week and will be communicated.</p>	

Dates of next meetings:

2pm 20<sup>th</sup> September

2pm 13<sup>th</sup> December

## **Human Rights and Equalities Board 20 September, 2021**

### **Community Voices**

The Community Voices initiative has two main aims:

- 1) To acknowledge that York is an increasingly diverse city, and to try to ensure that this diversity of voices is heard in decision-making processes in the city. It places a particular focus on groups marginalised even within their communities of identify.
- 2) To support communities in setting their own agenda and bringing their priority concerns to CYC and other stakeholders, in preference to conventional, more top-down consultation exercises.

The York Human Rights City network (YHRCN) has run the Community Voices Project since 2018 with York CVS being the accountable body for the funding. As a result, Community Voices is shaped by human rights law and principles (participation, non-discrimination). To date YHRCN has worked with homeless people, those subjected to hate crime and with disabled people. Research has been conducted with these particular groups, culminating in reports submitted to the Human Rights and Equalities Board for discussion and action.

HREB previously agreed that, in the period 2021-24, Community Voices approach will evolve in response to the following issues:

- 1) The need to combine working with communities of identity or marginalised groups with more cross-cutting support for the voluntary sector e.g. human rights training, establishing Community Voice Volunteers
- 2) The limitations of an approach that works with a group for a year and then moves on, and the preference for longer-term engagement.
- 3) The existence of a number of other, potentially mutually supportive, initiatives including: the development of a new volunteering strategy for the city; interest in co-production of policy and service delivery; the creation of the Place Board which will require co-production to redesign services and pathways; and the development of new policy tools (Community Impact Assessment Template; Human Rights and Equalities Impact Assessment).

In response to these drivers the Community Voices project will:

- Work with two communities of identity or marginalised groups between 2021 and 2024, each for two years. Up to 21 this will be disabled people (this work having commenced in 2020. A further group will be identified in consultation with the Human Rights and Equalities Board for 22-24.
- Support agenda-setting and engagement with CYC for these two groups, developing models for and enhancing co-production of policy and service delivery.
- Develop a cohort of Community Voice Volunteers, for example working with individuals within the disabled people target group (2020-22) to work with the next target community of identity (this pattern could be replicated over time, expanding the number of volunteers).
- Deliver alongside this targeted approach more sector-wide forms of support, such as training. This will require collaboration with other agencies (York CVS, British Institute of Human Rights) and initiatives (the new volunteering strategy).
- Pilot the use of Community Voices as a multi-faceted human rights intervention. This could move it beyond participation to provide a space for accountability, for example hosting events which monitor the progress of co-produced interventions.

The project's report for the period January to June 2021 is attached for discussion.

# Community Voices Report

January - June 2021

This report covers the 6 month period between January and June 2021 due to the coordinator coming into post in January. This period has been an uncertain one in terms of the ongoing Covid19 pandemic and the work has been mostly online as a result. A lot of the disabled people involved have also had to deal with distressing narratives around their right to life and to social integration and independence, as well as the issues related to the ongoing Blue Badge exclusion from the city centre. Wellbeing has been a priority need for participants and the work reflects this.

## Project activities

Community Voices 2021 is a project which seeks to reach out to the marginalised, hidden and ignored voices in the disabled community in York. Community Voices (CV) has committed to an underlying ethos which respects the levels of trauma experienced by marginalised communities and seeks to engage in non-harmful ways with individuals.

The coordinator started by adapting the HEART Framework<sup>1</sup> as a guide to work with marginalised groups and follow this method to achieve human rights action once safety, support, empowerment and community are in place.

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<sup>1</sup> Chavez-Dueñas, N. Y., Adames, H. Y., Perez-Chavez, J. G., & Salas, S. P. (2019). Healing ethno-racial trauma in Latinx immigrant communities: Cultivating hope, resistance, and action. *American Psychologist*, 74(1), 49-62.

## Our underlying ethos and process adapted from the HEART framework:

### Phase 1: Safety

- Establish sanctuary spaces
- Immediate relief from the effects of trauma
- Reducing isolation

### Phase 2: Healing

- Acknowledge and process trauma
- Raise awareness of impact of oppression
- Provide support cope with effects

### Phase 3: Empowerment

- Find strength and pride in the oppressed identity
- Build capacity, connection and community

### Phase 4: Liberation and Resistance

- Social justice activism
- Engagement with oppressive systems

The first step was to establish safe spaces for disabled people to come together and discuss their experiences. This included a private CV Slack workspace, the anonymous submission website DearYork.org and options to connect via phone, email and social media. As a result of one participant highlighting the lack of autism-specific space at the University of York, we worked together to set up a Staff Autism Slack channel on the wider UoY system.

In order to support people with healing and empowerment, we initiated a creative project called the Disability Journey where members posted virtual post-it notes describing their thoughts, feelings, actions and advice for others across their experience of disability from pre-diagnosis, through diagnosis, to embracing a 'disabled identity', and towards disability pride or activism. We also had space to discuss the complications of deterioration and fluctuations within this space. The project remains open for different experiences to be added as people join. It helps participants to understand where they are on their own journeys and generates hope and understanding that their current situation is not static and can move around, but all experiences are equally valid.

As part of a research project with Imperial College London and the Natural Environment Research Council (NERC) on understanding healthy environments, CV participants contributed to two focus groups which were facilitated by the CV coordinator. Each person was asked to describe what they felt to be a healthy environment for them, and why. They were also asked to make group decisions about funding preferences for the NERC which involved very rich and interesting discussions. They reported this was a positive experience and they were glad to provide a voice for disabled people in research which was not specifically associated with disability. It acknowledged and recognised their experiences and valuable knowledge as whole human beings, rather than being reduced to their impairments and support needs.

Individual CV participants wanted help with developing their confidence and digital skills - one was supported to give a presentation on disability during International Women's Week at a local charity and another designed and completed an Instagram Live event discussing food shopping during the pandemic.

The York Disability Rights Forum were supported to host two social zoom events on Easter Monday to connect better to their members and each other. The Forum has been somewhat overwhelmed this year due to the issues around Blue Badge exclusion from York city centre and the fear associated with this becoming permanent. CV provides a safe space for members to decompress and access emotional support from the community.

One CV participant got in touch following a very negative experience when they attended the vaccination centre at Askham Bar for their first dose. The website had stated that it was wheelchair accessible, but they had not considered the needs of power wheelchair users. As a result, this person could not get the chair to climb the ramp and in a highly stressed state had to push the heavy power chair up the ramp. They required emotional support and asked if I would be able to get the website changed to reflect the true accessibility status of the vaccination centre to prevent others going through what they did. I got in touch with CVS and Nimbuscare who changed the angle of the ramp as a result, making the centre genuinely accessible.

Other activities:

- I recorded an interview with Bill Clayton who runs York ME Community for ME awareness week. This was shared and stored by Two Rivers Radio.
- I gave a presentation on 'Domestic and Sexual Abuse and Disability' at Sexual Violence Awareness Week at the University of York
- I have been amplifying disabled voices into groups and meetings in order to raise awareness within these spaces - YHRCN Steering Group, CYC Autism and MH working group, York MCN Network, CYC Festival of Diversity steering group

## Project Impacts

Community Voices has provided space for disabled people to come together to connect, learn from each other, collaborate on projects and events, create humour, beauty and community, heal and seek solidarity. As isolation and disability sometimes go hand in hand, this impact cannot be understated. The power of community has encouraged people to challenge, question and feel supported in doing so.

As so much has had to be online, CV has a presence on Twitter and Instagram and has 292 and 215 followers so far respectively. The audience for these accounts is growing steadily and they are used to engage with individuals on both platforms.

The project has inserted and amplified disabled voices in non-disabled spaces and encouraged more people to understand and think about the world from a disabled perspective. The community challenges ableism, both in non-disabled people and within ourselves - nobody claims to be perfect here, everyone is learning. The connection between participants is valuable and these will hopefully be the foundations of long-term community in the city.

Individuals have been able to seek support in building confidence and engaging in learning at their own request and their own pace. Gaps in provision have been addressed where possible (e.g. within the university) and it is participants who have made those changes, CV is simply a guide or support on their way.

The Staff Autism Space has brought autistic adults and parents of autistic children together in a community where learning is key - this is so rare and so important because elsewhere, there is a huge divide and frustration between these two groups.

There has also been a physical world impact in the changing of the ramp at the vaccine centre.

Here are some examples of unprompted feedback from participants:

- N. - "thank you for involving me on this, it has been so good talking to people who actually know what you are talking about and understand"
- P - "Thank you \*so\* much for all of this. I've already reached back out to X and will be sharing on Slack (thank you!) soon now that we have things more finalised."
- C - "I'm so grateful to you for reaching out to people for me, I really appreciate your time"
- A - "I haven't told many people the awful things that X have said to me because I'm disabled. I think it's a terrible thing to hear so I don't really want other disabled people to hear it. So I'm telling you this, because you know about X"
- E - "Thanks for your work on this" (BB issue)
- L - "This is brilliant, thank you so much for being so accommodating."
- I - "you are the only person that can understand that rant, you don't even need to reply, I just wanted to be heard, thank you for reading"
- J - "Thanks very much for listening and for your support."
- C - "What a wonderful community"

## Feedback and recommendations to the council

### 1. Wheelchair services, several issues raised

One individual reported that wheelchair services do not meet the needs of disabled people with energy-limiting disabilities and often will refuse to even assess them.

One chronically ill person had been rejected outright for an assessment but was not informed of this until, after waiting months, they phoned to ask when it would be. The person on the phone was also dismissive and rude about it.

Several disabled people have reported being rejected entirely by the wheelchair service and have had to pay for their own (often ill-fitting and physically painful) wheelchairs through second-hand Facebook groups. The costs are very high - anything from £1000-£8000 depending on the type of chair. These issues exacerbate the poverty already experienced by disabled people and often prevent independence, leaving people stuck in their homes.

For example, one person explained that they were deemed “too disabled” for a manual wheelchair due to their inability to push themselves, but not being “disabled enough” for a power wheelchair as they can walk around their home. This person’s only choice was to buy a chair or be unable to leave the house.

#### Recommendation

*Given the concerns raised, CV recommends that it would be beneficial for the council to review the policies of wheelchair services, especially in relation to energy-limiting disabilities, and consider whether changes can be made to better meet the needs of disabled citizens.*

## 2. Road repairs and pavement parking

Participants have brought up concerns relating to private road repairs and people parking on the pavement. This issue has a significant impact on people who use wheelchairs and mobility scooters to move around their areas. It has also been noted that there seems to be a noticeable difference in the upkeep of relatively rich and poor areas of the city.

#### Recommendation

*The council should make the system for reporting and reviewing such concerns clear to the public and provide a timescale for repairs.*

## 3. Blue Badge exclusion

Disabled people report that they feel ignored and feel they are being treated like second-class citizens in the city. They have explained the issues over and over again in ‘consultation’ spaces without being recompensed for their time, only to have their comments ignored, and statistics misquoted and misinterpreted in the media and online. This has had a huge

emotional and physical toll on them and this issue has come to dominate large parts of their lives.

One person explained that they had always considered York a disability-friendly place until 2020 and now feels there is a “war on disabled people”, that they are being purposefully excluded from public life as their needs are ‘inconvenient’ for the council to meet. This issue is not going away and needs to be addressed with dignity and respect for disabled people at the heart of the conversation.

Recommendation

*The council should urgently take account of the information disabled people have already provided with regard to this issue and take action by publicly committing to have some form of city centre parking for disabled drivers. They need to show disabled people that they are valued members of public life by facilitating the access they require.*

## 4. A reminder for taxi drivers

Please do not ask or make comments about passengers’ disabilities. Please do not cancel taxis on disabled customers. Both of these happen frequently (though it is acknowledged that not all taxis will be licensed or managed by CYC).

Recommendation

*Taxi drivers to access disability awareness training delivered by disabled people (e.g. York Disability Rights Forum).*

## **York Human Rights City: Addressing Homelessness**

### **How you can help**

Back in 2019, the third York Human Rights Indicator Report placed a focus on the problems of homelessness and particularly rough sleeping in the city, recognising this as an important human rights issue for York citizens. In response, the Human Rights and Equalities Board established a task group to address some of the issues working with the City Council and other agencies.

The Board has looked closely at the city's "Housing First" model which is a person-centred approach particularly suited to those with multiple high support needs, seeking to respond to long-term and repeat homelessness.

There have been a number of recent positive developments, including:

- A successful bid for Year 4 of the Rough Sleeper Initiative grant. This builds upon the work we have established over the last 3 years, providing support for individuals with complex needs.
- A 'Complex Needs House' has been developed in conjunction with the Making Every Adult Matter Team. This will house 3 individuals who have requested to live together.

Homelessness is a complex issue that requires a multi-agency response. We are confident that partners are pulling together. But this is a whole city issue and we need everyone's help especially in helping us to secure suitable accommodation.

Things we need more of include:

- Additional accommodation options
- Additional support to those housed through Housing First, enhancing bespoke support package options
- Job / volunteering opportunities
- Training / skills enhancing opportunities

To explore how together we might further enhance the city's Housing First response I would like to invite you to a meeting to take place at 4:30 pm on Wednesday 3 November.

At the meeting we will:

- Hear more from the council's housing team about Housing First
- Explore possible ways in which your organisation could assist the programme

I hope you will be able to be represented.

Please let us know who will attend by emailing [charlie.croft@york.gov.uk](mailto:charlie.croft@york.gov.uk) and we will send joining instructions.

Thank you.

Cllr. Darryl Smalley

Chair of York Human Rights and Equalities Board

**Human Rights and Equalities Board 20 September 2021**

#### **Council of Sanctuary Award**

On 1 October 2016 York City of Sanctuary received national recognition, joining the City of Sanctuary community. Since that time the charity has done excellent work providing advice, friendship and practical support to individuals who find themselves unable to return to their country of origin.

At a national level, City of Sanctuary UK supports a network of groups, which includes cities, towns, villages, boroughs and regions across the UK. It holds the vision that the UK will be a welcoming place of safety for all and proud to offer sanctuary to people fleeing violence and persecution.

In June last year, City of Sanctuary UK decided to establish a local authority network. Any local authority who, like York, has previously been part of a City of Sanctuary group city-wide recognition process is invited to join the network and to apply for an award in its own right.

It is expected that the council will shortly apply to join the network, the aims of which are:

1. To support the development of a network of local authorities (cross-party) that are working towards a vision of welcome for all which is led by LAs themselves.
2. To facilitate the sharing of innovative practices which promote the embedding of a culture and practice of welcome in local authorities.
3. To speak with one voice on national matters which affect local communities and LAs

Having joined the Network the council will then need to work towards the Council of Sanctuary Award. This will mean producing an action plan using the "LEARN, EMBED, SHARE" criteria (see below).

Once the plan is in place, showing how the council will meet the City of Sanctuary UK Local Authority Network criteria, the council can apply for recognition. The application will be appraised by a Sanctuary Recognition panel which will normally include as a minimum, a local member of City of Sanctuary, someone who has lived experience of seeking sanctuary and a member of the City of Sanctuary Local Authority Steering Group.

The conversations begun during appraisal will continue throughout the three year award period and will inform a review at the end of the three years. A new application has to be submitted to renew the award after three years.

### **Learn, Embed, Share**

Any local authority applying for the award must be able to demonstrate their commitment by providing evidence that they have integrated the following:

**Learn:** learning about what it means to be seeking sanctuary, both in general, and specifically:

- Criterion 1: Awareness raising opportunities are provided, and opportunities for discussion around the theme of welcome and sanctuary are facilitated.
- Criterion 2: Evidence of refugee/asylum/migration awareness raising is included into everyday business of the local authority e.g. staff induction/training.
- Criterion 3: Commitment to supporting the voices of people seeking sanctuary to be heard.

**Embed:** taking positive action to embed concepts of welcome, safety and inclusion. To take steps to ensure this progress remains sustainable:

- Criterion 4: The local authority must demonstrate how it has embedded the concept of welcome and inclusion at all levels of the organisation. This should show how the local authority will continue to develop and sustain a culture of welcome beyond the award.
- Criterion 5: Commitment to supporting initiatives that embeds welcome and fosters solidarity between receiving communities and people seeking sanctuary e.g. participation in Refugee Week, more information about the annual event can be found here: <http://refugeeweek.org.uk>.

**Share:** sharing your vision, achievements, what you have learned, and good practice with other local authorities, the local community and beyond:

- Criterion 6: A public commitment to the City of Sanctuary vision of welcome.
- Criterion 7: The local authority publicly highlights its work in support of welcome and inclusion by making it visible on its website and noticeboards NB. Once the sanctuary award is received, we would expect the logo and a link to the webpage on the website.
- Criterion 8: Commitment to on-going engagement with the City of Sanctuary Local Authority Network. This may include sharing resources, ideas and achievements via the network and City of Sanctuary UK website.
- Criterion 9: Work with the network to identify national policy issues in order to make collective representations to government to encourage and enable change.

### **Implications**

The implications of a Council of Sanctuary Programme can be expected to be that:

- All services are able to demonstrate consideration of the needs of refugees, asylum seekers and migrants, and that reasonable adjustments have been made to accommodate them where necessary.
- The Council collects relevant data on how refugees, asylum seekers and migrants interact with our services to enable informed decision making.

- Council services have links with relevant community organisations, to provide feedback on service delivery and explore opportunities for partnership working.
- The Council helps to build and support local capacity to support the needs of refugees, asylum seekers and migrants.
- The Council acts transparently and welcomes internal and external review of our performance towards our Sanctuary goals.

### **Implementation**

Following application to join the network, the council will need to establish a reference group to help steer the development of its action plan. In this, the council will be able to work with York City of Sanctuary as well as other organisations who are members of the city's Refugee Coordination Group.

### **Recommendation**

The Human Rights and Equalities Board is asked to comment on whether:

- It supports in principle the Council applying for Council of Sanctuary status
- It would wish to nominate someone, either from the Board or the Network to join the reference group that will support the development of an appropriate action plan

## **Human Rights and Equalities Board Membership**

1. At the June meeting it was noted that there are currently vacancies on the board. This paper suggests a way forward with regard to recruitment.
2. The board's original terms of reference provided for a core membership drawn from:
  - The York Human Rights City Network Steering Group
  - CVS
  - The voluntary sector
  - North Yorkshire Police
  - The Health Provider Alliance Board
  - Higher York
  - The Centre for Applied Human Rights
  - The Interfaith Forum
  - Business
  - The city's Trades Council
  - Director of Public Health
  - One councillor from each of the main political groups
3. The terms of reference also provide for additional members to be sought to fit with the work being undertaken at any given time.
4. Superintendent Mark Khan has agreed to represent North Yorkshire Police going forward.

5. Michael Dockar has resigned from the board.
6. The categories that are therefore currently vacant are: Health, Business, the Trades Council and one Voluntary Sector place. Despite previous efforts it has not proved possible to secure representation from the business sector nor from the Trades Council. The Health Provider Alliance Board did not consider it appropriate to send regular representation.
7. Under the circumstances, the following way forward is suggested:
  - Health: Ask the York and Scarborough Teaching Hospitals NHS Foundation Trust to nominate a representative. As the largest local health provider the trust would be an important institution to include on the board. The Trust also made a significant contribution to the former Fairness and Equality Board, the predecessor of this board.
  - In respect of the remaining places: Advertise widely in the city for expressions of interest from individuals to join the board. Prospective candidates could then be interviewed by a sub-committee of the board. This approach to recruitment would be in line with Nolan principles and would ensure transparency. The advertisement could specify particular areas of representation that would be particularly welcome, including the voluntary sector and business.
8. As previously, it will be open to the board to co-opt additional members for particular topics.

#### **Recommendation**

9. The Board's views are sought.

Charlie Croft  
16 September 2021

10. This paper seeks to take stock of the board's current work programme and invites comment on:
  - The organisation of its priorities going forward, and
  - Refreshing its membership

### **Background**

11. The board was established to:
  - Provide strategic direction for the council's human rights and equalities work, and
  - Tackle the issues raised within the York Human Rights City Indicator Report
12. The board was also expected to play a leadership role in creating a 'human rights culture' in the city by:
  - Engaging the city's key agencies in the vision of YHRC
  - Developing human rights approaches as a means of every day problem solving for all
  - Encouraging multi-actor approaches to addressing human rights issues in the city
  - Developing "translators" and "champions" who will help to institutionalise human rights values across the city's institutions
  - Making council staff and those in partner organisations aware of the relevance of human rights to their everyday work and equipping them to talk about them
  - Increasing knowledge and awareness of human rights amongst elected members

### **Strategic direction for the council's human rights and equalities work**

13. The Board has assisted the council in developing its equalities and human rights system focusing around engagement and accountability. In the area of engagement the York Human Rights City Steering Group has taken a particular lead in developing the "Community Voices" approach.
14. In the area of accountability, the focus has been on developing the council's approach to equality and human rights impact assessment. A new tool has been developed and is now mandated for all council decisions. Next steps are:
  - Monitoring and evaluating initial use of the new tool
  - Updating the tool in the light of operating experience and incorporating further improvements proposed in the *Embedding Human Rights in Equality Impact Assessment* Policy Brief
  - Implementing a training programme in impact assessment for staff involved in undertaking them
  - Making available to council staff and others a short video on human rights impact assessment to be produced by Piergiuseppe Parisi.
  - Implementing a more general human rights awareness training programme including other, related forms of training e.g. on intersectionality and on the rights of particular groups
  - Developing some case studies on use of the tool

## Tackling issues raised within the York Human Rights City Indicator Report

15. This section of the paper responds to the recommendations set out in Indicator Report 5:

- **Tackling poverty and inequality:** The Human Rights and Equalities Board should prioritise this issue, ensuring that there is a coherent strategy across all relevant stakeholders in the city to build back better.

The current focus is on assembling funding to set up a Poverty Truth Commission. The council has pledged £20k of the estimated £60k requirement. A bid has also been submitted to the University of York. This bid focusses on modelling a way of working through Community Voices that shapes co-production of research and policy through the Poverty Truth Commission, and more widely in the city. The aim would be for Community Voices to include more groups of York citizens in order to support the Poverty Truth Commission and ensure that voices and priorities for change from those with lived experience of poverty are heard and acted upon in new ways in the city.

Turning to wider issues of inequality, the LGA peer review report on the city's response to the Covid-19 pandemic highlighted excellent work undertaken with communities to address inequalities; however, it also stressed that a joined-up, strategic approach will be needed between the council and partners if inequalities, heightened by the pandemic, are to be addressed.

How might we institute a joined-up strategic approach? Would there for example, be merit in undertaking a post-Covid city-wide impact assessment? Such an approach might be extended into a broader communities impact assessment. If this was thought desirable, how might an initiative of this nature be led and resourced?

- **Communication:** The council, the voluntary sector and civil society would benefit from a review of the framing and narratives which inform public communications.

These recommendations are being taken up by the city's Head of Communications group chaired by Claire Foale from the council. The group has been expanded to include representatives of the various communities of identity. It is proposed to receive a report back from this group at HREB.

- **Digital divide:** The digital divide needs to be reduced through a greater focus on digital literacy, not just device provision.

An update on the city-wide work is elsewhere on the agenda for this meeting.

- **Co-production and collaborative working:** Civil society, the voluntary sector and CYC should continue to work towards integrating collaborative working and co-production in service delivery.

An update on this work is elsewhere on the agenda for this meeting.

- **Human rights training for the council** and other, related forms of training e.g. on intersectionality and on the rights of particular groups

Covered above.

- **Human rights training for civil society:** There may be value in training for CYC and civil society groups being co-produced and delivered to mixed cohorts of participants.

This could be an extension of the CYC training being developed

- **International knowledge sharing: York should continue knowledge sharing with Human Rights Cities across Europe, through platforms such as the Human Rights Cities Network.**

The board's views are sought on how this can be pursued.

### **Membership**

16. The board's original terms of reference provided for a core membership drawn from:
  - The York Human Rights City Network Steering Group
  - CVS
  - The voluntary sector
  - North Yorkshire Police
  - The Health Provider Alliance Board
  - Higher York
  - The Centre for Applied Human Rights
  - The Interfaith Forum
  - Business
  - The city's Trades Council
  - One councillor from each of the main political groups
17. Despite significant efforts it has not proved possible to secure representation from the business sector nor from the Trades Council. The Health Provider Alliance Board did not consider it appropriate to send regular representation.
18. The terms of reference also provide for additional members to be sought to fit with the work being undertaken at any given time.
19. The board is asked to suggest areas from which additional board members might now be recruited.

### **Other work plan updates**

20. **Housing First:** It was identified at the March meeting that a focus should be placed on getting more housing partners in the city committed to Housing First and that HREB should support with this. A letter has been drawn up for the chair to send to appropriate organisations and this will be circulated to HREB members.
21. **Hate Crime:** The Hate Crime Working Group has developed an action plan up to end of 2021 which provides for:
  - The development of four, local, third-party reporting centres, working with YREN, York Traveller Trust, LGBT Forum and a fourth, to be identified, supporting disabled people
  - Awareness raising of the third-party reporting centres
  - Training in signposting for council customer centres, libraries, etc. to support and facilitate reporting
  - Developing a support package for those who have experienced hate crime to be provided within the four local reporting centres
  - Developing an intelligence gathering system about hate incidents at all levels in the city in order to gain a rounded picture

22. **Festival:** A steering group of partner organisations has been established to run a festival in March 2022. The title is yet to be determined but its basic premise will be “one community, many stories”. The festival will:
- Be for all York residents
  - Reflect all York’s communities
  - Raise residents’ awareness and understanding of the many faces of York
  - Celebrate one community, many stories
  - Take place in the city centre, especially in its public spaces
  - Have ways of reaching out to those who don’t come into the city centre for whatever reason
  - Allow communities / groups the space to frame their contributions in the way they see fit (which might include relating their negative experiences)
  - Incorporate lots of art forms, music, dance, food, etc.
  - Provide a theme and allow groups to contribute within that theme
  - Have a fringe style approach with activities and events established in different locations round the city centre
  - Establish story-telling as the common ground – ensure that communities / groups are listened to
  - Capture the imagination and ignite new ways of thinking
  - Leave a legacy
23. Measures of success will include:
- Every York resident has engaged with the festival or heard something about it or at least read something about it
  - The festival generates feedback
24. Longer term outcomes would be:
- An increase in hate crime reporting and a decrease in “bystander apathy”
  - Raised awareness of individual projects and an increase in engagement and volunteering
  - Increased confidence for groups and communities to tell their stories
  - People feeling valued as York residents and that the city is theirs
  - York becomes a friendlier, anti-racist city
25. **Gypsy and Traveller Working Group:** Terms of reference for this group are attached. An action plan will now be developed by taking one topic at each meeting. At its first substantive meeting the group looked at education / schools (see attached draft plan).

Charlie Croft  
1 June 2021

## **Local Government Association**

### **Model Councillor Code of Conduct 2020**

#### **Joint statement**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

## **Introduction**

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit- for- purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

## **Definitions**

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub- committee of the authority; and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against

you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

### **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

### **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas,

opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

## **2. Bullying, harassment and discrimination As**

### **a councillor:**

#### **2.1 I do not bully any person.**

#### **2.2 I do not harass any person.**

#### **2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

**As a councillor:**

#### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written.

However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information As a councillor:**

#### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

#### **4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

#### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

### **5. Disrepute**

#### **As a councillor:**

#### **5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

### **6. Use of position As a councillor:**

#### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

### **7. Use of local authority resources and facilities As a councillor:**

#### **7.1 I do not misuse council resources.**

#### **7.2 I will, when using the resources of the local authority or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers • transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of**

### **Conduct As a Councillor:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

### **Protecting your reputation and the reputation of the local authority**

## **9. Interests**

### **As a councillor:**

**9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B sets** out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## **10. Gifts and hospitality As a councillor**

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- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**

### **10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles**

**of Public Life** The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Appendix B Registering interests**

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

#### **Non participation in case of disclosable pecuniary interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.  
Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it ]

#### **Disclosure of Other Registerable Interests**

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate;  
or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.

<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) ) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
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'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2: Other Registrable Interests**

You must register as an Other Registerable Interest :

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any body

- (i) exercising functions of a public nature
- (ii) directed to charitable purposes or
- (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

## **Appendix C – the Committee on Standards in Public Life**

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying

and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***