

Agenda

Meeting Standards and Governance Committee

Venue: Brierley Room, County Hall, Northallerton

Date: Monday, 6 January 2025

Time: 2.00 pm

Councillors: Clive Pearson (Chairman), Heather Phillips (Vice-Chair), Nick Brown, Sam Cross, Melanie Davis, David Ireton, Nigel Knapton, Monika Slater, Andy Solloway and Peter Wilkinson.

Independent Persons for Standards: Gillian Baker, Hilary Gilbertson, Louise Holroyd, James Nelson and Richinda Taylor.

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer whose details are at the foot of the first page of the agenda if you would like to find out more.

You may also be interested in [subscribing to updates](#) about this or any other North Yorkshire Council committee.

Recording is allowed at North Yorkshire Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available from Democratic Services. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Democratic Services Officer whose details are at the foot of the first page of the Agenda. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

Business

1. Welcome and Introductions

2. Apologies for Absence

3. Minutes from the Meeting on 18 November 2024 (Pages 3 - 6)

4. Declarations of Interest

5. Public Participation

Members of the public may ask questions or make statements at this meeting if they have given notice (including the text of the question/statement) to Christine Phillipson of Democratic Services (contact details below) by midday on Tuesday 24th December 2024. Each speaker should limit themselves to 3 minutes on any item.

Members of the public who have given notice will be invited to speak

- at this point in the meeting if their questions/statements relate to matters which

are not otherwise on the Agenda (subject to an overall time limit of 30 minutes)

or

- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chair who will instruct those taking a recording to cease whilst you speak.

- 6. Local Government Association. Proposed Changes to the Local Government Standards Framework (Pages 7 - 12)**
- 7. Complaints Update Report (Pages 13 - 24)**
- 8. Review of Standards Documentation and Proposed Changes (Pages 25 - 68)**
- 9. Exclusion of the Press and Public**
To consider passing a resolution to exclude the press and the public from the meeting during consideration of the following item. The report and its appendices contain exempt information as described in paragraphs 1 and 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 10. Consultation Under Standards and Governance Committee on Unreasonably Persistent or Vexatious Complainant Behaviour Protocol (Pages 69 - 80)**
1, 2, 3
- 11. Urgent Business**
Any other business which the Chairman agrees should be considered as a matter of urgency.
- 12. Date of the Next Meeting**
The next meeting will be held on 14 March 2025 at 10am in The Brierley Room, County Hall.

Barry Khan
Assistant Chief Executive
Legal and Democratic Services

County Hall
Northallerton

19 December 2024

North Yorkshire Council

Standards and Governance Committee

Minutes of the meeting held on Monday, 18 November 2024 commencing at 10.00 am.

Councillor Clive Pearson in the Chair, plus Councillors Melanie Davis, David Ireton, Nigel Knapton, Peter Wilkinson and George Jabbour.

In attendance remotely: Councillors Sam Cross, Heather Phillips, Monika Slater and Andy Solloway .

Officers present: Christine Phillipson, Principal Democratic Services Officer and Kerry Russet, Head of Electoral Services.

Officer in attendance remotely; Jennifer Norton, Assistant Chief Executive, Legal Services.

Apologies: Councillor Nick Brown, with Councillor George Jabbour as substitute.
Independent persons Hilary Gilbertson, MBE and Roy Martin.

Copies of all documents considered are in the Minute Book

99 Welcome and Introductions

100 Apologies for Absence

Apologies were received from Councillor Nick Brown with Councillor George Jabbour attending as substitute.

Apologies were also received from Independent Persons Roy Martin and Hilary Gilbertson MBE.

101 Minutes from the Meeting on 6th September 2024

The minutes of the meeting held on 6th September were agreed and signed as an accurate record.

102 Declarations of Interest

There were none.

103 Public Participation

There were no public questions or statements.

104 Interim Polling District and Polling Place Review Final Proposals

Considered

The report of the Assistant Chief Executive, Legal and Democratic Services on the final recommendations for affected polling districts and polling places within the North Yorkshire

Council area.

Local authorities are required to review their polling districts and polling places for UK parliamentary constituencies at least once every five years. Under the Electoral Registration and Administration Act 2013, the compulsory review periods are now:

- The period of 16 months beginning with 1 October 2013, and
- The period of 16 months beginning with 1 October of every fifth year after that.

The last compulsory review of all polling districts and polling places within North Yorkshire commenced in Autumn 2023 and final recommendations were agreed at Standards and Governance Committee on 13 December 2023.

A reminder of the rationale, consultation process and alternative options of the polling place review were discussed.

A verbal update was received on one pending recommendation within the report as follows:

The suggestion to use an alternative polling place for the polling districts of Harrogate Kingsley 2, which had been proposed to remain at the currently designated venue of Starbeck Methodist Church, and the Polling district of Harrogate Kingsley 1, which had been proposed to remain at the currently designated venue of Christ Church Parish Centre. The suggestion was that Station View sheltered housing scheme common room may be a more suitable and accessible location for voters in that area.

Electoral services visited the proposed alternative, but at the point of publishing the report, the findings of that site visit were not available, and it was agreed to provide a verbal update at the meeting, forming part of recommendations:

Following the site visit, Electoral services deemed the alternative to be suitable, and it is therefore proposed that the final recommendation to be that the polling place for Harrogate Kingsley 1 & 2 be designated as Station View sheltered housing common room.

It was moved by Councillor Ireton and seconded by Councillor Knapton that the final recommendations for polling districts and designated polling places as shown in appendices A and D be approved by the Committee.

Resolved

That the final recommendations for polling districts and designated polling places as shown in appendices A and D be approved by the Committee.

This was agreed unanimously.

105 Urgent Business

The Chair advised that an additional meeting would be called to review the Complaints Procedure, this was an agenda item deferred from the September meeting. This meeting will be on Monday 6th January 2025 at 2pm in the Brierley Room at County Hall in Northallerton.

106 Date of the Next Meeting

The next meeting will be on Monday 6th January 2025 at 2pm in the Brierley Room at County Hall in Northallerton.

The subsequent meeting will then be on Friday 14th March 2025 at 10am.

The meeting concluded at 10.13 am.

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NORTH YORKSHIRE COUNCIL

STANDARDS AND GOVERNANCE COMMITTEE

6 January 2025

Local Government Association: Proposed Changes to the Local Government Standards Framework

1.0 PURPOSE OF REPORT

- 1.1 To inform the Committee of the proposed Government consultation on changes to the local government standards framework and the invitation by the Local Government Association to authorities to submit views on a range of standards topics in advance.

2.0 BACKGROUND

- 2.1 The Deputy Prime Minister announced at the Local Government Association (LGA) Annual Conference that the Government intends to consult on possible changes to the local government ethical framework.
- 2.2 The LGA have contacted local authorities, seeking their views on a range of standards issues through an online questionnaire, to inform and support the LGA's eventual response to the expected Government consultation.
- 2.3 A link to the questionnaire has already been sent to councillors direct by the LGA. The questionnaire is published online here - [Local Government Association \(LGA\): changes to the local government standards framework questionnaire Survey](#) and the LGA would also welcome views from officers and Independent Persons.
- 2.4 The deadline for responses is 9 January 2025.

3.0 THE QUESTIONNAIRE

- 3.1 The questionnaire asks for some introductory details of respondents and then asks the following specific questions and a range of checkbox answers:

B. The code of conduct

7. There is currently no mandatory national code of conduct for councillors although there is a [Model Councillor Code of Conduct](#). Which, if any, of the following is your preferred option?

- Authorities should be able to continue to have their own code of conduct if they choose
- There should be a mandatory national code of conduct with local flexibility to add additional requirements
- Don't know

8. Under the current law the code of conduct does not cover any private conduct. This means that actions and behaviour that occur in a person's private life, such as criminal convictions not explicitly relevant to councillor disqualification criteria are not covered by the code. Which, if any, of the following is your preferred option?

- The code of conduct should continue not to regulate any private conduct
- The code of conduct should be extended to consider private misconduct in certain circumstances, such as criminal convictions
- Don't know

C. Standards committees

9. There is currently no requirement for local authorities to have a standards committee, though many choose to do so. Existing standards committees are generally responsible for promoting high standards of councillor conduct and taking decisions on standards cases which have been investigated. Which, if any, of the following is your preferred option?

- Authorities should be required to have a standards committee
- It should continue as now for there to be no requirement for a standards committee
- Don't know

10. Do you think that councillors who sit on standards committees or equivalent should be required to complete mandatory training on their role and responsibilities?

- Yes
- No
- Don't know

11. Currently only elected members have voting rights on a standards committee; co-opted independent lay members are advisory and cannot vote on decisions by the committee. Which, if any, of the following is your preferred option?

- Co-opted members should have voting rights if they have been appointed to a standards committee
- Authorities should be given the choice to give co-opted members on their standards committees voting rights if they wish
- Only elected members should continue to have voting rights on a standards committee as now
- Don't know

D. Independent Persons

12. Under the current framework authorities must have an Independent Person whose views must be sought by the authority on matters under investigation. Which, if any, of the following is your preferred option?

- The Independent Person role should be maintained even if independent lay members on standards committees are given voting rights
- The Independent Person role should be replaced by independent lay members with voting rights on standards committees
- Don't know

E. Sanctions and the standards framework

13. Authorities have limited powers to sanction councillors who have been found to have breached the code of conduct, including public censure,

additional training and removal of special responsibilities. Councillors cannot be suspended or disqualified for breaching the code. Which, if any, of the following is your preferred option?

- The current sanctions are sufficient for maintaining high standards of councillor conduct
- Stronger sanctions are needed for maintaining high standards of councillor conduct
- Don't know

14. At the moment the standards framework is devolved totally to individual local authorities. If the Government introduces stronger sanctions for breaches of the code of conduct, which if any of the following is your preferred option?

- The system should remain entirely devolved and stronger sanctions should be made available to local authorities
- The system should remain largely devolved, but independence should be strengthened if stronger sanctions are going to be introduced, for example, a stronger role for the Independent Person or the mandatory introduction of standards committees with independent co-opted members
- The system should remain devolved for lower-level breaches of the code; breaches that could result in stronger sanctions, such as financial or democratic sanctions, should be dealt with by an independent body
- A system of national oversight should be reintroduced
- Don't know

15. Which of the following sanctions do you think would support authorities' ability to maintain high standards of councillor conduct and behaviour?
You may tick more than one box

- Withdrawal of allowances for a maximum period of time
- A system of fines
- An order to pay reasonable costs for the authority's investigation
- Suspension with allowances up to a maximum period
- Suspension without allowances up to a maximum period
- A recall mechanism allowing members of the public to trigger a by-election, similar to the arrangements in Parliament
- Disqualification from public office up to a maximum period
- Not applicable – I don't think further sanctions are needed
- Don't know
- Other (please specify)

16. It is a criminal offence to fail to register or declare certain interests known as Disclosable Pecuniary Interests (DPIs), and conviction can lead to disqualification from holding office for up to five years. If the power to suspend or disqualify councillors was reintroduced do you think the Government should keep the criminal offence or repeal it?

- Keep the criminal offence
- Repeal the criminal offence and require registration and declaration of interests to be dealt with under the code of conduct
- Don't know

F. Appeals

17. At present there is no statutory appeals process against a finding that a councillor has breached the code of conduct. If additional sanctions are introduced, an appeals process is likely to also be introduced. In this case, which, if any, of the following is your preferred option?

- Appeals processes should be available in all cases, regardless of the sanction applied
- Appeals processes should only be available in cases where a higher-level sanction, such as a financial sanction, suspension or disqualification has been applied
- Don't know
- Other (please specify)

18. If an appeals process was put in place, which of the following would be your preferred *[sic]* appeals body?

- A separate committee of the authority
- An appeal to a neighbouring authority
- A regional panel which may be a mix of councillors and independent lay members
- A national appeals body
- Don't know
- Other (please specify)

G. Publication of outcomes

19. There is no legal requirement to publish the outcome of standards cases (but they may be subject to disclosure under the Freedom of Information Act 2000). Which, if any, of the following is your preferred option?

- It should be mandatory to publish all outcomes of investigations
- It should be mandatory only to publish an outcome where the code of conduct has been breached
- It should remain a matter for the authority to decide whether to publish the outcome of an investigation in accordance with existing legislation
- Don't know

20. Do you think it should be a requirement that breaches of the code of conduct are recorded under a councillor's authority website profile alongside their register of interests?

- Yes
- No
- Don't know

H. Permissions

21. Would you be happy to be involved in future work related to this area and/or the contents of this questionnaire?

- Yes
- No

3.2 Members of the Committee and the Independent Persons are encouraged to respond to the LGA questionnaire.

3.3 The Monitoring Officer would welcome the Committee's views on the issues raised in the questionnaire.

4.0 FINANCIAL IMPLICATIONS

4.1 The financial implications are set out in the body of this report.

5.0 LEGAL IMPLICATIONS

5.1 The legal implications are set out in the body of this report.

6.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS

6.1 There are no significant environmental/climate change implications arising from this report.

7.0 EQUALITIES IMPLICATIONS

7.1 There are no significant equalities implications arising from this report

8.0 RECOMMENDATIONS

8.1 That Members note this report.

8.2 That Members have a preliminary discussion of the issues raised in the questionnaire.

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

Background Documents: None

County Hall
NORTHALLERTON

18 December 2024

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NORTH YORKSHIRE COUNCIL

STANDARDS AND GOVERNANCE COMMITTEE

6 December 2024

Complaints Update

1.0 PURPOSE OF REPORT

- 1.1 To update the Committee regarding standards complaint activity.

2.0 BACKGROUND

- 2.1 A standing report regarding complaints that Members and voting co-opted Members of North Yorkshire Council and parish and town councils in North Yorkshire may have breached the relevant Code of Conduct for Members is brought to scheduled ordinary meetings of the Standards and Governance Committee and other meetings as the Monitoring Officer deems appropriate.
- 2.2 North Yorkshire Council is the principal authority for parish and town councils in North Yorkshire for the purposes of the standards provisions in the Localism Act 2011. It is responsible for receiving and handling complaints that a parish/town councillor may have breached that authority's code of conduct for Members. That is the extent of North Yorkshire Council's jurisdiction in respect of parish/town council governance; parish/town councils are separate legal entities and North Yorkshire Council has no jurisdiction to consider other complaints for example about the way in which the parish/town council has or has not done something, or about particular parish/town council decisions or employees.
- 2.3 Information about complaints received that Members of North Yorkshire Council and Members of parish and town councils in the North Yorkshire area may have breached the relevant Code of Conduct are set out later in this report.

3.0 STANDARDS COMPLAINTS RECEIVED

- 3.1 During the period 1 April 2023 to 31 March 2024, the Council received 174 complaints that members may have breached the relevant authority's code of conduct for Members.
- 3.2 During the period 1 April 2024 to 10 December 2024, a further 108 complaints have been received.
- 3.3 Since Vesting Day on 1 April 2023 to 10 December 2024, a **total of 281 standards complaints** have therefore been received.

4.0 BREAKDOWN OF COMPLAINT STATISTICS

Assessments

- 4.1 In total, 264 assessments have so far been completed by the Monitoring Officer and Deputy Monitoring Officer in consultation with the Independent Persons for Standards. A number of complaints' assessments are currently on hold, pending responses from subject Members or the outcome of previous assessments and investigations.

- 4.2 A high proportion of these complaints were in respect of Members of three Town/Parish Councils, many complaints being interrelated.
- 4.3 Of the 264 complaints received since Vesting Day which have so far been assessed by the Monitoring Officer/Deputy Monitoring Officer, in consultation with the Independent Person for Standards:
- a) 209 complaints did not merit referral for formal investigation these included:
 - Allegations of potential rudeness in emails, including failing to respond.
 - Allegations of possible bias from Parish Councillors in respect of consultation responses, particularly in relation to planning matters.
 - Allegations of failures to declare interests, where there was no actual requirement to make a declaration.
 - Allegations of possible breaches of confidentiality/GDPR.
 - b) 6 complaints were recommended for informal resolution;
 - c) 28 complaints were referred for investigation, through 8 investigations, of which:
 - Investigation 1 – 1 complaint against 1 North Yorkshire Councillor
 - Investigation 2 – 1 complaint against 11 Town Councillors
 - Investigation 3 – 1 complaint against 2 individual Parish Councillors
 - Investigation 4 – 1 complaint against 1 individual Parish Councillor
 - Investigation 5 – 2 complaints from different individuals about the same matter against 1 Town Councillor
 - Investigation 6 - 1 complaint against 1 individual Parish Councillor
 - Investigation 7 – 2 complaints from different individuals about the same matter against 1 North Yorkshire Councillor
 - Investigation 8 – 2 complaints about the same matter against 4 Town Councillors

No further cases have been referred for investigation since the previous Update Report.

One complaint was closed as the Subject Member was no longer a Councillor.

One complaint was closed as the Complainant did not pursue the matter.

Investigations/Determinations

Hearings Panel – 18 October 2024

- 4.6 One of the investigations (concerning two Councillors from different Parish Councils in two connected complaints) has been completed and the complaints determined. The Investigation Report was referred to, and considered by, the Standards and Governance Committee Hearings Panel, in consultation with the Independent Person and an independent parish council representative on 18 October 2024, when the Panel determined the complaint in private, given the sensitive personal data involved. The Panel concluded that the subject Members **had breached** the relevant Codes of Conduct for Members and recommended the following sanctions to the respective parish councils:

1. The subject Members apologise to the Complainant for the disrespectful language used.

2. The subject Members undertake training on the Code of Conduct, the link to which can be provided by the Monitoring Officer. The other Parish Councillors may also wish to take up the opportunity to have standards training.
3. One Parish Council reviews and updates its Code of Conduct for Members as it would appear that it has not been updated since 2012.

At the end of the hearing, the Panel again considered the issue of the privacy of the documentation and concluded that the exempt nature of the documentation should be maintained, however to satisfy the legitimate public interest in the accountability of local authorities in handling complaints, a Decision Notice, with third party personal information redacted, should be sent to the parties and the Parish Council and be published on North Yorkshire Council's website.

Hearings Panel – 7 November 2024

- 4.7 One of the investigations (regarding a Parish Councillor) was considered by the Standards and Governance Committee Hearings Panel, in consultation with the Independent Person and an independent parish council representative, on 7 November 2024, when the Panel determined the complaint in private, given the sensitive personal data involved. The Panel concluded that the subject Member **had breached** the relevant authority's Code of Conduct for Members. The Panel recommended to the Parish Council that it issue a private letter of censure to the subject Member and also made some recommendations back to the Parish Council. At the end of the hearing, the Panel again considered the issue of the privacy of the documentation and concluded that the exempt nature of the documentation should be maintained, however to satisfy the legitimate public interest in the accountability of local authorities in handling complaints, a Decision Notice, with third party personal information redacted, should be sent to the parties and the Parish Council and be published on North Yorkshire Council's website.

Hearings Panel – 9 December 2024

- 4.8 One of the investigations (regarding a Parish Councillor) was considered by the Standards and Governance Committee Hearings Panel, in consultation with the Independent Person and an independent parish council representative, on 9 December 2024, when the Panel determined the complaint in public. The Panel concluded that the subject Member **had breached** the relevant authority's Code of Conduct for Members. It recommended to the relevant authority that:
- i. the subject Member undertake inclusion and diversity training;
 - ii. the other Parish Councillors also consider undertaking inclusion and diversity training to enable confidence in recognising and challenging inappropriate language and terminology in the future.

At the end of the hearing, the Panel again considered the issue of the privacy of the documentation and concluded that as the hearing had been held in public and to satisfy the legitimate public interest in the accountability of local authorities in handling complaints, a Decision Notice, with third party personal information redacted, should be sent to the parties and the Parish Council and be published on North Yorkshire Council's website.

- 4.9 The remaining investigations are currently live. A further update will be given to the Committee when the Monitoring Officer is in a position to do so.
- 4.10 The remainder of the complaints are in preparatory stages or awaiting assessment by the Monitoring Officer/Deputy Monitoring Officer in consultation with the

Independent Person for Standards and a further update will be given to the Committee when the Monitoring Officer is in a position to do so.

4.11 A more detailed breakdown of the complaints is attached at **Appendix 1** to this report for Members' information. Members will see that the exceptionally high level of complaint activity continues.

4.12 The volume of complaints and associated correspondence and information governance requests has meant a sustained heavy workload for officers and the Independent Persons; and the Monitoring Officer and Deputy Monitoring Officer would again wish to take this opportunity to thank them for their valued views, time, patience and input into what can be time-consuming and complex matters.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no significant financial implications arising from this report.

6.0 LEGAL IMPLICATIONS

6.1 There are no significant legal implications arising from this report.

7.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS

7.1 There are no significant environmental/climate change implications arising from this report.

8.0 EQUALITIES IMPLICATIONS

8.1 There are no significant equalities implications arising from this report

9.0 RECOMMENDATIONS

9.1 That the Committee notes the current position on standards complaints received.

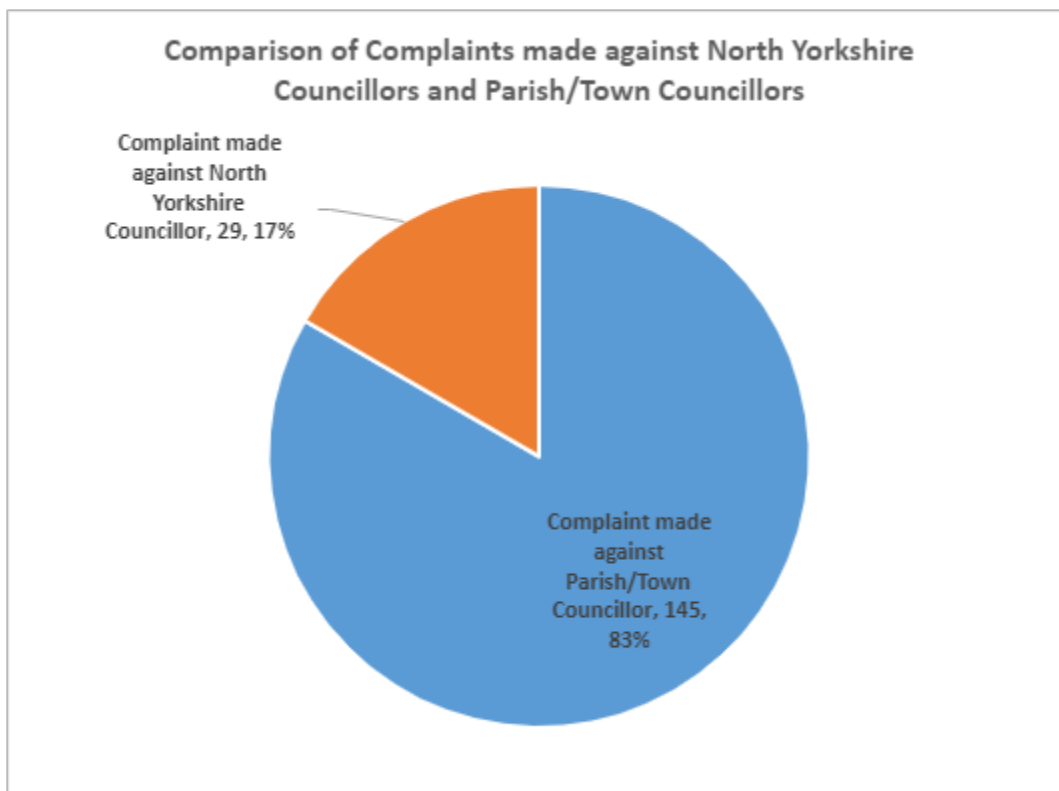
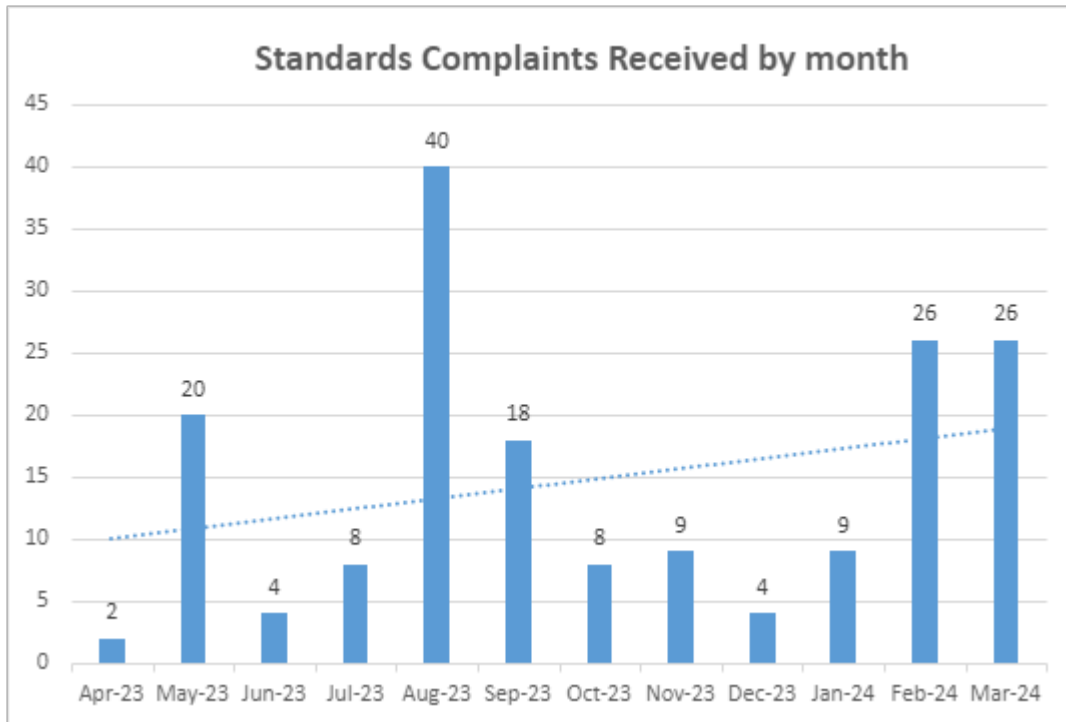
BARRY KHAN
Assistant Chief Executive, Legal and Democratic Services and Monitoring Officer

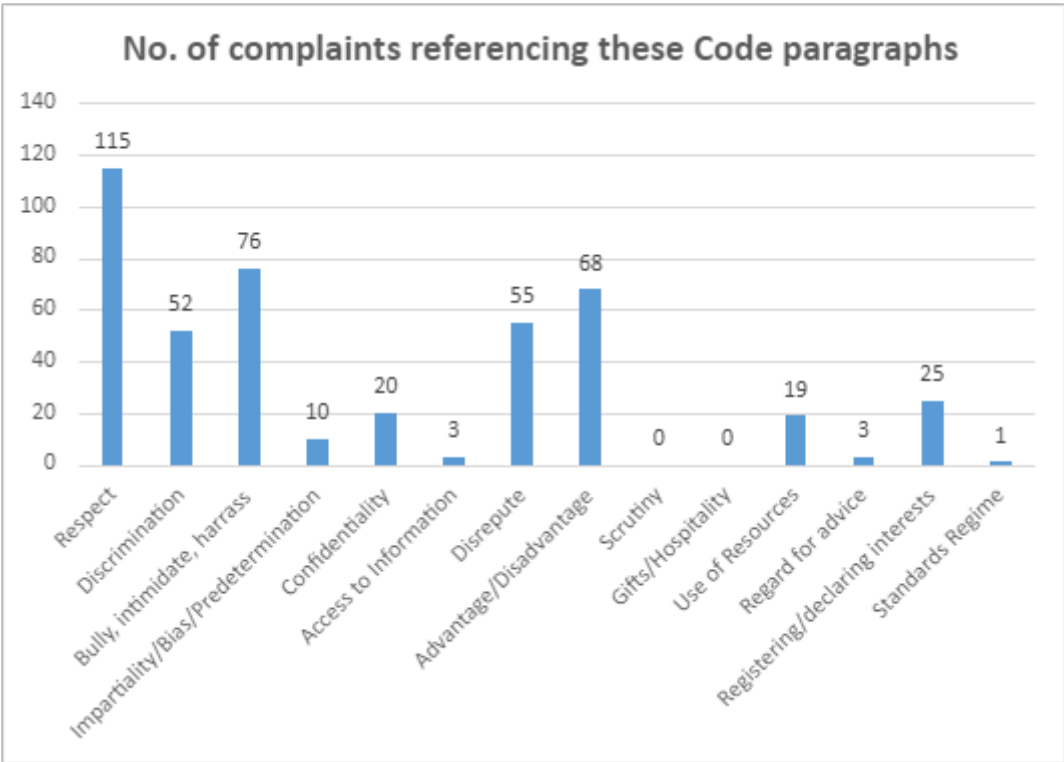
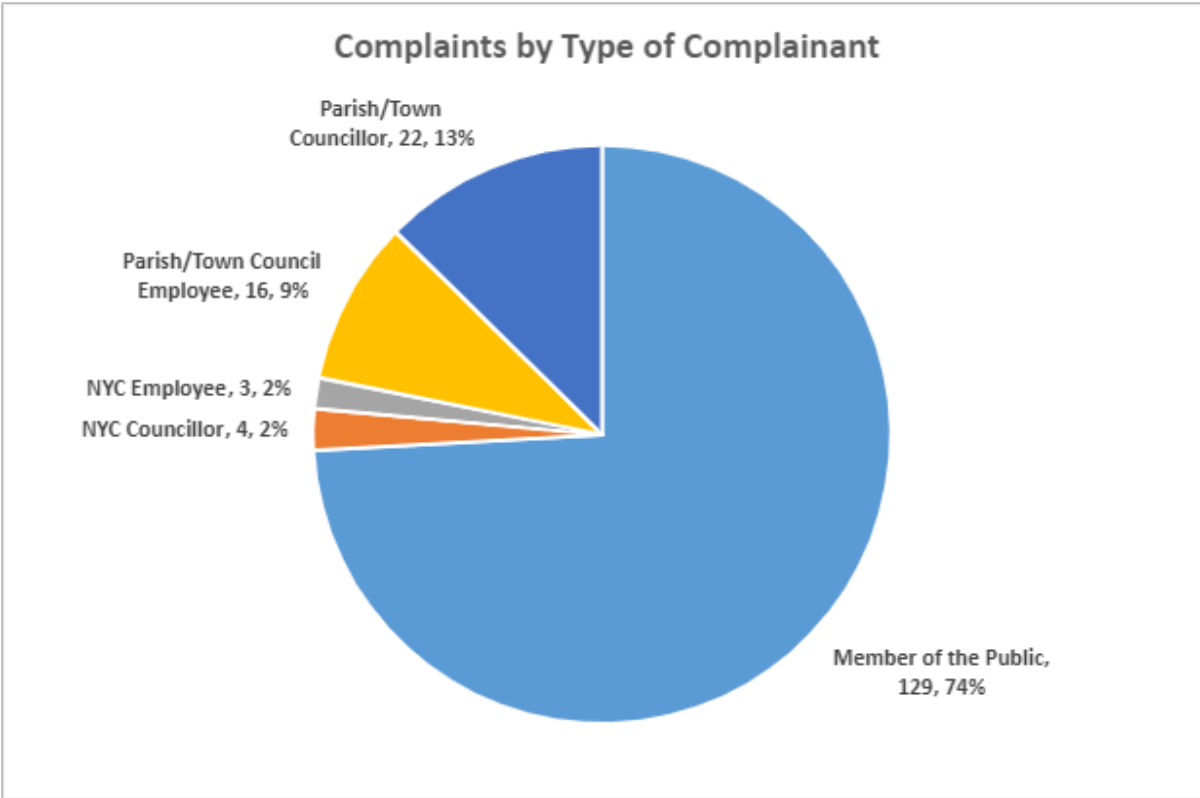
Background Documents: None

County Hall
NORTHALLERTON

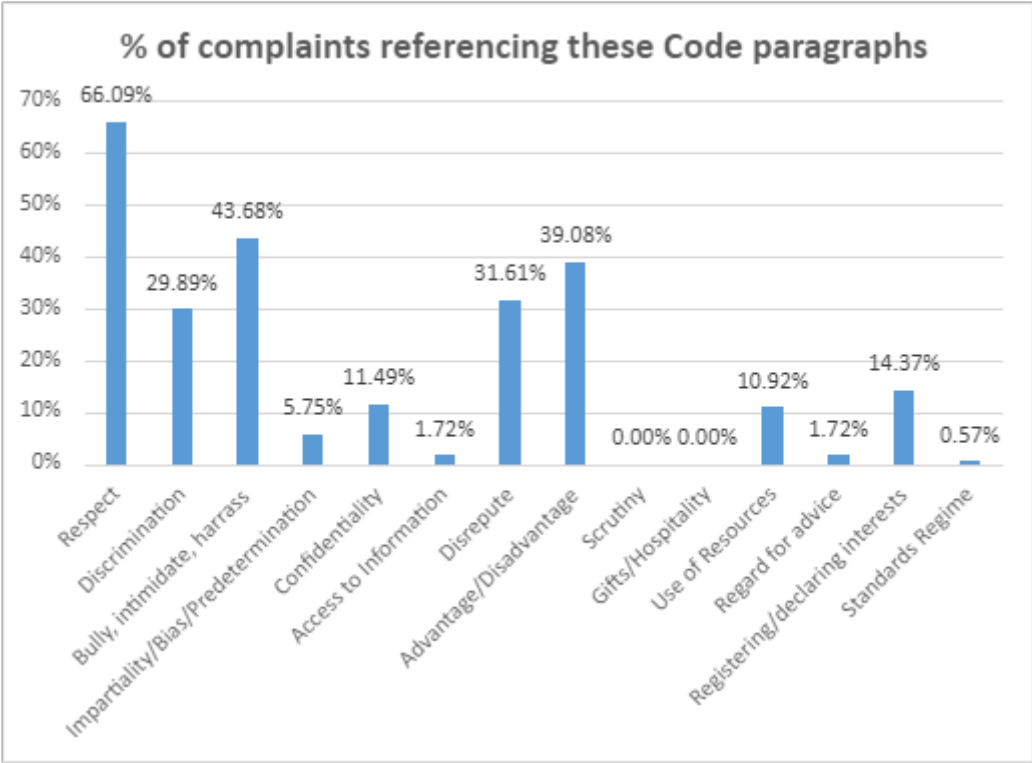
17 December 2024

Details of Complaints re Breaches of the Members' Code of Conduct – 1 April 2023 – 31 March 2024

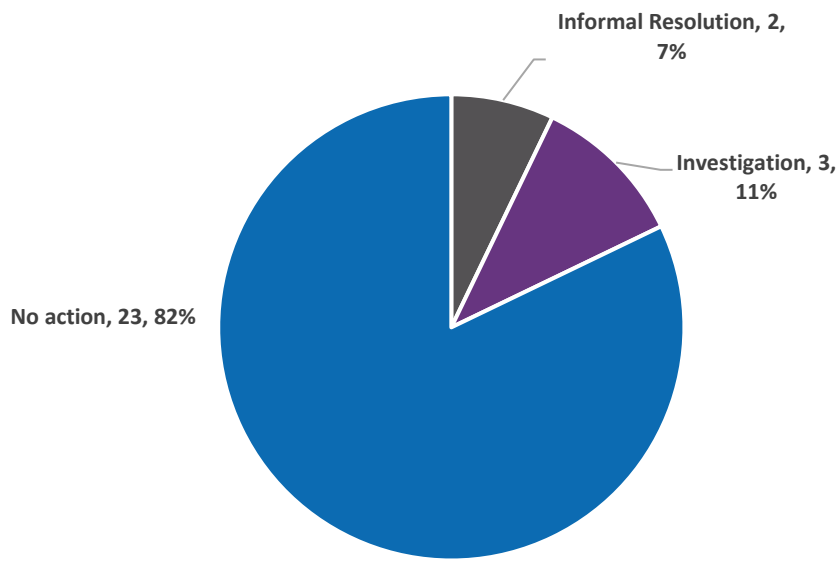




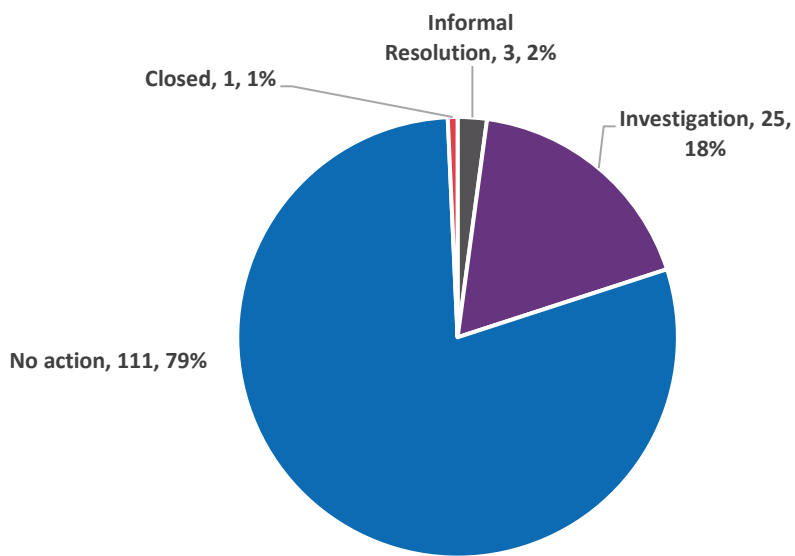
NB: Complaints may reference several paragraphs of the Code as being breached



Outcomes of Complaints against North Yorkshire Councillors

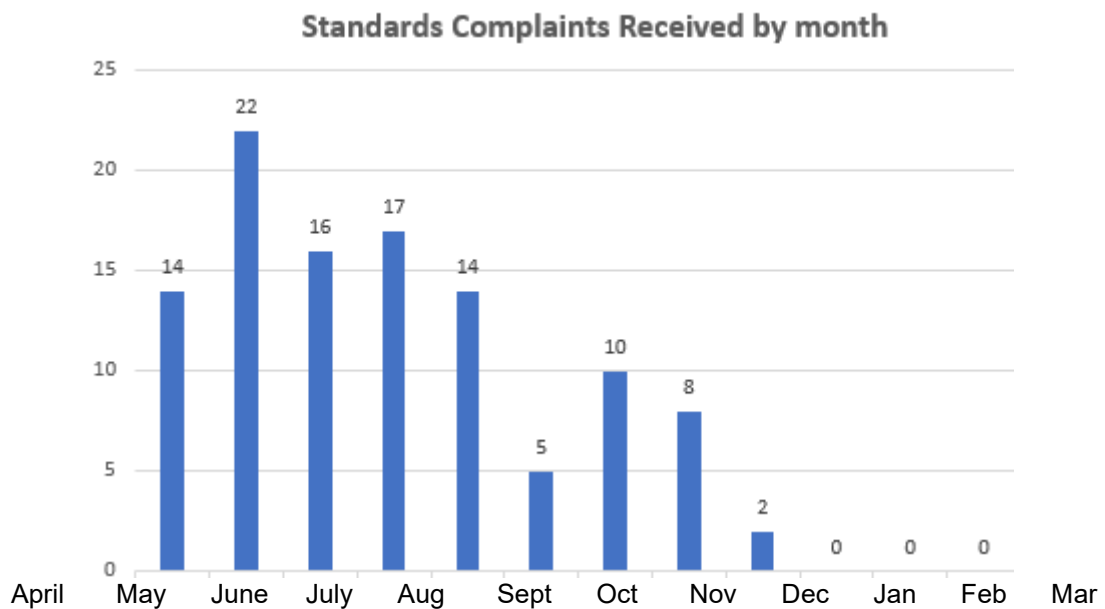


Outcomes of Complaints against Town and Parish Councillors

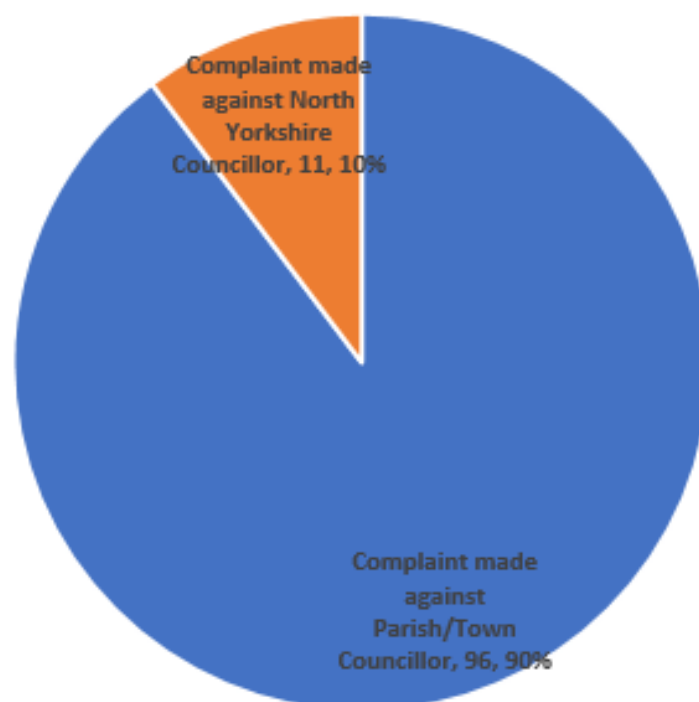


Details of Complaints re Breaches of the Members' Code of Conduct

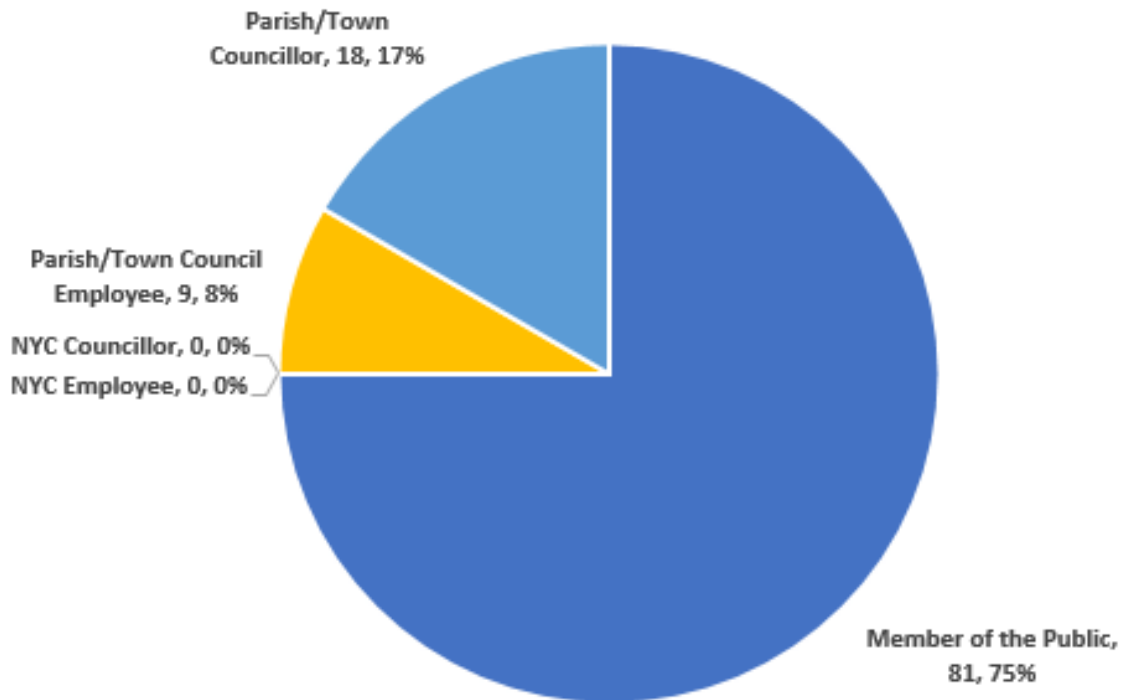
1 April 2024 – 3 December 2024



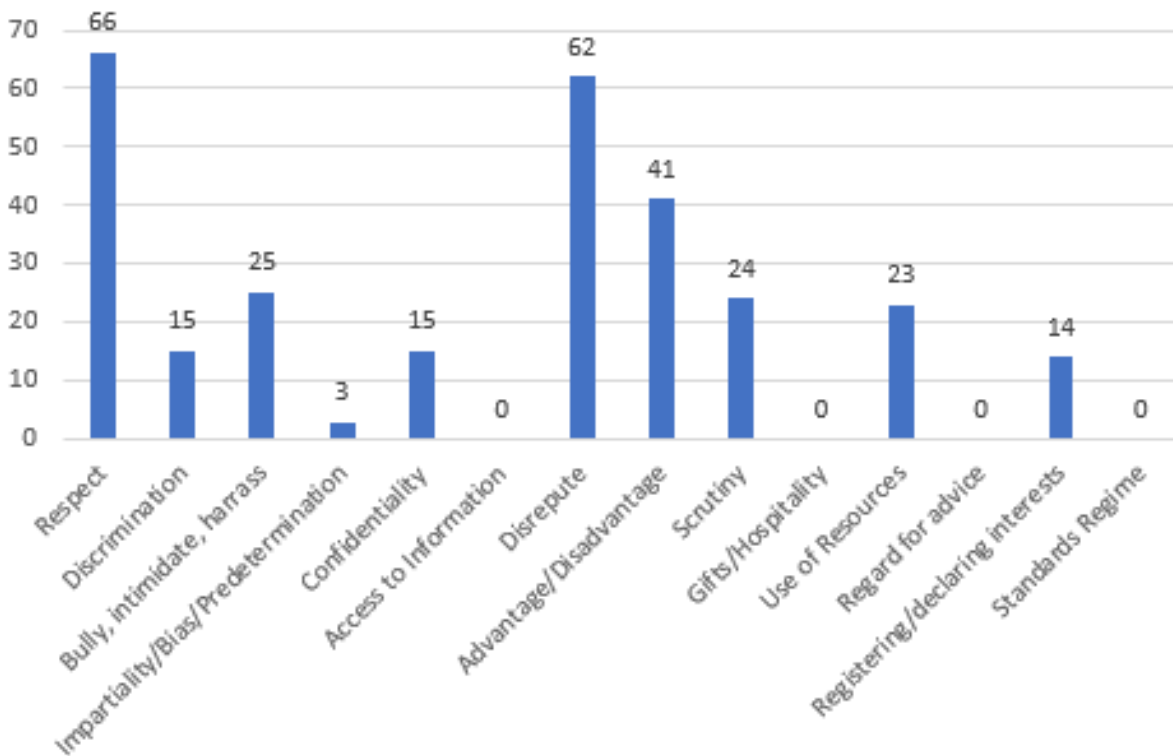
Comparison of Complaints made against North Yorkshire Councillors and Parish/Town Councillors



Complaints by Type of Complainant

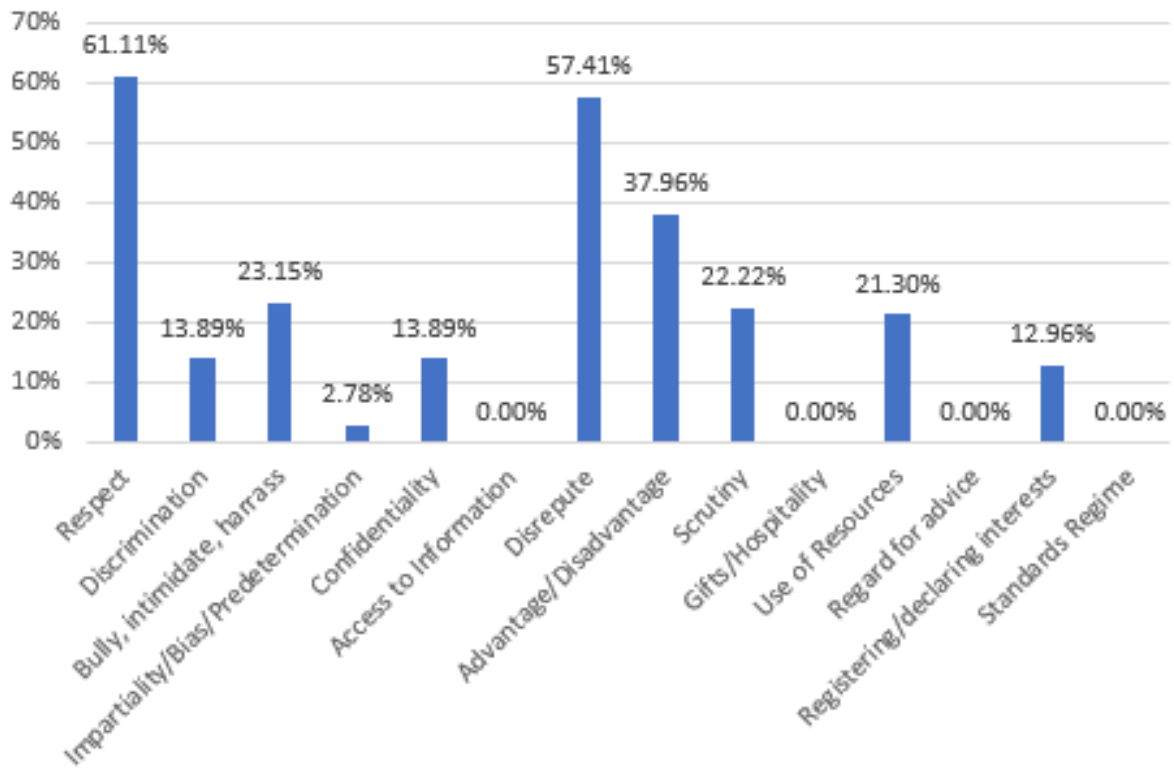


No. of complaints referencing these Code paragraphs

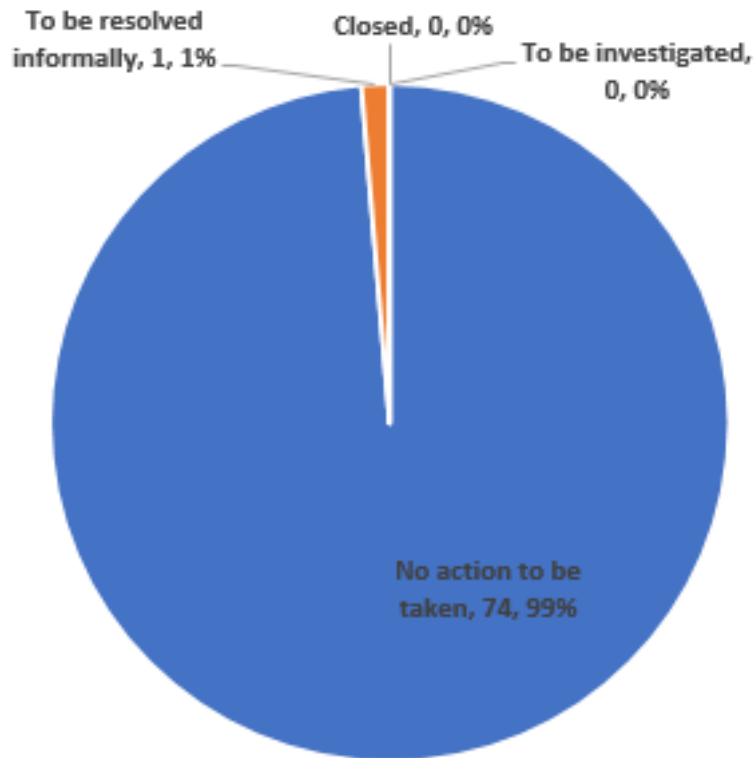


NB: Complaints may reference several paragraphs of the Code as being breached

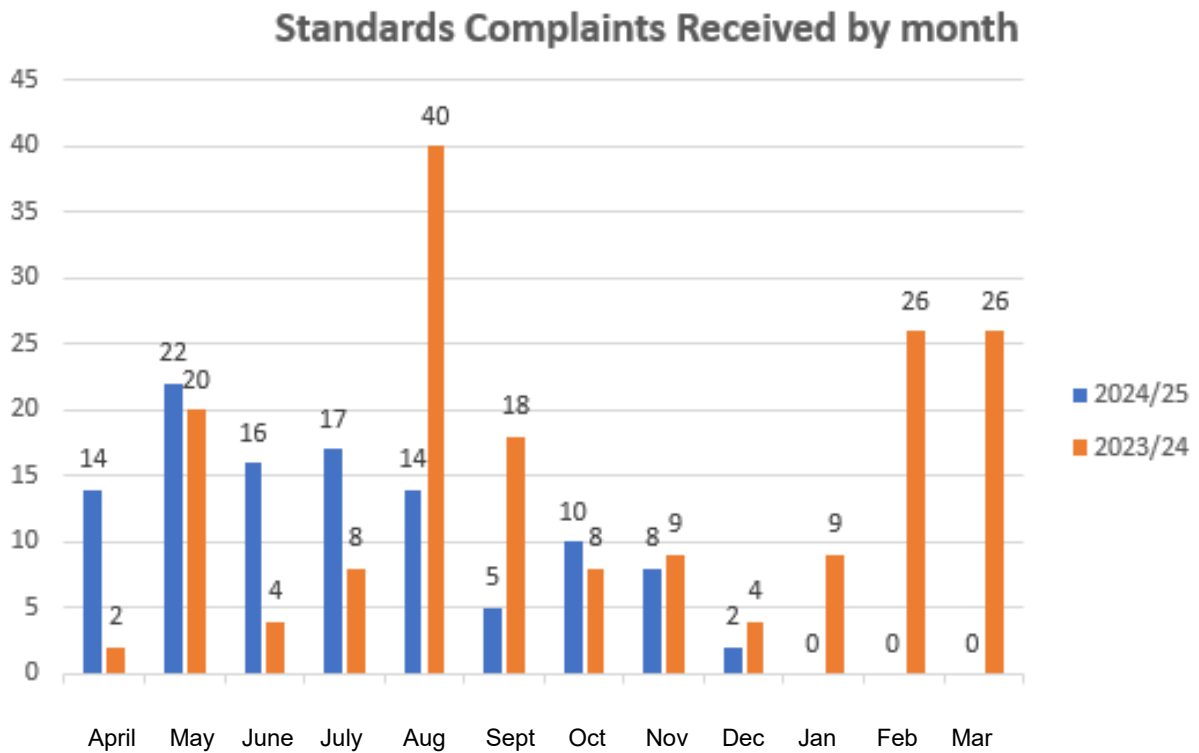
% of complaints referencing these Code paragraphs



Complaint Outcome - All Complaints



Comparison of Complaints received: 2023-2024 and 2024-2025



NORTH YORKSHIRE COUNCIL

STANDARDS AND GOVERNANCE COMMITTEE

6 January 2025

Review of standards complaints process

1.0 PURPOSE OF REPORT

- 1.1 To present to the Committee, for consideration and review, this report re the review of current standards arrangements for the handling of complaints of a breach of the Members' Code of Conduct, deferred from the Committee's meeting on 6 September 2024 and further suggested amendments to the complaints process to streamline arrangements.

2.0 BACKGROUND

- 2.1 The Localism Act 2011 sets out the statutory ethical framework for relevant authorities. Under the Act, relevant authorities (except parish and town councils) must put in place arrangements for the investigation of allegations of breaches of the Members' Code of Conduct and to decide upon allegations. These arrangements must involve the appointment of at least one Independent Person, whose views:
- are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and
 - *may* be sought—
 - by the authority in relation to an allegation in circumstances other than where being investigated;
 - by a subject member or co-opted member.
- 2.2 Following local government reorganisation on 1 April 2023, North Yorkshire Council became principal authority for parish and town councils in North Yorkshire for the purposes of the standards complaints provisions in the Localism Act. Parish and town councils may adopt the Council's Code of Conduct for Members or their own. The Monitoring Officer has encouraged them to adopt North Yorkshire Council's Code (based on the voluntary LGA model code) in an aim to have standardised provisions across North Yorkshire for consistency and clarity. North Yorkshire Council also publishes parish and town councils' registers of interests on its website ([Parish councils contact details | North Yorkshire Council](#)).
- 2.3 That is the extent of North Yorkshire Council's jurisdiction in respect of parish/town council governance; parish/town councils are separate legal entities and North Yorkshire Council has no jurisdiction to consider other complaints about them for example about the way in which the parish/town council has or has not done something, or about particular parish/town council decisions or employees; those complaints should be directed to the parish/town council itself.
- 2.4 The Standards and Governance Committee's Terms of Reference include exercising all functions of the Council under the Localism Act 2011 (save as delegated elsewhere in accordance with the Constitution). Under the Act, only the function of adopting, revising or replacing the Code of Conduct has to be discharged by full Council, therefore the Committee has power to review and amend its standards complaint handling arrangements under its Terms of Reference.

- 2.5 The Committee last reviewed the standards arrangements on 15 March 2024.
- 2.6 Since that time, the Standards and Governance Committee Hearings Panel has met five times to consider investigation reports and determine complaints. The separate Complaints Update report to the Committee's meeting today provides further information regarding the Panel and the Hearings. This is therefore an opportune time for the Committee to reflect on the handling of complaints so far and determine whether any revisions are required to its standards complaints handling arrangements.
- 2.7 At the Committee's meeting on 6 September 2024, the Committee considered a report from the Assistant Director Legal and Deputy Monitoring Officer regarding proposed amendments to the current standards arrangements and documentation for the handling of complaints of a breach of the Code of Conduct. The report was deferred to the next ordinary meeting of the Committee in March 2025 to enable Members to have sufficient time to review the suggested amendments.
- 2.8 As Members are aware from the Complaints Update reports brought to the Committee, there has been an unprecedented level of standards complaints made since Vesting Day and this trend is continuing. The Monitoring Officer feels that the standards process should be reviewed on an urgent basis, before March 2025, to streamline processes as far as possible to ensure that complaints are handled in a fair and proportionate way and as efficiently as possible to minimise the resource burden currently impacting Standards and Governance Committee Members, Independent Persons and the Monitoring Officer team and protect the public purse. Since the report was initially considered by Members, some further suggested amendments are now proposed, tracked on the documents and referenced below.

3.0 CURRENT STANDARDS COMPLAINTS ARRANGEMENTS

- 3.1 The current arrangements for dealing with allegations of a breach of the relevant Members' Code of Conduct are set out at **Appendix 1** to this report for Members' consideration. They aim to fairly and effectively deal with complaints of a breach of the Code of Conduct in a timely manner. The Independent Persons are currently consulted, where possible on a rota basis, at all stages of complaint handling.
- 3.2 Under the complaints process, the Monitoring Officer/Deputy Monitoring Officer has responsibility for the receipt and assessment of complaints of a breach of the Code, in consultation with the Independent Person for Standards. The purpose of the initial assessment is to decide whether a complaint passes the Jurisdiction criteria and discloses a potential breach of the Code and, if so, whether it merits a formal investigation or any other action (such as informal resolution) being taken in relation to it, as judged against the Assessment Criteria. The current Jurisdiction and Assessment Criteria used in the assessment of complaints is attached at **Appendix 2**.
- 3.3 At the conclusion of the assessment, the Monitoring Officer, in consultation with the Independent Person for Standards, is required to reach one of the following conclusions in relation to the complaint:
- (a) That no action should be taken in respect of the complaint.
 - (b) Referral of the complaint for investigation.
 - (c) Whether to seek informal resolution of the matter.

If there is a difference of opinion between the Monitoring Officer and the Independent Person then the complaint will be referred for investigation. The decision and reasons for it are recorded and the Complainant and subject Member advised of the outcome.

- 3.4 The assessment is not an investigation and makes no determination as to the truth or otherwise of the allegations. All formal standards complaints go through this initial filter stage (unless exempted under the Committee's Protocol for dealing with unreasonably persistent/vexatious complainants, attached at **Appendix 3**). The Standards and Governance Committee would only be involved at assessment stage if the Monitoring Officer/Deputy Monitoring Officer had a conflict of interests or if the Monitoring Officer/Deputy Monitoring Officer considers assessment by the full Committee would be appropriate.
- 3.5 The standards arrangements in **Appendix 1** set out the process to be followed where complaints are referred for investigation or other action such as informal resolution. Not all complaints referred for investigation will necessarily be considered by the Standards and Governance Committee: it is generally only where the investigating officer has found evidence of a potential breach of the Code and local resolution is not agreed or appropriate, that the complaint would be referred to the Standards and Governance Hearings Panel for determination. The Committee has agreed a Hearings Panel Procedure, attached at **Appendix 4**, which supplements the standards arrangements. It is, however, always open to the Monitoring Officer/Deputy Monitoring Officer to refer a matter to the Standards and Governance Committee in their discretion where they feel it appropriate in the particular circumstances.
- 3.6 If a complaint is referred to the Committee's Hearings Panel and the Panel determines that the subject Member has breached the relevant Code of Conduct, then it may have regard to the breach in deciding whether to take any action and, if so, what sanction(s) should be imposed. The Panel will consult the Independent Person and decide what, if any, publicity should be undertaken for example publishing the decision notice on the Council's website or issuing a press release. Until this point, standards complaints are treated **in strict confidence**.
- 3.7 There is no right of appeal against decisions taken on assessment, investigation and determination of standards complaints however a complainant may make a complaint to the Local Government and Social Care Ombudsman if they are dissatisfied with the handling of the complaint. The Ombudsman will not look at the merits of the decision, only whether the authority has followed its procedures in dealing with the matter.
- 3.8 The overall timescale for dealing with complaints as set out in the arrangements is within 3 months of receipt, or as soon as possible thereafter; and where a complaint is referred for investigation, the aim is to carry out the investigation and complete the investigation report within three months of the complaint being referred for investigation or within six months for more complex cases, or as soon as possible thereafter.

4.0 REVIEW OF CURRENT ARRANGEMENTS

- 4.1 The unprecedented high volume of complaints, complaint correspondence and associated Freedom of Information Act and Subject Access Requests, particularly by connected complainants against specific authorities is placing a significant burden on the standards complaint regime and consuming a significant proportion of officer time, resulting in it currently taking longer than usual to process standards complaints.
- 4.2 The Monitoring Officer therefore feels it is an appropriate time to further review the standards complaint arrangements to ensure there is an appropriate, proportionate, balance between maintaining high ethical standards and protecting the public purse and Council resources in terms of officer time.

Practical arrangements for assessments

- 4.3 The Monitoring Officer has recently revised the practical arrangements for assessing complaints with the Independent Person for Standards, in order to streamline the

process and minimise the impact on officer and Independent Person time. The Independent Persons have now been issued with a standing reference pack containing all key standards documents, which was discussed at the recent annual Independent Person catch up meeting. Individual covering assessment reports and packs for each complaint at assessment stage are no longer prepared, but the key complaint information and subject Member response are uploaded to the secure electronic drive.

- 4.4 Proposed changes to the standards documentation are discussed in more detail below and consist of measures aimed at reducing the volume of work and expediting the standards process in a proportionate manner.

5.0 PROPOSED AMENDMENTS TO DOCUMENTS

- 5.1 Proposed amendments to the standards documentation are set out by way of tracked changes in the relevant Appendices as referred to earlier.

- 5.2 The nature of the proposed amendments relate to:

Standards arrangements

- 5.2.1 The Monitoring Officer recently attended a Working Group on Member Safety, when it was mentioned that it would be helpful if the Council's standards process could reference the following:

- a) A person to whom an individual subject Member can speak about the process and contact for support;
- b) Reference that help is available for NYC Councillors from Health Assured via the Monitoring Officer if a subject Member has concerns about the stress they are under whilst the standards complaint is being investigated and determined, as there was some concern expressed at the Working Group about investigations that are taking a number of months to come to standards hearing and the impact it can have on the subject Member.

- 5.2.2 Proposed amendments to reflect the above and reference support arrangements for subject Members are set out by way of tracked changes on the standards arrangements attached at **Appendix 1**. Other amendments are suggested in order to:

- a) Reflect that timescales for handling complaints can vary depending on the nature and circumstances of any particular case;
- b) provide for **a pre-assessment consideration** by the Monitoring Officer, to enable complaints which clearly fall out of the standards' regime jurisdiction to be disposed of by the Monitoring Officer without having to go through the usual full assessment process with the Independent Person or informing a subject Member where this would cause distress, for example:
 - i. the complaint is not made against a named Member;
 - ii. it is a blanket complaint made against all Members of an authority, without specifying the allegations against each individual;
 - iii. it is, in essence, a complaint against a decision of, or actions by, the authority rather than a complaint that individual behaviour has breached the relevant Code of Conduct;
 - iv. the Member the subject of the complaint was not in office at the relevant time;
 - v. it is a complaint about officers;
 - vi. it relates to individual behaviour which was clearly undertaken in a councillor's private capacity;

- vii. the complaint, if proven to be true, would clearly not amount to a breach of the relevant Code of Conduct;
- viii. it is, or is likely to be, the subject of a Police or other regulatory investigation; in such circumstances the Monitoring Officer may hold the complaint in abeyance pending the outcome of such investigation. If the complaint identifies potential criminal conduct or breach of other regulation, the Monitoring Officer will consult the Police and/or such other regulatory agencies as they consider appropriate. This may have an impact on the handling of the standards complaint and may require it to be held in abeyance pending the outcome of any criminal or regulatory investigation;
- ix. the complainant refuses or is unable to particularise or substantiate their complaint, such that on a formal assessment it would be unlikely to be referred for investigation or any other action on the basis that there is insufficient information submitted;
- x. it is a substantially similar complaint to one previously submitted by the complainant and no new material evidence has been submitted;
- xi. it is part of a series of complaints by connected parties in relation to particular circumstances where the issues have been or are being considered and where the standards regime is not the appropriate mechanism for resolving the issues.

Paragraphs 5.2 and 5.4 of the procedure have been expanded to cover this;

- c) highlight that a complaint form is usually shared with a subject Member and that if the Complainant objects to any information being shared to let the Monitoring Officer know immediately. A new paragraph 3.3 of the procedure is proposed to this effect;
- d) Include a 10 working day (or as soon as possible thereafter or as specifically agreed with the Monitoring Officer) timescale for the receipt of comments by a subject Member on the complaint;
- e) Clarify that the Independent Person and independent parish/town councillor representative are not part of the Panel itself;
- f) Further reference the independent parish/town councillor representative as well as the Independent Person;
- g) Reference the supplemental Standards and Governance Committee Hearings Panel Procedure previously agreed by the Committee;
- h) Remove repetition (eg the repetitive reference to the Independent Person attending the Panel meeting in paragraph 10.4 of the Arrangements);
- i) Clarify that after finding a breach by a parish/town councillor of their Code, the Panel can only make *recommendations* regarding sanctions to the relevant town/parish council;
- j) Clarify that either party to the complaint (not just the complainant) may make a complaint to the Local Government and Social Care Ombudsman if they feel the Council has failed to follow its processes in dealing with the complaint.

Jurisdiction and Assessment Criteria

- 5.2.3 The Monitoring Officer has reviewed the Jurisdiction and Assessment Criteria and is recommending the proposed consequential amendments as set out by way of tracked changes in **Appendix 2**, to reflect the proposed changes above regarding the

introduction of a pre-assessment consideration of the complaint by the Monitoring Officer.

Standards and Governance Committee Protocol for dealing with unreasonably persistent/vexatious complainants

5.2.4 Amendments are proposed to the Committee's Protocol for dealing with unreasonably persistent/vexatious complainants (**Appendix 3**) to reflect:

- a) the Council's approach in labelling the complaints, communications and behaviour themselves as unreasonable/vexatious rather than the person making them;
- b) the emotional impact of such complainant behaviour on officers and Members involved, as well as the financial and administrative impact on the Council.

Standards and Governance Committee Hearings Panel Procedure

5.2.5 Amendments are proposed to the Committee's Hearings Panel Procedure (**Appendix 4**) to:

- a) Clarify that after finding a breach by a parish/town councillor of their Code, the Panel can only make *recommendations* regarding sanctions to the relevant town/parish council;
- b) Further reference the independent parish/town councillor representative as well as the Independent Person;
- c) Remove the reference in current paragraph 6.1 to the Monitoring Officer preparing, where possible, a short written summary of the Panel's decision on the day of the Hearing. In practice, a fairly detailed initial notice has been prepared and circulated to the parties and then a fuller decision notice circulated later. The Monitoring Officer would recommend that this is essentially duplication and there is no need to refer to two notices in the Hearings Panel Procedure, as a written notice on the day of the Hearing is not required in the main standards complaints procedure attached at **Appendix 1** to this report.

Complaint Form

5.2.6 Amendments are proposed to the standards complaint form (attached at **Appendix 5**) to:

- a) Highlight that different codes of conduct will apply depending on whether the complaint is brought against a Member of North Yorkshire Council or of a parish/town council in the North Yorkshire area;
- b) Further emphasise what the Monitoring Officer can and cannot look at under the standards regime to try to deter out of jurisdiction complaints;
- c) Further emphasise that a subject Member will usually be informed who has made the complaint against them and that if a complainant wishes their identity to be withheld they must make this clear to the Monitoring Officer;
- d) highlight that a complaint form is usually shared with a subject Member and that if the Complainant objects to any information being shared to let the Monitoring Officer know immediately.

- e) Aim to make it clearer that complainants should reference the relevant authority's Code of Conduct for Members (not North Yorkshire Council's Code where the complaint is against a parish/town councillor);
- f) Specifically ask the complainant at the outset, in the complaint form, what they are seeking as an outcome.

It is hoped that such amendments will further head off likely areas of protracted correspondence prior to assessment stage.

- 5.3 Subject to any comments Members may have, the above proposed amendments are recommended to the Committee for approval.

6.0 OTHER WORK TO SUPPORT THE STANDARDS REGIME

- 6.1 Since Vesting Day, the Deputy Monitoring Officer has liaised with the Chief Officer of the Yorkshire Local Councils Association regarding standards support to parish and town councils in the North Yorkshire area and delivered a standards training session to parish and town councils and clerks through the YLCA's online training webinar on 19 February 2024. This was poorly attended and the Deputy Monitoring Officer has arranged three further online training sessions for parish and town councils in September 2024 in the east, west and central areas of North Yorkshire.
- 6.2 The Deputy Monitoring Officer is also liaising with North Yorkshire Police regarding the development of a protocol between the Council and the Police regarding the handling of complaints where there is a potential criminal offence disclosed.
- 6.3 Guidance on the Code and standards regime is also provided in the Committee's Standards Bulletins which are published on the Council's website - [Standards Bulletin March 2024 | North Yorkshire Council](#). The Committee's Bulletin is also sent to the YLCA for information.
- 6.4 The Monitoring Officer has also reviewed the standards information on the Council's website to provide further information and ensure clarity around the standards arrangements.
- 6.5 Subject to any comments Members may have, it is recommended that the proposed amendments to the standards documentation be approved.

7.0 FINANCIAL IMPLICATIONS

- 7.1 There are no significant financial implications arising from this report.

8.0 LEGAL IMPLICATIONS

- 8.1 The legal implications are set out in the body of this report.

9.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS

- 9.1 There are no significant environmental/climate change implications arising from this report.

10.0 EQUALITIES IMPLICATIONS

- 10.1 There are no significant equalities implications arising from this report.

11.0 RECOMMENDATIONS

11.1 That, subject to any comments Members may have, the Committee approves the proposed amendments to the standards documentation as set out in this report and its Appendices.

JENNIFER NORTON
Assistant Director Legal and Deputy Monitoring Officer

Background Documents:

The Localism Act 2011

Minutes of Standards and Governance Committee meetings

County Hall
NORTHALLERTON

18 December 2024

NORTH YORKSHIRE COUNCIL

ARRANGEMENTS FOR DEALING WITH ALLEGATIONS OF BREACH OF THE MEMBERS' CODE OF CONDUCT

These arrangements set out how you may make a complaint that an elected or voting co-opted member ("Member") of the North Yorkshire Council, or of a parish or town council within its area, may have failed to comply with the relevant Code of Conduct for Members.

Please note that regarding parish and town councils, North Yorkshire Council only has jurisdiction to consider complaints that a parish/town councillor may have breached the relevant parish/town council's Members' Code of Conduct; any complaints about the way in which the parish/town council has or has not conducted its business or about a decision made by the parish/town council or about its employee(s), must be made to the relevant parish/town council.

These arrangements are made under Sections 28(6) and (7) Localism Act 2011.

References to the Monitoring Officer also include reference to the Deputy Monitoring Officer.

1.0 Independent Person for Standards

1.1 The Council has appointed Independent Persons whose views must be sought by the Council before it takes any decision on an allegation which has been decided should be investigated. The Independent Person's views can also be sought by the Council at any other stage or by a Member against whom an allegation has been made. In practice complaints are dealt with by the Monitoring Officer, under their delegated powers, and by the Standards and Governance Committee as set out in these arrangements.

2.0 Members' Code of Conduct

2.1 North Yorkshire Council has adopted a Code of Conduct for Members, which is published on the Council's website and available from the Monitoring Officer.

2.2 Each parish or town council is also required to adopt a Code of Conduct. If you wish to inspect a parish or town council's Code of Conduct, it may be published on any website operated by the parish or town council or you may request the clerk to allow you to inspect that council's Code.

3.0 Making a Complaint

3.1 If you consider there has been a breach of the Code of Conduct by a Member and want to make a complaint, please contact the Monitoring Officer at:

The Monitoring Officer
North Yorkshire Council
County Hall
NORTHALLERTON
North Yorkshire
DL7 8AD

email: MonitoringOfficer@northyorks.gov.uk

Where possible, the standards complaint form should be used. It is available from the Monitoring Officer at the above address and is also published on the Council's website - [Councillors' code of conduct | North Yorkshire Council](#). Using the

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complaint form will guide you through giving the information expected by the Monitoring Officer to enable a full consideration of your complaint.

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3.2 It is important to provide a name and contact details. Please note that the Council will not investigate anonymous complaints unless there is a significant public interest in doing so. Further information is contained in the Council's Jurisdiction and Assessment Criteria, which are published on the Council's website and available from the Monitoring Officer.

3.3 Please note that the complaint form (with your contact details and any signature redacted) will be shared with the subject Member to enable them to respond to the allegations – if there is any information you would prefer to be withheld from the subject Member please let the Monitoring Officer know upon submitting your complaint.

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4.0 Timescales

4.1 We aim to deal with any complaint, so far as possible, within 3 months of receipt, or as soon as possible thereafter. It may take longer during periods of high volume complaint activity. If your complaint is referred for investigation we aim to carry out the investigation and complete the investigation report within three months of the complaint being referred for investigation, or within six months for more complex cases, or as soon as possible thereafter. Timescales can vary depending on the nature and circumstances of any particular case. Please be assured that the Council takes complaints seriously and aims to deal with all complaints as expeditiously as possible in prevailing circumstances.

4.2 The Monitoring Officer will aim to acknowledge receipt of your complaint within 5 working days (or as soon as possible thereafter), informing you of the next steps. You will be kept informed and notified as to the outcome of your complaint.

5.0 Assessment of the complaint

5.1 Every complaint relating to the Code of Conduct will be received by the Monitoring Officer.

Pre-assessment consideration by Monitoring Officer

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5.2 The Monitoring Officer will consider all complaints received to ascertain that it is appropriate for them to progress to a formal assessment by the Monitoring Officer in consultation with the Independent Person for Standards.

5.2.1 The Member complained of ('the subject Member') will generally be informed of the receipt of the complaint (unless they have previously requested not to be informed or the Monitoring Officer otherwise believes it to be unnecessary or inappropriate in prevailing circumstances) but the complaint itself will not generally be sent to the subject Member for comments at that stage.

5.2.2 The Council's Jurisdiction and Assessment Criteria will be considered by the Monitoring Officer in the initial consideration of a standards complaint. A standards complaint will not progress to a formal assessment where:

a) it is not made against a named Member;

b) it is a blanket complaint made against all Members of an authority, without specifying the precise allegations against each individual Member;

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- c) it is, in essence, a complaint against a decision of, or actions by, the authority rather than a complaint that individual Member behaviour has breached the relevant Code of Conduct;
- d) the Member the subject of the complaint was not in office at the relevant time;
- e) it is a complaint about officers;
- f) it relates to individual behaviour which was clearly undertaken in a Member's private capacity;
- g) the complaint, if proven to be true, would clearly not amount to a breach of the relevant Code of Conduct;
- h) it is, or is likely to be, the subject of a Police or other regulatory investigation: in such circumstances the Monitoring Officer may hold the complaint in abeyance pending the outcome of such investigation. If the complaint identifies potential criminal conduct or breach of other regulation, the Monitoring Officer will consult the Police and/or such other regulatory agencies as they consider appropriate. This may have an impact on the handling of the standards complaint and may require it to be held in abeyance pending the outcome of any criminal or regulatory investigation;
- i) the complainant refuses or is unable to particularise or substantiate their complaint, such that on a formal assessment it would be unlikely to be referred for investigation or any other action on the basis that there is insufficient information submitted;
- j) it is a substantially similar complaint to one previously submitted by the complainant and no new material evidence has been submitted;
- k) it is part of a series of complaints by connected parties in relation to particular circumstances where the issues have been or are being considered and where the standards regime is not the appropriate mechanism for resolving the issues and the wider public interest would not favour further public resource being expended on the matter.

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The initial consideration by the Monitoring Officer will ensure that there is an appropriate, proportionate, balance between maintaining high ethical standards and protecting the public purse and Council resources in terms of officer, Member and Independent Person time spent in handling standards complaints.

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5.2.3 The subject Member and complainant will be notified of the outcome of the initial complaint consideration by the Monitoring Officer.

5.2.4 There is no right of appeal against the Monitoring Officer's decision as to whether or not to refer a complaint for assessment with the Independent Person for Standards.

~~5.2 If the complaint identifies potential criminal conduct or breach of other regulation, the Monitoring Officer will consult the Police and/or such other regulatory agencies as they consider appropriate. This may have an impact on the handling of the standards complaint and may require it to be held in abeyance pending the outcome of any criminal or regulatory investigation.~~

Assessment by Monitoring Officer in consultation with Independent Person

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5.3 Where a complaint is to be assessed by the Monitoring Officer in consultation with an Independent Person, the subject Member who is the subject of a complaint (the subject Member) will be advised of the complaint (if not already informed) and copied into any relevant correspondence or complaint form received from you as Complainant (with contact details redacted), to enable them to comment on the allegations made against them. The Monitoring Officer would expect to receive any comments on the complaint from the subject Member (either substantively or that they do not wish to comment) within 10 working days from receipt of the complaint (or as soon as possible thereafter), or as specifically agreed with the Monitoring

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Officer. Where a complaint relates to a parish or town councillor, the Monitoring Officer may also, in their discretion, inform the parish or town council of the complaint and seek views before deciding whether the complaint merits formal investigation or any other action.

- 5.4 The Monitoring Officer will assess formal standards complaints (save as set out in paragraph 5.2 above and paragraph 5.9 below) in consultation with the Independent Person and will decide whether a complaint falls within the jurisdiction of the standards regime and, if so, whether it merits formal investigation or any other action (such as informal resolution) being taken in relation to it, as judged against the Council's Jurisdiction and Assessment Criteria. Where there is a difference of opinion between the Monitoring Officer and the Independent Person, then the allegation will be referred for investigation.
- 5.5 This assessment will take place, where possible, within 20 working days of receipt of the complaint or as soon as possible thereafter. The Monitoring Officer may request more information to assist the decision as to whether investigation is appropriate.
- 5.6 The subject Member may also be requested to provide information about the matter.
- 5.7 The Monitoring Officer will advise you, in writing, of their assessment decision and the reasons for it.
- 5.8 The Monitoring Officer will not refer for investigation matters which are, in their opinion, and after consultation with the Independent Person, vexatious, offensive, trivial, disproportionate or politically motivated. Regard may be had to the Standards and Governance Committee Protocol for dealing with Unreasonably Persistent/Vexatious Complainants in this respect and in relation to the handling of such complaints generally.
- 5.9 Where the Committee has been consulted by the Monitoring Officer under the Protocol for dealing with Unreasonably Persistent/Vexatious Complainants and a decision made that a standards complaint has ended, any further complaints on essentially the same issue(s) do **not** need to be considered through the assessment process in the usual way through the standards complaints procedure.
- 5.10 If the Monitoring Officer and Deputy Monitoring Officer have a conflict of interest or do not for any other reason consider it appropriate that they undertake the initial assessment of a complaint, it will be referred to the Standards and Governance Committee.
- 5.11 The initial consideration and any subsequent assessment of the complaint ~~is~~ are not an investigation and makes no determination as to the truth or otherwise of the allegations. ~~It-They~~ simply looks at whether the complaint falls within jurisdiction disclosing a potential breach of the Code and, if so, whether it warrants any further action being taken.
- 5.12 The Standards and Governance Committee will be informed of the outcome of all complaints received. In addition, the Monitoring Officer shall, when they deem it appropriate, liaise with the Chair of the Committee regarding patterns of complaints, for example where large numbers of complaints are received against a particular Member or parish/town council, a specific complaint relating to one Member is registered by more than one complainant or there is an unusually large number of complaints generally.

6.0 Informal Resolution

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- 6.1 Wherever possible the Monitoring Officer will seek to resolve a complaint informally without the need for formal investigation or referral to the Standards and Governance Committee.
- 6.2 This may involve trying to mediate between the parties, aiming to clarify misunderstandings, or encouraging discussion between the Complainant and subject Member to enable a resolution between them, or where appropriate, an apology. It may also involve other remedial action by the Council.
- 6.3 If either party or the Council make a reasonable offer of local resolution but the other party is not willing to accept the offer, the Monitoring Officer will take this into account in deciding whether a complaint merits formal investigation.

7.0 Investigation

- 7.1 If the Monitoring Officer concludes that a matter merits investigation, the Complainant will be invited to submit any further information they wish to submit in support of their allegation within 10 working days of request.
- 7.2 Any further information received will be sent to the subject Member, who would also be invited to submit any further information they wish to be considered in response within 10 working days.
- 7.3 Throughout the process the Monitoring Officer will ensure the subject Member and Complainant receive appropriate support and assistance. Should a subject Member experience particular stress or distress during the investigation process, they should contact the Monitoring Officer in order to discuss what support arrangements can be put in place to help. This may include allocation of a named contact officer or Independent Person for Standards to support them through the process and/or where available a referral, through the Monitoring Officer, to the Council's Occupational Health Scheme.
- 7.4 The Monitoring Officer may also appoint an officer to oversee the gathering of information relating to the matter which will comprise the investigation ('the Nominated Officer'). The Nominated Officer will consider whether any further information is needed and take steps so far as possible to secure its production.
- 7.5 A report containing the information provided by the Complainant and subject Member will be prepared by the Nominated Officer and copied to both parties and sent to the Monitoring Officer. The report will conclude with a recommendation as to whether, on the balance of probabilities, it is considered that there is evidence of a breach of the Code.

8.0 Conclusion of no evidence of failure to comply with the Code of Conduct

- 8.1 The Monitoring Officer will receive and review the investigation report and consult the Independent Person upon it. Subsequently, if satisfied that the report is sufficient, the Monitoring Officer will write to the Complainant and the subject Member notifying them that they are satisfied that no further action is required.

9.0 Conclusion that there is evidence of failure to comply with the Code of Conduct

- 9.1 The Monitoring Officer will review the report and consult the Independent Person as to whether local resolution may be possible. If any suggested resolution is not agreed, the matter will be referred to the Standards and Governance Committee for consideration and determination.

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- 9.2 If the matter can reasonably be resolved in the Monitoring Officer's opinion without the need for a hearing they will consult the Independent Person, with the Complainant and subject Member, to seek to agree a fair resolution which will also ensure higher standards of conduct for the future.
- 9.3 As with initial assessment this can include the Member accepting that conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the Member complies with the suggested resolution the matter will be reported to the Standards and Governance Committee but no further action will be taken.

10.0 Hearing

- 10.1 If local resolution is not appropriate, or the Complainant or subject Member are not satisfied with the proposed resolution, or the subject Member is not prepared to undertake any proposed remedial action, the report will be reported to a Hearings Panel ('the Panel') of 3 Members from the Standards and Governance Committee. Where a complaint is in relation to a town or parish councillor, ~~the Panel will also include an independent~~ town or parish councillor representative will also be in attendance at the Hearing and will be consulted by the Panel. The parish representative will not be from the same parish as the subject Member. The Independent Person will attend all Panel meetings and will be consulted by the Panel in making its decision about whether there has been a breach of the Code and any action to be taken. The Independent Person and independent parish/town councillor representative are not part of the Panel itself.
- 10.2 The Panel will meet to decide whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action. Regard should also be had to the supplemental Standards Hearings Panel Procedure.
- 10.3 The report will be presented to the Panel.
- 10.4 The Complainant and the subject Member will be invited to attend the Panel to present information and make representations in relation to the allegations that there has been a failure to comply with the Code of Conduct. ~~The Independent Person will be present.~~ The Panel can proceed in the absence of either the subject Member or the Complainant where it deems this to be appropriate.
- 10.5 The Panel shall consult with the Independent Person (and independent parish/town councillor representative where relevant) and be advised by the Monitoring Officer or officer nominated by them. It may conclude:
- (a) that the Member did not fail to comply with the Code of Conduct;
 - (b) that the Member did fail to comply with the Code of Conduct; and, if it so concludes, the Panel may determine whether any action is necessary and, if so, what sanction is appropriate.

11.0 What action can the Panel take if there has been a breach of the Code of Conduct?

- 11.1 The Panel may:
- (a) issue a letter of censure to the subject Member and, where appropriate, require an apology to be given to the Complainant;

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- (b) recommend to the subject Member's Group Leader that they be removed from any or all committees or sub-committees of the Council;
- (c) instruct the Monitoring Officer to arrange training for the subject Member;

except where the subject Member is a parish or town council Member, in which case the Panel can only make recommendations regarding sanctions to the relevant town/parish council.

- 11.2 The Panel has no power to suspend or disqualify the Member or to withdraw allowances.
- 11.3 The Panel shall consult the Independent Person (and independent parish/town council representative, where relevant) and decide what, if any, publicity should be undertaken regarding the outcome of the matter. Options for such publicity include a notice on the Council's website or a press release. Until a decision has been made by the Panel as to what, if any, publicity should be given to the complaint and its outcome, all aspects of the complaint will be dealt with in the strictest confidence.

12.0 What happens at the end of the hearing?

- 12.1 The Chair of the Panel will announce the decision of the Panel as to whether the subject Member has failed to comply with the Code of Conduct and as to any action it deems necessary. The Monitoring Officer will prepare a Decision Notice which will be given to the subject Member and the Complainant within 10 working days or as soon as possible thereafter. The outcome will be reported to the next meeting of the Standards and Governance Committee.

13.0 Revision of these arrangements

- 13.1 The Committee may by resolution agree to amend these arrangements and delegates to the Chair of the Panel the right to depart from these arrangements where they consider it expedient to do so to secure the effective and fair consideration of any matter.

14.0 Appeals

- 14.1 There is no right of appeal for the Complainant or the subject Member against a decision of the Monitoring Officer, Standards and Governance Committee or Hearings Panel.
- 14.2 If ~~the Complainant~~ a party feels that the Council has failed to deal with the complaint properly they may make a complaint to the Local Government and Social Care Ombudsman.

15 March 2024 6 January 2025

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NORTH YORKSHIRE COUNCIL

ETHICAL FRAMEWORK

Complaints of breach of Members' Code of Conduct

Jurisdiction and Assessment Criteria

Where relevant, the Council's Jurisdiction and Assessment Criteria will be considered by the Monitoring Officer in the initial pre-assessment consideration of a standards complaint and by them, in consultation with the Independent Person for Standards, as relevant, on any subsequent assessment of the complaint.

References in this document to the Monitoring Officer include reference to the Deputy Monitoring Officer.

Jurisdiction

~~Before-On~~ assessment of a complaint ~~begins~~, the Monitoring Officer, in consultation with the Independent Person for Standards, should firstly be satisfied that the complaint meets the following tests:

1. it is a complaint against one or more named Members/voting co-opted Members ("Members") of North Yorkshire Council or of a parish or town council within the Council's area;
2. the named Member was in office at the time of the alleged conduct and the relevant Code of Conduct was in force at the time;
3. the complaint relates to matters where the councillor was acting as a councillor or representative of the authority and it is not a private matter; and
4. the complaint, if proven, would be a breach of the Code under which the Member was operating at the time of the alleged misconduct.

If the complaint fails one or more of these tests it cannot be investigated as a breach of the Code and the complainant must be informed that no further action will be taken in respect of the complaint. If there is any doubt as to whether any of the above first stage criteria are met, then the complaint should proceed to be assessed against the second stage Assessment Criteria below.

Assessment Criteria

All complaints falling within the jurisdiction of the standards regime will be assessed by the Monitoring Officer, in consultation with the Independent Person, in accordance with the criteria below.

More than one criteria may be applicable to a complaint.

1. Capacity

Was the Member acting in their official capacity at the time of the alleged conduct?

If the answer is **no**, then unless there is some direct link between the activity and the Member's office, the Code did not apply to the Member at the time of the alleged conduct and therefore there can be no breach of the Code. The response should therefore be: "The Member concerned was not acting in their official capacity at the time of the alleged conduct and therefore the Code of Conduct for Members did not apply to the Member at that time. Consequently no potential breach of the Code has been disclosed and no action may be taken in respect of the complaint."

The Code does not currently apply to Members' conduct outside of the performance of their functions as Members. Only if they have engaged in private conduct/activity which has a link with the functions of the office of member, might the conduct in question be covered by the Code.

2. Potential criminal offence or regulatory breach

Does the complaint disclose a potential criminal offence or regulatory breach?

If the complaint identifies potential criminal conduct or breach of other regulation, the Monitoring Officer will consult the Police and/or such other regulatory agencies as they consider appropriate. This may have an impact on the handling of the standards complaint and may require it to be held in abeyance, or other action taken, pending the outcome of any criminal or regulatory investigation.

3. Current Membership

Is the complaint about someone who is no longer a Member of the relevant council?

The subject Member may have been a councillor at the time of the alleged misconduct but may have since ceased to be a councillor. The Monitoring Officer will need to consider whether North Yorkshire Council still has jurisdiction. If so, then the Monitoring Officer may decide not to take any further action unless they believe the matter is so serious, and the councillor may return to the authority, that it would still be in the public interest to pursue the matter. If they do pursue the matter the range of potential sanctions ultimately available is inevitably more limited.

Is the complaint about someone who is no longer a Member of the authority, but is a member of another authority? If so, does the Monitoring Officer wish to refer the complaint to the monitoring officer of that other authority?

If the answer is **yes**: "Where the member is no longer a member of our authority but is a member of another authority, the complaint will be referred to the Monitoring Officer of that authority for consideration."

If a councillor is still a member of a town or parish council within North Yorkshire, then the principal authority can still deal with the matter if it relates to matters at the town or parish council.

4. Ill health

Is the complaint about a Member who is seriously ill?

If the Member the subject of the complaint is seriously ill at the time of assessment, the Monitoring Officer will need to decide, in the prevailing circumstances and in the public interest, what action is most appropriate to take in relation to the complaint at that time. This may include deciding to hold the complaint in abeyance for a period of time.

5. Sufficient Information

Has the complainant submitted enough information to satisfy the Monitoring Officer assessing the complaint that the complaint should be referred for investigation or other action?

If the answer is **no**, the response should be: “The information provided was insufficient to make a decision as to whether the complaint should be referred for investigation or other action. So unless, or until, further information is received, the Monitoring Officer is taking no further action on this complaint.”

6. Prior Investigation/Action

Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?

Where:

- a substantially similar complaint has been submitted and accepted; or
- a substantially similar complaint has previously been considered and no new material evidence has been submitted;

then the Monitoring Officer may decide that there is no merit in any further action being taken in relation to the complaint.

If the answer is **yes**: “The matter of complaint has already been subject to a previous investigation or other action and there is nothing more to be gained by further action being taken.”

7. Passage of Time

Is the complaint about something that happened so long ago that there would be little benefit in taking action now?

Where a matter happened some time ago then the Monitoring Officer may decide that any further action would be unwarranted. The Monitoring Officer should consider whether there is any reason why there has been a delay in making the complaint.

If the answer is **yes**: “The period of time that has passed since the alleged conduct occurred was taken into account when deciding whether this matter should be referred for investigation or further action. It was decided under the circumstances that further action was not warranted.”

8. Nature of the parties

Is the complaint by one Member against another?

The Monitoring Officer will consider the capacity in which the complainant has brought the complaint: where the complaint is by one Member against another, a greater allowance for robust political debate (but not personal abuse) may be given, bearing in mind the right to freedom of expression.

9. Triviality

Is the complaint too trivial to warrant further action?

The Monitoring Officer will need to consider whether the complaint is sufficiently serious to warrant any action being taken in relation to it. A referral of a complaint for investigation or other action costs both public money and officer and councillor time. This is an important consideration when the complaint is minor or petty.

If the answer is **yes**: “The matter is not considered to be sufficiently serious to warrant further action.”

10. Underlying Motivation

Does the complaint appear to be simply malicious, vexatious, politically motivated or tit-for-tat?

The Monitoring Officer discourages such complaints but will consider, regardless of any alleged motive of the complainant, whether the complaint itself is sufficiently serious to warrant any further action regardless of the motive. A complaint may appear on the face of it to be politically motivated, for example, because of the timing of its submission, but if it raises sufficiently serious matters it would nevertheless need to be considered fully.

If the answer is **yes**: “The matter appears to be simply malicious, vexatious, politically motivated or tit-for-tat, and not sufficiently serious, and it was decided that further action was not warranted”.

11. Public Interest

Is it in the general public interest to take any action in relation to the complaint?

The Monitoring Officer will, in assessing the complaint in consultation with the Independent Person, consider the information presented by the complainant and subject Member and balance it against the various important considerations contained in the Assessment Criteria. The Assessment Criteria are, however, only indicative and the Monitoring Officer will need to take all circumstances into account, including local knowledge and experience, in assessing whether it is in the general public interest to take any action in relation to a complaint.

This can include looking at whether the behaviour complained of has already been addressed, for example through an apology having already being given by the subject Member.

This can also include looking at any background context in which the complaint has arisen and considering whether the standards regime is the appropriate process for dealing with the complaint in the prevailing circumstances and whether a referral of the matter for investigation or other action under the standards regime is likely to resolve the issues. This can include where there is evidence of dysfunction within the relevant council and in its relationships, standards of behaviour, conduct of meetings and entrenched views.

It may be the case that there are alternative, more appropriate, remedies that should be explored first.

Where the Monitoring Officer concludes that it would not be in the public interest to take any action in relation to the complaint, the assessment record will set out the rationale for this decision.

12. Anonymous Complaints

Is the complaint under consideration anonymous?

If the answer is **yes**, the Monitoring Officer will only refer such a complaint for investigation or some other action if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter and/or if there is a significant public interest in doing so.

13. Requests for Confidentiality

Has the complainant asked for their identity to be withheld?

If the answer is **yes**, the Monitoring Officer will need to consider the request by the complainant for confidentiality alongside the substance of the complaint itself.

As a matter of fairness and natural justice, Members will usually be told who has complained about them. Requests for confidentiality should only be granted in exceptional circumstances and at the discretion of the Monitoring Officer, in consultation with the Independent Person.

The following considerations may assist the Monitoring Officer's deliberations in this respect:

- (a) Whether the complainant has reasonable grounds for believing that they will be at risk of physical harm if their identity is disclosed;
- (b) Whether the complainant is an officer who works closely with the subject Member and they are afraid of the consequences to their employment or of losing their job if their identity is disclosed (NB: this should be covered by the Council's Whistle-Blowing Policy);
- (c) Whether the complainant suffers from a serious health condition and there are medical risks associated with their identity being disclosed. In such circumstances, the Monitoring Officer may wish to request medical evidence of the complainant's condition. In such cases, the Monitoring Officer may give the complainant the option of requesting a withdrawal of their complaint;
- (d) Whether the disclosure of the complainant's identity is necessary for the investigation of the complaint; for example, this may be relevant in a bullying allegation. In such cases, the Monitoring Officer may give the complainant the option of requesting a withdrawal of their complaint;
- (e) Whether it is possible to investigate the complaint without making the complainant's identity known;
- (f) Whether the public interest in proceeding with an investigation outweighs the complainant's wish to have their identity withheld from the subject Member.

Where the Monitoring Officer decides to refuse a request by a complainant for confidentiality, the Monitoring Officer may, in the particular circumstances, decide to offer the complainant the option to withdraw the complaint, rather than proceed with their identity being disclosed.

14. Withdrawal of Complaints

Has the complainant indicated that they wish to withdraw their complaint?

If the answer is **yes**, the Monitoring Officer will need to decide whether to grant the request. The following considerations may assist the deliberations in this respect:

- (a) Does the public interest in taking some action on the complaint outweigh the complainant's desire to withdraw it?
- (b) Is the complaint such that action can be taken on it, for example an investigation, without the complainant's participation?
- (c) Is there an identifiable underlying reason for the request to withdraw the complaint? For example, is there information to suggest that the complainant may have been pressured to withdraw the complaint?

Possible decisions

The Monitoring Officer assessing a complaint, in consultation with the Independent Person, may decide to refer the complaint for investigation or other action (eg training, conciliation); or may decide that no action should be taken in respect of the complaint.

The assessment of the complaint is not an investigation and makes no determination as to the truth or otherwise of the allegations. It simply looks at whether the complaint falls within jurisdiction disclosing a potential breach of the Code and, if so, whether it warrants any further action being taken in all the circumstances.

There is no right of appeal in relation to the assessment decision. If a complainant feels that the Council has failed to deal with the complaint properly they may make a complaint to the Local Government and Social Care Ombudsman.

| ~~15 March 2024~~ 6 January 2025

NORTH YORKSHIRE COUNCIL

STANDARDS AND GOVERNANCE COMMITTEE

PROTOCOL FOR DEALING WITH UNREASONABLY PERSISTENT/VEXATIOUS COMPLAINANTS

The Council has published an Unacceptable Complainant Behaviour Policy, which covers unacceptable behaviour and unreasonable persistency and vexatiousness on the part of complainants - [Unacceptable complainant behaviour policy | North Yorkshire Council](#)

Helpful general guidance on unreasonable persistence/vexatiousness is also given by the Information Commissioner's Office in its guidance on dealing with repeat requests ([Dealing with repeat requests | ICO](#)) and dealing with vexatious requests ([Dealing with vexatious requests \(section 14\) | ICO](#)), in the context of Freedom of Information.

In adopting its Constitution and local ethical framework under the Localism Act 2011, the Council agreed that it would be appropriate for the Standards and Governance Committee to have a role in dealing with persistent and/or unreasonably persistent/vexatious complainants' behaviour and the handling of the complaints raised by them, in order to provide increased support to Officers and Members who are the subject of such complaints and who are dealing with such complaints, and to minimise the administrative, ~~and~~ financial and emotional burden such complaints can impose upon the Council and its Officers and Members.

Whilst decisions in relation to imposing restrictions in relation to unreasonably persistent/vexatious complainants' behaviour are taken by officers at senior level, the Standards and Governance Committee is the appropriate body for Member-level consultation and support (where deemed appropriate and requested by the relevant senior officer) for the designation of ~~a~~-complainant behaviour as unreasonably persistent or vexatious, in accordance with the Council's Unacceptable Complainant Behaviour Policy: the Committee has a key role in relation to conduct and propriety matters and the Council's statutory Independent Persons for Standards are invited to all meetings of the Committee and provide an independent viewpoint on all key standards issues. Where the Monitoring Officer is minded to declare a complainant's behaviour as vexatious/unreasonably persistent, they shall consult with a panel of three Members of the Committee along with an Independent Person for Standards.

A panel of three Members of the Standards and Governance Committee, along with an Independent Person for Standards, may also be consulted upon and be asked to consider whether any restrictive action needs to be taken in each particular case presented to it for designation, in accordance with the Council's Policy. This restrictive action may include a decision that a standards complaint has ended and any further complaints on essentially the same issue(s) do not need to be considered through the assessment process in the usual way through the standards complaints procedure.

The Committee will review any matters in which it has been involved at the end of the time period allocated or after six months, whichever is earliest.

The fact that a complainant's behaviour has been identified as ~~an~~-unreasonably persistent/vexatious ~~complainant~~, may be taken into account in determining the action taken in response to a complaint.

Where a matter is proposed to be referred to the Standards and Governance Committee under this Protocol, the affected Member(s) shall be informed and shall be kept updated as

to the progress of the matter and the outcome of the Committee's consideration of it and all future developments in the matter.

This Protocol has been instigated by the Committee in good faith and aims to address issues with, and relating to, such complainants' behaviour in a manner which is fair to all concerned.

~~6 September 2023~~ 6 January 2025

NORTH YORKSHIRE COUNCIL
STANDARDS AND GOVERNANCE COMMITTEE
HEARINGS PANEL
HEARINGS PANEL PROCEDURE

1.0 GENERAL

- 1.1 This Procedure should be read alongside the Council's Arrangements for dealing with allegations of breach of the Members' Code of Conduct. A summary of this Procedure is contained in **Appendix 1**.
- 1.2 The Standards and Governance Committee has delegated to the Chair of the Hearings Panel the right to depart from these arrangements where they consider it expedient to do so to secure the effective and fair consideration of any matter. The Chair of the Panel has ultimate discretion to ensure that the Hearing is conducted in a fair, efficient and proportionate way.
- 1.3 References in this Procedure to the Monitoring Officer also include reference to the Deputy Monitoring Officer or any other officer nominated by them.
- 1.4 Where a complaint of a breach of the relevant Members' Code of Conduct has been investigated and the Investigating Officer has concluded that there is evidence of a failure to comply with the Code, then if local resolution is not possible (as judged by the Monitoring Officer in consultation with the Independent Person for Standards), or the Complainant or subject Member are not satisfied with the proposed resolution, or the subject Member is not prepared to undertake any remedial action, then the investigation report will be reported to the Standards and Governance Committee Hearings Panel ("the Panel"). This Procedure sets out what will happen at a Hearings Panel meeting ("Hearing").
- 1.5 Prior to the Hearing, the Monitoring Officer will engage with the parties in a pre-hearing process regarding the convening of the Hearing and to:
- identify whether the parties disagree with any of the findings of fact in the investigation report;
 - identify whether those disagreements are likely to be relevant to any matter the hearing needs to decide;
 - identify whether evidence about those disagreements will need to be heard during the hearing;
 - ask the parties whether they want to:
 - be represented at the hearing;
 - give evidence to the hearing, either verbally or in writing;
 - want to call relevant witnesses;
- Please note** - any witness evidence called at the Hearing must relate to relevant facts which are in dispute; any witness evidence as to character

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will generally be by way of written statement unless otherwise agreed with the Monitoring Officer;

- clarify the nature of any witnesses' likely evidence;
- decide if witnesses proposed to be called by the parties are relevant bearing in mind the need for proportionality;
- seeks views regarding the confidentiality of the Hearing and documentation, although this determination will ultimately be made by the Panel at the Hearing;
- identify any potential conflicts of interests.

A critical part of the pre-hearing process is to attempt to focus the relevant parties' attention on isolating all relevant disputes of facts between them. This is because attention to the factual issues will save valuable time later on at the Hearing.

- 1.5.1 Once the pre-hearing process has been completed the Monitoring Officer will write to the parties and relevant others involved where possible at least two weeks before the Hearing. This should confirm the date, time and place for the Hearing, note whether the subject Member, Complainant or Investigating Officer will be represented at the hearing and also list those witnesses, if any, who will be asked to give evidence and outline the proposed procedure for the Hearing.
- 1.5.2 If a party is unable to make the specified date the Monitoring Officer, in their discretion, may arrange for the Hearing to be held on a different date, provided that they are satisfied that the party has given an acceptable reason. Where the party does not give an acceptable reason or does not reply within a specified time, the Panel should proceed with the date and may consider the report in the party's absence if they do not go to the Hearing. The parties should not be able to evade having the case heard simply by refusing to cooperate and failure to cooperate may also be a potential breach of the Code. Where relevant, the Panel should make clear at the start of the Hearing that they have considered whether they can proceed in the absence of the party and should record their reasons.
- 1.5.3 If one or more witnesses are unavailable on the given date the Monitoring Officer, in consultation with the Chair of the Panel, should decide how material they would be to the Hearing and whether another date needs to be looked for. Witnesses, especially members of the public, often play an important part in the process and should be treated with courtesy and respect although it may be that their views were already sought as part of the investigation so the Panel would need to evaluate how they could proceed without them.
- 1.6 Where a complaint relates to a town or parish councillor the Panel [meeting](#) will also be attended by a town or parish councillor representative (not from the same parish as the subject Member) to bring a local perspective to the Hearing. The parish/town council representative is not a formal member of the Hearings Panel and is not entitled to vote.
- 1.7 The Independent Person for Standards will attend the Panel meeting and will be consulted by the Panel in making its decision about whether or not there has been a breach of the Code and any action to be taken. The Independent Person is not a formal member of the Hearings Panel and is not entitled to vote.

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- 1.8 Any witnesses called (other than the Complainant and subject Member) may not sit in the Hearing until after they have given evidence.
- 1.9 The Complainant and the subject Member will be invited to attend the Hearing Panel to present information and make representations in relation to the allegations that there has been a failure to comply with the Code of Conduct.
- 1.10 The parties may choose to be represented by counsel, a solicitor, or by any other person they wish. The Panel does, however, have the right to withdraw its permission to allow a representative if that representative disrupts, or otherwise compromises, the fairness and efficiency of the Hearing. An appropriate warning should usually be given before permission is withdrawn.
- 1.11 The Panel can proceed in the absence of either the subject Member or the Complainant where it deems this to be appropriate. In such a case, the Panel will make clear at the start of the Hearing that it has considered whether it can proceed in the absence of the party, whether the Hearing will proceed or be deferred and should record its reasons for its decision.
- 1.12 The Panel will be advised by the Monitoring Officer or an officer nominated by them and any reference in this procedure to the Monitoring Officer shall be construed accordingly.
- 1.13 At the Hearing the Panel will consider the matter in different stages:
- i. The findings of fact set out in the Investigating Officer's report, focussing particularly on those issues still in dispute and the responses of the parties to those findings.
 - ii. Whether or not there has been a breach of the Code of Conduct.
 - iii. Where the Panel finds the subject Member has not breached the Code, whether the Panel would wish to make any recommendations to the Council or parish/town council arising from the Hearing; and whether any publicity should be given to the outcome of the complaint.
 - iv. Where the Panel finds the subject Member has breached the Code, whether the Panel would wish to impose a sanction [\(or recommend the imposition of a sanction to the parish/town council where it is a complaint about a parish/town councillor\)](#), and, if so, what sanction or sanctions it deems appropriate; and what, if any, publicity should be given to the outcome of the complaint.
- 1.14 The Panel, through the Chair, controls the procedure and evidence presented at a Hearing, including the number of witnesses and the way witnesses are questioned. If the Panel believes that questions are irrelevant or oppressive then the Chair may stop that particular line of questioning. Generally, the parties are entitled to present their case as they see fit, which includes calling the witnesses they may want and which are relevant to the matters to be heard. However, the Panel has the right to govern its own procedures in a fair and proportionate manner. For this reason, the Panel may limit the number of witnesses if the number is unreasonable.
- 1.15 The Panel will consult the Independent Person [\(and independent parish/town councillor representative where relevant\)](#) in making its conclusions as to whether or

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not there has been a breach of the Code and, if so, whether any action needs to be taken in relation to it.

- 1.16 The Panel decides on factual evidence on the balance of probabilities and may conclude:
- a) that the subject Member has not breached the Code of Conduct; or
 - b) that the subject Member has breached the Code of Conduct; and, if so, the Panel may determine whether any action is necessary and, if so, what sanction is appropriate.
- 1.17 In either case, the Panel may determine whether it feels any general recommendations to the relevant authority are appropriate.
- 1.18 All present at the hearing should treat the process with respect. The Chair has discretion to remove anyone causing a disruption, or otherwise compromising the fairness and efficiency of the Hearing, from the meeting room and may determine that they have forfeited their right to be present during the Hearing.

2.0 THE HEARING

- 2.1 The Monitoring Officer will open the meeting and invite the Panel to select a Chair for the meeting.
- 2.2 The Panel will elect a Chair of the Panel for the meeting, who will take the chair and deal with preliminary matters such as apologies for absence and declarations of interests.
- 2.3 The Chair will invite the Panel to consider whether to exclude the press and public during the Hearing and to maintain the exempt status of the relevant documentation.
- 2.4 The Chair will introduce the Panel and invite the parties and those present to introduce themselves.
- 2.5 The Chair will then briefly explain the hearing process.
- 2.6 Any preliminary issues not resolved through the pre-hearing process will be considered.

3.0 STAGE 1 – FINDINGS OF FACT

- 3.1 The purpose of this stage is to establish the facts of the case. This may be achieved by agreement of all parties or may be complicated by disagreement. In the case of the latter the Panel will need to listen to the evidence, question this as necessary and deliberate in private to reach its decision.
- 3.2 After dealing with any preliminary issues, the Chair will invite the Investigating Officer to present their report and, with the Panel's permission, call witnesses..
- 3.3 The Chair will invite questions of the Investigating Officer and, subsequently, any witnesses called by the Investigating Officer, in turn by:
- (i) the Complainant

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- (ii) the Subject Member
 - (iii) the Panel Members
 - (iv) any parish/town council representative
 - (v) the Independent Person
 - (vi) the Monitoring Officer
- 3.4 The Chair will invite the Complainant to make any representations, present information and, with the Panel's permission, call witnesses.
- 3.5 The Chair will invite questions of the Complainant and, subsequently, any witnesses called by the Complainant, in turn by:
- (i) the Investigating Officer
 - (ii) the Subject Member
 - (iii) the Panel Members
 - (iv) any parish/town council representative
 - (v) the Independent Person
 - (vi) the Monitoring Officer
- 3.6 The Chair will invite the subject Member to make any representations, present information and, with the Panel's permission, call witnesses.
- 3.7 The Chair will invite questions of subject Member and, subsequently, any witnesses called by the subject Member, in turn by:-
- (i) the Investigating Officer
 - (ii) the Complainant
 - (iii) the Panel Members
 - (iv) any parish/town council representative
 - (v) the Independent Person
 - (iv) the Monitoring Officer
- 3.8 At any time, the Panel may question any of the people involved or any of the witnesses.
- 3.9 At an appropriate time, with the permission of the Chair, the Investigating Officer, Complainant or subject Member may make further representations or re-question a witness on matters arising from their evidence.
- 3.10 The Chair will invite the Investigating Officer to sum up the evidence supporting their findings of fact and whether there has been a breach of the code of conduct.
- 3.11 The Chair will invite the Complainant to sum up the evidence supporting their version of events and whether there has been a breach of the code of conduct.
- 3.12 The Chair will invite the subject Member to sum up the evidence supporting their version of events and whether there has been a breach of the code of conduct.
- 3.13 The Chair will invite the views of any parish/town council representative.
- 3.14 The Chair will invite the views of the Independent Person.
- 3.15 The Chair will invite the Monitoring Officer to explain the considerations to be taken into account by the Panel.

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- 3.16 The Panel will retire to consider, in private, all relevant representations and evidence and determine their findings regarding the facts of the matter.
- 3.17 Upon resuming the Hearing, the substance of any legal advice given to the Panel by the Monitoring Officer and of any views offered by the Independent Person during private deliberations should be shared with the parties.
- 3.18 The Chair will read out the findings of fact found by the Panel. No further representations from either the Investigating Officer nor the parties may be made regarding the facts.
- 4.0 STAGE 2 – DETERMINATION AS TO WHETHER OR NOT THERE HAS BEEN A BREACH OF THE CODE**
- 4.1 Based on the facts it has found the Panel will then hear representations as to whether or not the subject Member has failed to comply with the Code of Conduct.
- 4.2 The Chair will invite the Investigating Officer to make representations regarding whether there has been a breach of the Code.
- 4.3 The Chair will invite the Complainant to make representations regarding whether there has been a breach of the Code
- 4.4 The Chair will invite the subject Member to make representations regarding whether there has been a breach of the Code and to give reasons why the Panel should decide that they have not failed to comply with the Code of Conduct.
- 4.5 The Chair will invite the views of any parish/town council representative on whether there has been a breach of the Code.
- 4.6 The Chair will invite the views of the Independent Person on whether there has been a breach of the Code.
- 4.7 The Chair will invite the Monitoring Officer to explain the considerations to be taken into account by the Panel.
- 4.8 The Panel may, at any time, question anyone involved on any point they raise in their representations.
- 4.9 The Panel will retire to consider, in private, all relevant representations and evidence and determine their findings regarding whether or not there has been a breach of the relevant Code of Conduct.
- 4.10 Upon resuming the Hearing, the substance of any legal advice given to the Panel by the Monitoring Officer and of any views offered by the Independent Person during private deliberations should be shared with the parties.
- 4.11 The Chair of the Panel will announce the decision of the Panel as to whether or not the subject Member has failed to comply with the Code of Conduct. The Panel may conclude:
- a. that the subject Member has not breached the Code of Conduct; or
 - b. that the subject Member has breached the Code of Conduct.

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No breach

- 4.12 If the Panel decides that the subject Member has **not** failed to follow the relevant Code of Conduct, the Panel may move on to consider whether it should make any **recommendations** to the Council or parish/town Council on any issue which has arisen.
- 4.13 The Panel will consult the subject Member, and any other person present in the Chair's discretion, regarding any **publicity or privacy** the subject Member may wish for in relation to the complaint outcome.
- 4.14 **Until a decision has been made by the Panel as to what, if any, publicity should be given to the complaint and its outcome, all aspects of the complaint will be dealt with in the strictest confidence.**
- 4.15 The outcome will be reported to the next meeting of the Standards and Governance Committee.

Breach

- 4.16 If the Panel decides that the subject Member **has** failed to follow the Code, then Stage 3 of the procedure will be followed.

5.0 STAGE 3 – SANCTIONS AND PUBLICITY RE BREACH OF CODE

- 5.1 If the Panel decides that the subject Member has failed to follow the Code, then it may determine whether or not any action is necessary in relation to the breach and, if so, what sanction is appropriate.
- 5.2 In doing so, the Panel will consider any verbal or written representations from:
- i. the Investigating Officer
 - ii. the Complainant
 - iii. the subject Member

and seek the views of the Independent Person and any parish/town council representative as to:-

- a) whether or not the Panel should impose a sanction (or recommend a sanction to the parish/town council where the complaint is against a parish/town councillor);
 - b) if so, what form any sanction should take (or be recommended to be taken by the parish/town council);
 - c) whether any recommendations should be made to the Council (or parish/town Council) on any issue which has arisen; and
 - d) what, if any, publicity should be undertaken regarding the outcome of the matter
- 5.3 The Panel may question the Investigating Officer and subject Member, and take legal advice, to ensure they have the information they need in order to make an informed, fair and proportionate decision.
- 5.4 When deciding on a sanction, the Panel should ensure that it is reasonable, proportionate and relevant to the subject Member's behaviour. Before deciding what

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sanction to issue, the Panel should consider the following questions, along with any other relevant circumstances:

- i. What was the subject Member's intention?
- ii. Did the subject Member know that they were failing to follow the Code of Conduct?
- iii. Did the subject Member get advice from officers before the incident? Was that advice acted on or ignored?
- iv. Has there been a breach of trust?
- v. Has there been financial impropriety, for example improper expense claims or procedural irregularities?
- vi. What was the result or potential result of failing to follow the Code of Conduct?
- vii. How serious was the incident?
- viii. Does the subject Member accept they were at fault?
- ix. Did the subject Member apologise to the relevant people?
- x. Has the subject Member previously been warned or reprimanded for similar misconduct or failed to follow the Code of Conduct before?
- xi. Is the subject Member likely to do the same thing again?
- xii. How will the sanction impact on the subject Member's ability to carry out their role?

Sanctions involving restricting access to an authority's premises or equipment or contact with officers should not unnecessarily restrict the subject Member's ability to carry out their responsibilities as an elected representative or co-opted Member.

5.5 Mitigating factors may include

- an honestly held, although mistaken, view that the action concerned did not constitute a failure to follow the provisions of the Code of Conduct, particularly where such a view has been formed after taking appropriate advice;
- the subject Member's previous record of good service;
- substantiated evidence that the subject Member's actions have been affected by ill-health;
- recognition that there has been a failure to follow the Code;
- co-operation in rectifying the effects of that failure;
- an apology to affected persons where that is appropriate,
- self-reporting of the breach by the subject Member;
- compliance with the Code since the events giving rise to the complaint.

5.6 Aggravating factors may include

- dishonesty or breaches of trust;
- trying to gain an advantage or disadvantage for themselves or others;
- bullying;
- continuing to deny the facts despite clear contrary evidence;
- seeking unfairly to blame other people;
- failing to heed appropriate advice or warnings or previous findings of a failure to follow the provisions of the Code;
- persisting with a pattern of behaviour which involves repeatedly failing to abide by the provisions of the Code.

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5.7 The Panel will retire to consider, in private, all relevant representations and relevant factors and determine:

- (i) their findings regarding whether or not a sanction should be applied ([or recommended to the relevant parish/town council](#)) in respect of the breach of the Code; and
- (ii) whether or not it wishes to make any recommendations to the Council (or parish/town Council) on any issue which has arisen.

Sanctions available

5.8 If the Panel concludes that a sanction or sanctions is/are appropriate, the Panel may:

- (a) **censure** the subject Member;
- (b) require an **apology** to be given to the Complainant;
- (c) recommend to the subject Member's Group Leader that they be **removed** from any or all committees or sub-committees of the Council;
- (d) instruct the Monitoring Officer to arrange **training** for the subject Member; or
- (e) such other sanction that it is legally able to impose and believes to be proportionate and appropriate;

except:

- i. where the subject Member is a parish or town council Member, in which case the Panel can only make recommendations regarding sanctions to the relevant town/parish council;

Please note that where the subject Member is no longer a member of the relevant authority, the range of relevant sanctions may be more limited.

5.9 The Panel has no power to suspend or disqualify the Member or to withdraw allowances.

5.10 Upon resuming the Hearing, the substance of any legal advice given to the Panel by the Monitoring Officer and of any views offered by the Independent Person ([and, where relevant, any independent parish/town council representative](#)) during private deliberations should be shared with the parties.

5.11 The Chair of the Panel will announce the decision of the Panel as to:

- a) whether or not the Panel has decided to impose ([or recommend to the parish/town council](#)) a sanction or sanctions;
- b) if so, what sanction or sanctions are to be imposed ([or recommended to the parish/town council](#)); and
- c) whether the Panel wishes to make any recommendations to the Council (or parish/town Council) on any issue which has arisen.

Publicity

5.12 The Panel shall consult the Independent Person ([and, where relevant, any independent parish/town council representative](#)) and decide what, if any, publicity should be undertaken regarding the outcome of the matter. Options for such publicity

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include a report to the Council (or parish/town council), a notice on the Council's website or a press release.

5.13 **Until a decision has been made by the Panel as to what, if any, publicity should be given to the complaint and its outcome, all aspects of the complaint will be dealt with in the strictest confidence.**

5.14 The outcome will be reported to the next meeting of the Standards and Governance Committee.

5.15 Where the subject Member is a parish or town councillor, the matter will be referred back to that council to say that a breach of the Code has been found and setting out any recommended sanction. The town or parish council must then meet to consider whether to impose that sanction or to replace it with another relevant sanction. The town or parish council cannot overturn the finding that there has been a breach of the Code; if it wishes to impose a different sanction it should seek advice from the clerk. The parish or town council should report back to the Monitoring Officer within three months, or as soon as possible thereafter, to confirm that it has met to discuss the sanction, and, if necessary, to write again once the sanction has been fulfilled.

6.0 RECORDING THE DECISION

~~6.1~~ ~~Where possible, the Monitoring Officer will prepare a short written summary of the Panel's decision on the day of the Hearing for the parties.~~

~~6-26.1~~ The Monitoring Officer will prepare a ~~detailed~~ written Decision Notice which will be sent to the subject Member and the Complainant within 10 working days of the Hearing or as soon as possible thereafter.

~~6-36.2~~ The confidentiality or otherwise of these documents ~~Decision Notice~~ will be determined by the Panel, as set out earlier, when it considers what publicity should be given to the complaint outcome.

7.0 NO RIGHT OF APPEAL

7.1 The national ethical framework is intended to be light-touch and proportionate. There is therefore no right of appeal against a decision of the Monitoring Officer, Standards and Governance Committee or Hearings Panel. A complaint may, however, be made to the Local Government and Social Care Ombudsman if it is felt that the Council has failed to deal with the complaint in accordance with the Council's procedures.

~~4-May-2024~~ ~~6 January 2025~~

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NORTH YORKSHIRE COUNCIL
STANDARDS AND GOVERNANCE COMMITTEE
HEARINGS PANEL

Summary of Hearings Panel procedure

1. **Appointment of Chair**
2. **Apologies for absence by Panel members**
3. **Declarations of interests**
4. **Exempt information** - The Panel to consider whether to exclude the press and public during the Hearing and to maintain the exempt status of the relevant documentation
5. **Introductions of those present**
6. **Absence of parties** - Where a party is not in attendance, consideration by the Panel as to whether or not it can proceed in the absence of that party.
7. **Brief explanation of process by Chair**
8. **Preliminary issues** - Consideration of any preliminary issues not resolved through the pre-hearing process
9. **Stage 1 – Making Findings of Fact**
 - a. Investigating Officer to present report and call any witnesses
 - (i) Each may be questioned the parties, Panel members, parish/town council representative, the Independent Person and the Monitoring Officer, in turn
 - b. Complainant representations and witnesses
 - (i) Each may be questioned the parties, Panel members, parish/town council representative, the Independent Person and the Monitoring Officer, in turn
 - c. Subject Member representations and witnesses
 - (i) Each may be questioned the parties, Panel members, parish/town council representative, the Independent Person and the Monitoring Officer, in turn
 - d. Investigating Officer sums up
 - e. Complainant sums up
 - f. Subject Member sums up
 - g. Parish/town council representative gives views
 - h. Independent Person gives views

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- i. Monitoring Officer explains considerations to be taken into account by Panel

PANEL RETIRES IN PRIVATE TO DELIBERATE

Hearing resumes

- j. Any Monitoring Officer advice/Independent Person/[independent parish/town council representative](#) views given during deliberations is shared with parties
- k. Chair reads out findings of fact found by Panel

10. Stage 2 – Determination as to breach of the Code

- a. Representations as to whether or not there has been a breach of the Code
 - (i) by the Investigating Officer
 - (ii) by the Complainant
 - (iii) by the subject Member
- b. Parish/town council representative gives views
- c. Independent Person gives views
- d. Final views from subject Member
- e. Monitoring Officer explains considerations to be taken into account by Panel

PANEL RETIRES IN PRIVATE TO DELIBERATE

Hearing resumes

- f. Any Monitoring Officer advice/Independent Person/[independent parish/town council representative](#) views given during deliberations is shared with parties
- g. Chair announces decision by Panel as to breach or not of the Code:
 - (i) that the subject Member has not breached the Code of Conduct; or
 - (ii) that the subject Member has breached the Code of Conduct.
- h. If no breach is found:
 - (i) Panel considers if wishes to make any recommendations to relevant authority
 - (ii) Panel considers issue of publicity re outcome of complaint
- i. If a breach is found, then Stage 3 of the procedure should be followed.

Stage 3 – Determination of sanctions and publicity re breach of the Code

- a. Representations as to whether or not a sanction should be imposed and, if so, what sanction or sanctions are appropriate
 - (i) by the Investigating Officer
 - (ii) the Complainant

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- (iii) by the subject Member
- b. Parish/town council representative gives views
- c. Independent Person gives views

PANEL RETIRES IN PRIVATE TO DELIBERATE

Hearing resumes

- d. Any Monitoring Officer advice/Independent Person/[independent parish/town council representative](#) views given during deliberations is shared with parties
 - e. Chair announces decision by Panel as to:
 - (i) Whether or not a sanction or sanctions should be imposed [or recommended to the parish/town council concerned](#)
 - (ii) If so, what sanction or sanctions are to be imposed [or recommended to the parish/town council concerned](#)
 - (iii) Whether or not the Panel wishes to make any recommendations to the relevant authority
 - f. Panel considers issue of publicity re outcome of complaint, in consultation with the Independent Person [and any independent parish/town council representative](#)
11. [The Monitoring Officer will prepare a written Decision Notice which will be sent to the subject Member and the Complainant within 10 working days of the Hearing or as soon as possible thereafter. Where possible, Monitoring Officer prepares a short written summary of the decision on the day, with the full Decision Notice to follow later.](#) The confidentiality or otherwise of the [Decision Notice se documents](#) will be determined by the Panel, as set out earlier, when it considers what publicity should be given to the complaint outcome.

[4 May 2024](#)
[6 January 2025](#)

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NORTH YORKSHIRE COUNCIL

ETHICAL FRAMEWORK

COMPLAINT FORM – Members’ Code of Conduct

If you consider that there has been a breach of the relevant Members’ Code of Conduct by an elected Councillor or voting co-opted member of North Yorkshire Council or of a parish or town council within its area (“Members”) and you wish to make a complaint, please read and complete this form and then send or email it to:

The Monitoring Officer
North Yorkshire Council
County Hall
NORTHALLERTON
North Yorkshire
DL7 8AD

email: MonitoringOfficer@northyorks.gov.uk

Please note that the Monitoring Officer can only consider complaints about the alleged behaviour of individual Members of the Council and parish and town councils in its area and whether this behaviour breaches the relevant Code of Conduct for Members. The Monitoring Officer has no jurisdiction to consider complaints about the Councils as a whole, they way in which they have or have not conducted their business or decisions made by them or complaints about Council employees. If you wish to make a complaint about the North Yorkshire Council as a whole, or one of its services, please see the Council’s website for further information - [Complaints, comments or compliments | North Yorkshire Council](#); if you wish to make a complaint against a parish/town council which does not relate to a breach of the Code of Conduct by an individual councillor, please contact the relevant parish/town council Clerk.

Please note that the following types of complaint are unlikely to be referred for investigation or any other action:

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- a) Complaints against an unnamed Member;
- b) Complaints against all Members of an authority which are essentially a complaint about a decision or action of the authority as a whole;
- c) The Member the subject of the complaint was not in office at the relevant time;
- d) The complaint relates to matters where the Member was not acting in their official capacity at the relevant time;
- e) The complaint, if proven to be true, would clearly not amount to a breach of the relevant Code of Conduct;
- f) The complaint is about someone who is no longer a Member of the relevant authority;
- g) Insufficient evidence is presented of a potential breach of the Code;
- h) the complaint already been the subject of a standards investigation or other action or an investigation by other regulatory authorities;
- i) Events that happened so long ago there is no public interest in taking action now;
- j) Complaints that are trivial in nature;
- k) Complaints where it appears there is some underlying motivation, eg malicious, vexatious, politically motivated or tit-for-tat complaints;
- l) It is not in the wider public interest to take any action in relation to the complaint; eg where:

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- i. there is background context indicating that the standards regime is not the appropriate process for dealing with the complaint;
- ii. there is evidence of dysfunction within the relevant council and in its relationships, standards of behaviour, conduct of meetings and entrenched views;
- iii. it is part of a series of complaints by connected parties in relation to particular circumstances where the issues have been or are being considered and the wider public interest would not favour further public resource being expended on the matter;

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m) Anonymous complaints (unless the complaint includes documentary or photographic evidence indicating an exceptionally serious or significant matter or if there is a significant public interest in doing so);

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n) Complaints which are substantially similar to one previously submitted by the complainant and no new material evidence has been submitted;

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o) Complaints about officers.

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Your Details

1. Please provide us with your name and contact details:

Title:	
First Name:	
Last Name:	
Address:	
Contact telephone number:	
Email address:	

It is important to provide a name and contact details. Please note that the Council will not take any action in relation to anonymous complaints unless there is a significant public interest in doing so.

As a matter of fairness and natural justice, the Member(s) who is/are the subject of your complaint ('the subject Member(s)') will be advised of the complaint and who has made the complaint and copied into any relevant correspondence (including this completed complaint form, redacted to remove your contact details) received from you. **If there is any information you would prefer to be withheld from the subject Member please let the Monitoring Officer know upon submitting your complaint. If you wish to request that your identity to be withheld from the subject Member(s), you must make this clear to the Monitoring Officer.** Requests for

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confidentiality will only be granted in exceptional circumstances and at the discretion of the Monitoring Officer, in consultation with the Independent Person.

2. Please confirm the status in which you are making this complaint:

- Member of the public;
- An elected or co-opted Member of the North Yorkshire Council;
- Member of Parliament;
- Local Authority Monitoring Officer;
- Other Council Officer or North Yorkshire Council employee; or
- An elected or co-opted Member of the subject town/parish council; or
- An employee of the subject town/parish Council; or
- Other (please specify)

3. Please provide us with the name(s) of the Member(s) you believe to have breached the Members' Code of Conduct and the relevant council:

Title	First name	Last name	Council

4. Different Codes of Conduct will apply for different authorities.

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~~4.~~ For complaints about North Yorkshire Council Councillors, a copy of the North Yorkshire Council Code is published on the Council's website ([Councillors' code of conduct | North Yorkshire Council](#)).

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{For town/parish councillor complaints, the relevant Code is-may be published on the relevant town/parish council website or is available from the Clerk}.

Please indicate which paragraphs of the relevant Code of Conduct you believe the Member(s) to have breached and please ensure you are referencing the applicable Code:

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Councillor	<u>Relevant</u> Code paragraph alleged to have been breached

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5. Please explain in this section (or on a separate sheet) **what the Member has done** which you believe breaches the Code of Conduct.

If you are complaining about more than one Member you should clearly explain what each individual person has done which you believe breaches the Code.

Please include your view of what would be a satisfactory outcome of this complaint and the resolution you are seeking.

It is important that you provide all the information you wish the Monitoring Officer to take into account when deciding, in consultation with the Independent Person for Standards, whether to take any action in respect of your complaint.

Please provide us with the details of your complaint and the resolution you are seeking. Continue on a separate sheet if necessary.

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Name:.....Date:.....

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