

NORTH YORKSHIRE COUNCIL
STANDARDS AND GOVERNANCE COMMITTEE

15 September 2023

Complaints Update

1.0 PURPOSE OF REPORT

1.1 To update the Committee regarding ethical framework complaint activity.

2.0 BACKGROUND

2.1 A standing report regarding complaint activity under the ethical framework will be brought to scheduled meetings of the Standards and Governance Committee.

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 council has or has not done something, or about particular parish council decisions.

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 for Members are set out later in this report.

3.0 STANDARDS COMPLAINTS RECEIVED

3.1 Since Vesting Day on 1 April 2023, to the date of writing this report, the Council has received 86 complaints that members may have breached the relevant authority's code of conduct for members:

a) 9 of those complaints are complaints about Members of North Yorkshire Council. Of those 9 complaints:

i. 5 are connected complaints against the same Councillor raised by connected complainants in relation to a particular parish council (also linked to the 4 such connected parish council complaints). All those connected complaints were also the subject of several Freedom of Information Act requests;

b) the other 77 complaints relate to complaints about members of parish and town councils in the North Yorkshire area. Of those 77 complaints:

i. 4 are connected complaints against parish councillors raised by connected complainants in relation to a particular parish council (also linked to the connected 5 NYC complaints mentioned above);

ii. 47 are connected complaints, brought by the same complainant, against members of a particular town council, in relation to

connected issues. These 47 cases are linked to another 2 of the 77 parish council complaints;

c) 25 of the 86 cases have been assessed by the Monitoring Officer in consultation with the Independent Person for Standards and of those 25:

- i. 12 cases did not merit any further action;
- ii. 1 case was resolved informally;
- iii. 12 cases are to be investigated:
 - 11 of those 12 cases are connected and only one allegation within the complaints is to be investigated (no action on the other complaint allegations);

d) the remainder of the complaints are in preparatory stages or awaiting assessment by the 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.

3.2 A more detailed breakdown of the complaints is attached at **Appendix 1** to this report for Members' information.

3.3 Members will be kept updated.

4.0 FINANCIAL IMPLICATIONS

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

5.0 LEGAL IMPLICATIONS

5.1 There are no significant legal implications arising from 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 the Committee notes the current position on complaints received.

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

Background Documents: None

County Hall
NORTHALLERTON

6 September 2023