

NORTH YORKSHIRE COUNCIL
STANDARDS AND GOVERNANCE COMMITTEE

15 March 2024

Complaints Update

1.0 PURPOSE OF REPORT

- 1.1 To update the Committee regarding ethical framework complaint activity.
- 1.2 The Deputy Monitoring Officer will also make a short presentation to talk through the complaint statistics in more detail.

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.
- 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 may have breached the relevant Code of Conduct are set out later in this report.

3.0 STANDARDS COMPLAINTS RECEIVED

- 3.1 Since Vesting Day on 1 April 2023, to 28 February 2024, the Council has received 147 complaints that members may have breached the relevant authority's code of conduct for members:
 - a) 24 of those complaints are complaints about Members of North Yorkshire Council. Of those 24 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 10 such connected parish council complaints). All those connected complaints were also the subject of several Freedom of Information Act requests;
 - ii. 1 complaint is connected to 15 connected complaints against members of a particular town council.
 - b) the other 123 complaints relate to complaints about members of parish and town councils in the North Yorkshire area. Of those 123 complaints:
 - i. 10 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 123 parish council complaints;
 - iii) 15 are connected complaints against members of a particular town Council (also linked to an NYC complaint mentioned above).
- c) 123 of the 147 cases have so far been assessed by the Monitoring Officer in consultation with the Independent Person for Standards and of those 123:
- i. 100 cases did not merit any further action;
 - ii. 5 cases were recommended for informal resolution;
 - iii. 17 cases are to be investigated through a total of five Investigations:
 - ♦ One investigation covers related complaints made against 11 town councillors. Only one allegation within the complaints is to be investigated (no action on the other complaint allegations);
 - ♦ one investigation covers related complaints made against two parish councillors,
 - ♦ one investigation covers two related complaints about the same town councillor,
 - ♦ two investigations are in relation to complaints against a single councillor (one an NYC councillor and one a parish councillor)
 - iv. One case was closed as the subject was no longer a Councillor.

All the investigations are currently live.

- d) 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.

3.2 A more detailed breakdown of the complaints is attached at **Appendix 1** to this report for Members' information. Members will see from the report and the Appendix that there has been a significant increase in complaint activity since North Yorkshire Council came into being on 1 April 2023.

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 standards complaints received.

BARRY KHAN

Assistant Chief Executive Legal and Democratic Services and Monitoring Officer

Background Documents: None

County Hall
NORTHALLERTON

28 February 2024