

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:

Formatted: Font: Bold

- 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:

OFFICIAL

- 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;

Formatted: Numbered + Level: 1 + Numbering Style: i, ii, iii, ... + Start at: 1 + Alignment: Right + Aligned at: 1.9 cm + Indent at: 2.54 cm

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);

Formatted: Indent: Left: 1.27 cm, No bullets or numbering

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

Formatted: List Paragraph, Left, No bullets or numbering

o) Complaints about officers.

Formatted: List Paragraph, Left, No bullets or numbering

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.63 cm + Indent at: 1.27 cm

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

Formatted: Font: Bold

Formatted: Font: Bold

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.

Formatted: Font: Bold

~~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](#)).

Formatted: No bullets or numbering

{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:

Formatted: Font: Bold, Underline

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

OFFICIAL

--	--

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.



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

OFFICIAL