

## NORTH YORKSHIRE COUNCIL

21 May 2025

**Annual Report of the Standards and Governance Committee****1.0 PURPOSE OF REPORT**

- 1.1 To provide the Council with an Annual Report on the work of the Standards and Governance Committee for the period 1 April 2024 to 28 February 2025.

**2.0 BACKGROUND**

- 2.1 The Standards and Governance Committee is part of the Council's ethical framework under the Localism Act 2011 ("the Act").
- 2.2 The Committee has agreed that it would be helpful to publish an Annual Report on its work to the Council in order to raise the profile of the Committee and strengthen awareness of its work and ethical standards generally. An Annual Report also assists in discharging the Council's statutory duty to promote and maintain high standards of conduct and also ensures that the Council has an overview of work undertaken by the Committee in discharging the Council's standards responsibilities.

**3.0 THE ETHICAL FRAMEWORK**

- 3.1 The ethical framework introduced under the Act includes:
- i. **The Standards and Governance Committee:** The Committee has three scheduled ordinary meetings per annum, but other meetings have been convened as required given the Committee's expanded role. During the period in question, the Committee met 7 times on 9 April 2024, 26 June 2024, 15 July 2024, 6 September 2024, 18 November 2024, 6 January 2025 and at the time of writing this report is scheduled to meet on 14 March 2025. The Committee is responsible for:
- Standards Functions:
    - All functions of the Council under the Act relating to ethical standards (save as delegated to the Monitoring Officer) including the granting of dispensations and certain elements of standards complaint handling as appropriate under the standards complaints procedure;
    - The Committee also has a role in relation to issues raised by or in relation to persistent and/or vexatious complainants.
  - Governance Functions:
    - making temporary appointments to parish councils under section 91 Local Government Act 1972;
    - making recommendations to Council in relation to Community Governance reviews;
    - all functions of the Council relating to elections (save as may be delegated elsewhere through the Constitution and statute) including:
      - ❖ recommending to Council the appointment of an Electoral Registration Officer and the appointment of a Returning Officer for

- local government elections under the Representation of the People Act 1983;
  - ❖ dividing Parliamentary constituencies into polling districts and dividing electoral divisions into polling districts at local government elections under the Representation of the People Act 1983;
  - recommending to Council the conferring of the title of Honorary Alderman or Alderwoman;
  - recommending to Council the opposition or approval of local or personal Bills under Section 239 of the Local Government Act 1972 (save as may be delegated elsewhere).
  
- ii. **Standards and Governance Committee Hearings Panel:** During the period in question, the Hearings Panel met 5 times on 11 June 2024, 20 August 2024, 18 October 2024, 7 November 2024 and 9 December 2024. The Hearings Panel is responsible for undertaking all functions of the Standards and Governance Committee, in consultation with the Independent Person for standards, in relation to the consideration of complaint investigation reports and the holding of complaint determination hearings regarding matters referred by the Monitoring Officer, including (but not limited to) the making of findings and the imposition of sanctions (if appropriate) in respect of complaints that Members have breached the relevant Code of Conduct for Members. Further details of hearings' outcomes is set out later in the Complaints section of this report.
  
- iii. **Independent Persons for Standards:** Each relevant authority must appoint at least one "Independent Person" under the Act. At its meeting on 19 July 2023, full Council agreed to extend, for four years, the terms of office of the predecessor authority NYCC's two Independent Persons for Standards, Hilary Gilbertson MBE and Louise Holroyd (whose terms of office automatically continued post Vesting Day); and further approved the appointments, for four years, of Gillian Baker, Roy Martin (who has since resigned with effect from 31 December 2024), James Nelson and Richinda Taylor as additional Independent Persons for Standards for North Yorkshire Council. Full Council also delegated power to the Monitoring Officer to extend the Independent Persons' terms of office, in consultation with the Chair of the Standards and Governance Committee. The Independent Persons are invited to all meetings of the Standards and Governance Committee and are consulted on all key standards matters including at all stages of standards complaints' handling.
  
- iv. **Principal authority for parish and town councils regarding the Act's standards provisions**
- v. **A statutory duty to promote and maintain high standards of conduct**
- vi. **Members' Code of Conduct** - parish and town councils may adopt the Council's Code 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;
- vii. **Register of NYC Members' Interests and gifts and hospitality** and the publication on the Council's website of parish and town councils' registers of members' interests;
- viii. **Complaint handling process** for Members and voting co-opted Members of North Yorkshire Council and parish and town councils in North Yorkshire;
- ix. **Ethical Statements**
- x. **Standards Bulletins**
- xi. **Protocol re the role of the Leader and Chief Executive Officer in the Ethical Framework**
- xii. **Protocol for Member/Officer Relations**

- 3.2 The **Monitoring Officer** and **Deputy Monitoring Officer** support the Committee in its work, including handling complaints that Members may have breached the relevant Code of Conduct for Members.

#### **4.0 WORK UNDERTAKEN BY THE COMMITTEE**

- 4.1 The work undertaken by the Standards and Governance Committee during the period 1 April 2024 to 28 February 2025 is set out below:

- (a) **Review of national ethical framework developments:** the Committee has considered developments in the national standards regime and provided guidance to Members, for example in relation to:
- i. Considering and responding to the Government consultation on strengthening the standards regime;
  - ii. Documents published by the Local Government Association (LGA), for example, a questionnaire regarding the Government's consultation on strengthening the standards regime;
  - iii. Government guidance in relation to "New definition of Extremism (2024)";
  - iv. Documents and blogs published by the Committee on Standards in Public Life, for example blogs regarding "Making sense of the standards landscape" and "Setting the Standard"; its work in relation to "AI and public standards"; its review relating to "Accountability within public bodies"; and its Annual Report for 2023-2024;
  - v. consideration of security for councillors including sensitive interests under section 32 of the Localism Act 2011 and views from the cross-party working group reviewing Member safety;
  - vi. a Code of Practice on Good Governance for Local Authority Statutory Officers (the Head of Paid Service, the Chief Finance Officer/section 151 Officer and the Monitoring Officer) published by Lawyers in Local Government (LLG), the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE)
- (b) **Training:** The Committee ensures that Members receive appropriate training to maintain their awareness of ethical standards. Standards training was provided to Members at a Members' seminar on 2 October 2024 and refresher training will be scheduled as may be required. Guidance on the Code and standards regime is also provided in the Standards Bulletins. Standards training was provided to the Standards and Governance Committee on 31 May 2024. The Monitoring Officer and his team undertook training on the Members' Code of Conduct and Complaint Handling for the Independent Persons for Standards at their annual catch-up meeting on 6 December 2024 and external training opportunities are offered to the Independent Persons. Refresher training regarding Hearings Panel procedures was provided to the Hearings Panel on 11 June 2024, 20 August 2024, 18 October 2024, 7 November 2024 and 9 December 2024. Standards training was provided by the Deputy Monitoring Officer to parish and town councils in North Yorkshire on 5 September 2024 (East Area), 9 September 2024 (Central Area) and 13 September 2024 (West Team). A recording of the session is available.
- (c) **Register of Members' Interests:** The NYC Register of Members' Interests is published on the Council's website. The Committee monitors the operation of the Register. The Council also publishes parish and town council registers of interests on the website.
- (d) **Introduction of new standards documentation:** The Committee has introduced a Hearings Panel Procedure to supplement the overall standards arrangements document;

- (e) **Review of standards documentation:** and has, at appropriate times, reviewed and, where appropriate, agreed amendments to, all documentation related to the standards regime, for example:
- i. the standards arrangements, for example:
    - a) to reference that support is available for NYC councillors who are the subject of a standards complaint, via the Monitoring Officer;
    - b) the introduction of a pre-assessment stage of complaint handling 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;
  - ii. Jurisdiction and Assessment Criteria;
  - iii. Standards and Governance Committee Protocol for dealing with unreasonably persistent/vexatious complainant behaviour;
  - iv. the Committee's Hearings Panel Procedure;
  - v. the standards complaint form proforma, to highlight key parts of the complaints process, for example to emphasise what the Monitoring Officer can and cannot look at under the standards regime, to try to deter out of jurisdiction complaints and to specifically ask the complainant at the outset what outcome they are seeking, in order to manage expectations; to streamline processes and to ensure there is an appropriate, proportionate, balance between maintaining high ethical standards and protecting the public purse and Council resources, given the continued high volume of standards complaints and connected correspondence.
- (f) **Review of other related matters:** The Committee has received briefing reports on matters such as Members' attendance at meetings of the Council and its committees for the period 1 April 2023 to 31 March 2024.
- (g) **Standards Training Plan:** The Committee has agreed a Standards Training Plan for 2024/2025 which is reviewed at each ordinary meeting of the Committee.
- (h) **Dispensation requests:** the Committee considered three dispensation requests from North Yorkshire Councillors, all of which were approved. At the time of writing this report a further dispensation request is due to be considered at the Committee's meeting on 14 March 2025.
- (i) **Standards Bulletin:** The Committee has issued two Standards Bulletins during the period covered by this Report, aimed at keeping Members and officers up to date regarding developments in the standards regime. Copies of the Bulletin are published on the website, circulated to YLCA and parish and town councils in North Yorkshire.
- (j) **Work Programme:** The Committee has agreed a forward Work Programme which is reviewed at each ordinary meeting of the Committee.
- (k) **Complaints:** The Committee receives a Complaints Update report at each scheduled ordinary meeting. For the period 1 April 2024 to 28 February 2025 the Council has received 130 complaints that Members may have breached the relevant authority's code of conduct for Members:
- a) 13 of those complaints are complaints about Members of North Yorkshire Council.

Of those 13 complaints:

- i. 3 were connected complaints against the same Councillor raised by connected complainants in relation to a particular town council;
  - ii. 1 was not pursued;
  - iii. 10 were separate unconnected complaints.
- b) the other 117 complaints relate to complaints about members of parish and town councils in the North Yorkshire area.

Of those 117 complaints:

- i. 26 were connected complaints concerning 11 members of the same town council brought by the same complainant;
  - ii. 16 were connected complaints concerning 9 members of the same town council – 5 of which were brought by 3 connected complainants.
- c) 113 of the 130 cases have so far been assessed by the Monitoring Officer/Deputy Monitoring Officer in consultation with the Independent Person for Standards and of those 113 cases:
  - i. 109 cases did not merit any further action;
  - ii. 1 cases was recommended for informal resolution;
  - iii. 3 related cases are being investigated together via one investigation:

At the time of writing this report, the single investigation referenced above is ongoing; 8 cases are pending, and 1 was not pursued by the complainant.

- 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.

Statistical information about complaints received and their outcomes, for the period 1 April 2023 to 31 March 2024, has been published on the Council's website. Further years' statistics will be published in the future as they are finalised.

- (l) **Consultation Under Standards and Governance Committee Protocol on Unreasonably Persistent or Vexatious Complainant Behaviour:** the Committee has been consulted, in private and in consultation with the Independent Person, by the Monitoring Officer under the Committee's Protocol regarding unreasonably persistent or vexatious complainant behaviour, to obtain Members' and Independent Persons' views on the handling of future standards complaints and correspondence regarding issues at a particular parish/town council.
- (m) **Standards Committee Annual Report:** the consideration of an Annual Report of the Committee for the year commencing 1 April 2024 for presentation to full Council on 21 May 2025.
- (n) **Elections:** Regarding the Committee's responsibilities regarding elections functions, the Committee approved the final recommendations for North Yorkshire polling districts and designated polling places.
- (o) **Temporary appointments to Parish Councils:** the Committee agreed to invoke the power to temporarily appoint a North Yorkshire Council division Member to sit on inquorate parish Councils on four occasions. The Committee has also

reviewed the arrangements for making temporary appointments to parish and town councils under Section 91 (1) of the Local Government Act 1972 and delegated the power to make temporary appointments to parish and town councils to the Monitoring Officer and that the Assistant Chief Executive Legal and Democratic Services be requested to make consequential amendments to the Constitution under his delegated powers in Article 15(c)(iii) of the Constitution.

(p) **Community Governance Reviews:** Regarding the Committee's responsibilities regarding community governance reviews, the Committee has considered final recommendations for new town councils to be created for Harrogate and Scarborough along with proposed minor amendments to parish boundaries in Scarborough affecting three parish councils and made recommendations to full Council.

(q) **Parish and Town Councils:** the Committee has received reports regarding the arrangements in place in the Democratic Services and Localities' teams to support parish and town councils in the North Yorkshire area. The Deputy Monitoring Officer and the Senior Governance Lawyer have undertaken online training sessions for parish and town councils as set out earlier.

4.2 The Committee will continue its work in the promotion of high ethical standards and governance and in the training of officers and Members at an appropriate stage.

## **5.0 RECOMMENDATION**

5.1 That the Council receives and notes the Annual Report of the Standards and Governance Committee.

COUNCILLOR CLIVE PEARSON  
Chair of NYC Standards and Governance Committee

### Background Papers:

Minutes of and reports to the Standards and Governance Committee meetings

28 February 2025