

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

8 March 2019

Complaints Update**1.0 PURPOSE OF REPORT**

- 1.1 To update the Committee regarding ethical framework complaint activity.

2.0 COMPLAINTS UPDATE**New complaints**

- 2.1 There have been no new complaints received since the last Complaints Update report to the Committee on 21 September 2018.

Existing complaints

- 2.2 Regarding existing complaints, where the outcome has not previously been reported, an update is provided below:

NYCC/SC/62

This complaint arose in the context of ongoing communications between the Council and the Complainant and alleged that the subject Member had compromised officers' impartiality, not responded to certain communications, disclosed confidential information, and used his position improperly. The complaint was assessed by the Monitoring Officer in consultation with the Independent Persons for Standards when it was concluded that no action was required. Further communications have been undertaken with the complainant since the last Complaints Update report to the Committee's meeting on 21 September 2018 and the Monitoring Officer will provide an oral update to the meeting.

NYCC/SC/64

The complaint arose in the context of the Complainant's liaison with the subject Member and others over a long period of time, regarding parking, traffic and road damage issues at his home address due to living in close proximity to a school. The Complainant alleged that the subject Member was ignoring the Complainant's concerns as the subject Member was a governor of the school in question. The complaint was assessed by the Monitoring Officer in consultation with the Independent Persons for Standards when it was concluded that no action was required.

NYCC/SC/65

The complaint concerned comments the Subject Member allegedly made about the complainant on social media. The complaint was assessed by the Monitoring Officer in consultation with the Independent Persons for Standards when it was concluded that no formal action be taken in relation to the complaint but that the Monitoring Officer would discuss the matter with the Subject Member.

NYCC/SC/66

The complaint arose in the context of alleged comments made by the subject Member at a public Area Constituency Committee meeting. The Complainant alleged that the Subject Member used an inappropriate phrase. The complaint was assessed by the Monitoring Officer in consultation with the Independent Persons for Standards when it was concluded that the use of the phrase was offensive and below the standard of behaviour expected of a Member of the County Council. The subject Member had already apologised and offered to issue a further apology and attend any necessary training. On this basis the Monitoring Officer and Independent Person felt there was nothing to be gained from referring the matter for a formal investigation, but issued certain directions under informal resolution. The Subject Member issued a formal apology and undertook diversity training. The Assessment Record was also published on the website for a period of time.

Statistics

- 2.3 For the year 1 April 2018 to date, the Council has received four formal standards complaints. Of those four complaints, in three cases no action was required to be taken. The other case was dealt with under informal resolution whereby the Member further apologised and undertook diversity training.
- 2.4 Members will be kept informed of developments.

3.0 RECOMMENDATIONS

- 3.1 That the Committee notes the current position on complaints received.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Background Documents:

None

County Hall
NORTHALLERTON

27 February 2019