

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

16 May 2011

Developments, Complaints and findings/guidance from Standards for England**1.0 PURPOSE OF REPORT**

- 1.1 To update Members on the development of the ethical agenda and any complaints received about Members of the Authority.

2.0 BACKGROUND

- 2.1 Members of the Standards Committee previously agreed it would be helpful to have a standing item on each agenda setting out developments in relation to the national standards regime and any complaints received or pending against Members of the Authority. This is to ensure that Members are up to date with developments and aware of the type of issues that are being raised.

3.0 DEVELOPMENTS**Localism Bill**

- 3.1 The main development is the Localism Bill which is the subject of a separate report to the Committee. The Bill is due to have its report stage and third reading on 17 and 18 May 2011.

4.0 COMPLAINTS RECEIVED**New complaints**

- 4.1 During the period since the last meeting of the Committee (24 January 2011), the Monitoring Officer has received two new complaints that an Authority Member may have breached the Code.
- a) The first complaint (NYCC/SC/11) was received on 10 February 2011 and relates to the requirement to treat others with respect. It was assessed on 18 March 2011, when it was referred for investigation. The Council's Deputy Monitoring Officer is currently undertaking the investigation.
- b) The second complaint (NYCC/SC/12) was received on 20 April 2011 and a meeting of the Complaint Assessment Sub-Committee is being convened.

Previous complaints

- 4.2 Complaint NYCC/SC/07, received on 16 July 2010, alleging a failure to register an interest: this was assessed and investigated. On 18 March 2011 the Determination Sub-Committee accepted the Investigating Officer's conclusion that there had been no breach of the Code.
- 4.3 Complaint NYCC/SC/08, received on 23 July 2010, was assessed and investigated. On 18 March 2011 the Determination Sub-Committee found that there had been a

breach of paragraphs 10 and 12 of the Code of Conduct, as the subject Member had failed to declare a prejudicial interest and to withdraw from the relevant Committee meeting. The Sub-Committee imposed a sanction that the subject Member be censured by the Sub-Committee.

- 4.4 Complaint NYCC/SC/10, received on 16 September 2010, relates to the requirements to treat others with respect, not do anything which may cause the authority to breach any of the equality enactments, not bully or intimidate anyone, and not to do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the authority. The complaint is currently being investigated.
- 4.5 Members will be kept informed of developments.

5.0 RECOMMENDATIONS

- 5.1 That Members note the contents of this report.

CAROLE DUNN
Monitoring Officer

Background Documents:

Standards for England website at www.standardsforengland.gov.uk

County Hall
NORTHALLERTON

5 May 2011