

Roles within the Ethical Framework

1. THE STANDARDS COMMITTEE

North Yorkshire Fire and Rescue Authority has a Standards Committee which promotes high standards of conduct within the Authority. The Committee assists and advises Members and the Authority on ethical issues, monitors the operation of the Authority's Code of Conduct for Members (which is based on the national model); and receives, assesses and, where necessary, investigates and determines complaints that Members may have breached the Code.

All elected Members and certain co-opted Members must follow the Code and, if they are found to have breached it, then they can face sanctions from the Standards Committee ranging from, for example, censure to suspension for up to six months. The First Tier Tribunal: "Local Government Standards in England (formerly known as the Adjudication Panel for England)" generally determine the more serious cases (or those where it is not appropriate for them to be dealt with locally by the Standards Committee) and can disqualify a Member for up to five years.

Membership of the Committee

The Authority's Standards Committee has three independent Members (people who are not Members of the Authority) and four local authority Members (two from the City of York Council and two from North Yorkshire County Council).

Local Authority Members

Christina Funnell (CYC appointed)
Tom Holvey (CYC appointed)
Andrew Williams (NYCC appointed)
Vacancy (NYCC appointed)

Independent Members

Phil Beavers
Kim Dawson
Roger Thompson (Chairman)

What does the Committee do?

The Standards Committee has the following terms of reference:

General Functions

1. Promote and maintain high standards of conduct by the Members of the Authority.

2. Assist Members of the Authority to observe the Authority's Code of Conduct for Members.
3. Receive and consider complaints that Members of the Authority may have breached the Authority's Code of Conduct for Members.

Specific Functions

- a) Advise the Authority on the adoption or revision of a Members' Code of Conduct.
- b) Monitor the operation and effectiveness of the Authority's Code of Conduct for Members.
- c) Advise, and arrange to train, Members of the Authority on matters relating to the Authority's Code of Conduct for Members.
- d) Grant dispensations to Members from requirements relating to prejudicial interests set out in the Members' Code of Conduct.
- e) Receive and assess complaints that Members may have breached the Code of Conduct for Members.
- f) Review Standards Committee decisions to take no action on a complaint that the Code has been breached, where such review is requested by the complainant.
- g) Deal with any reports from a case tribunal or interim case tribunal, any reports to the Standards Committee by an Ethical Standards Officer, and any report from the Monitoring Officer (including any report on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer).
- h) Determine complaints (other than those being determined by the Standards Board/Adjudication Panel) that Members may have breached the Code of Conduct for Members.
- i) Exercise all functions in respect of the publication of Standards Committee independent Member vacancies.
- j) Assist in the recruitment of independent Members to the Standards Committee (but not to approve individual appointments).
- k) Grant exemptions to officers in politically restricted posts to allow them to engage in political activities.
- l) Exercise such other functions as the Authority considers appropriate.

Sub-Committees

The Standards Committee has established three Sub-Committees to deal with the separate roles involved in dealing with complaints about Member conduct.

Complaint Assessment Sub-Committee

This Sub-Committee undertakes all functions of the Standards Committee in relation to the initial assessment of complaints that Members have breached the Authority's Code of Conduct for Members (including the referral or otherwise of complaints for investigation or other action).

Complaint Review Sub-Committee

This Sub-Committee undertakes all functions of the Standards Committee in relation to the review of assessment decisions to take no action in respect of complaints that Members have breached the Authority's Code of Conduct for Members.

Complaints Determination Sub-Committee

This Sub-Committee undertakes all functions of the Standards Committee in relation to the consideration of complaint investigation reports, the holding of complaint determination hearings, the making of findings and the imposition of sanctions (if appropriate) in respect of complaints that Members have breached the Authority's Code of Conduct for Members.

Each Sub-Committee is comprised of three Members of the Standards Committee: two local authority Members (one CYC appointed and one NYCC appointed) and one independent Member. Each is chaired by the independent Member.

The Standards Committee has developed [Local Assessment Criteria](#) against which the Complaint Assessment Sub-Committee assesses new complaints and decides what action, if any, to take. The Criteria also set out how complaints received anonymously will be dealt with.

The Committee has also agreed procedures governing how its Sub-Committees will deal with the various stages in handling complaints that Members may have breached the Code. Those procedures can be [accessed here](#).

Meetings

The Standards Committee Agenda, Minutes and papers are available on this website.

2. THE MONITORING OFFICER

The Authority's Monitoring Officer has a broad role in ensuring the lawfulness and fairness of Authority decision-making, ensuring compliance with Codes

and Protocols, promoting and maintaining good governance and high standards of conduct within the Authority, particularly through support to the Standards Committee.

The Monitoring Officer provides advice and support to Members of the Authority to help them to follow the Code of Conduct and the Authority's other rules and procedures.

The Monitoring Officer is also the link between Members and the Standards Committee and between the Authority and Standards for England .

3. STANDARDS FOR ENGLAND

Standards for England ("SFE") is a national, independent body, previously known as the Standards Board for England .

The SFE is a key regulator of the ethical framework and provides an overview of how public authorities promote and improve the ethical behaviour of their Members. It assists authorities by providing support and guidance, as well as investigating complaints that Members have breached the Code of Conduct where it is inappropriate for authorities to deal with such complaints themselves.

The Standards for England website provides additional information relating to its role and the standards regime generally. www.standardsforengland.gov.uk

4. ADJUDICATION PANEL FOR ENGLAND/LOCAL GOVERNMENT STANDARDS IN ENGLAND

The work of the Adjudication Panel for England transferred to the First-tier Tribunal (Local Government Standards in England) in January 2010 and the Adjudication Panel has been abolished.

Case tribunals of the First-tier Tribunal (Local Government Standards in England) hear and determine the more serious complaints that Members may have breached the Code of Conduct or those where it is inappropriate for the matters to be dealt with locally by standards committees.

The Tribunal also determines appeals against the decisions of local standards committees.

Published decisions of the Tribunal are available on its website. Appeals from the Tribunal's decisions must be made to the Upper Tribunal. Permission to appeal must first be obtained from the Principal Judge of the First-tier Tribunal.

For more information, see the Tribunal's website:
<http://www.adjudicationpanel.tribunals.gov.uk/Index.htm>