

NORTH YORKSHIRE COUNCIL  
STANDARDS AND GOVERNANCE COMMITTEE

14 March 2025

**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.

**3.0 CONTEXT AND SCALE**

3.1 Within North Yorkshire there are currently:

729 Individual Parishes  
412 Parish and Town Councils, including Harrogate and Scarborough  
160 Parish Meetings  
90 NYC councillors

3.2 The national context:

- NYC has the largest number of parish and town councils of any local authority in the country
- The next nearest council has 327 – Somerset Council
- 51% have less than 30
- 97.5% of councils have less than 200
- There are only 6 councils with over 200 parish councils
- Only 2 councils have over 300 parish councils

3.3 The North Yorkshire context:

NYC is one of the largest local authorities in the country, in terms of geographic area, and there is a significant number of the smallest form of parish sector organisations, parish meetings (24%). Overall, parish sector organisations are generally smaller and charge a smaller precept (if any) than other similar councils. This uniquely larger number

of parish Sector organisations are spread over a significantly large rural area and generally have very limited resources.

- Within the NYC area the average precept charge is 75% less than the national average (£20,212)
- 46.6% of Parish Councils have total annual precept income less than £5k
- Only 5.6% (28) Parish Councils have total annual precept income more than £100k
- Only 4 (0.8%) Parish Councils have total annual precept income more than £300k

#### **4.0 STANDARDS COMPLAINTS RECEIVED**

- 4.1 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.
- 4.2 During the period 1 April 2024 to 28 February 2025, a further **130** complaints have been received.
- 4.3 Since Vesting Day on 1 April 2023 to 28 February 2025, a **total of 304 standards complaints** have therefore been received.

#### **5.0 BREAKDOWN OF COMPLAINT STATISTICS**

##### **Assessments**

- 5.1 In total **289** 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 related investigations.
- 5.2 A high proportion of these complaints were in respect of Members of three Town/Parish Councils, many complaints being interrelated.
- 5.3 Of the **304** 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) **223** 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) **31** complaints were referred for investigation, through 9 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 Councilor
- 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
- Investigation 9 – 3 complaints about the same matter against 1 Town Councillor

Three related cases have been referred for investigation since the previous Update Report – Investigation 9 listed above.

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.

### **Introduction of Pre-Assessment Stage**

- 5.4 The introduction of a pre-assessment stage of complaint handling by the Monitoring Officer from 6 January 2025 has enabled complaints which clearly fall out of the standards' regime jurisdiction to be disposed of at an early stage. Therefore, such complaints do not have to go through the usual full assessment process with the Independent Person or informing a subject member where this would cause distress.

### **Investigations/Determinations**

- 5.5 One investigation has recently been concluded and the investigating officer's report will shortly be reviewed by the Deputy Monitoring Officer in consultation with the Independent Person for Standards. Another investigation is also underway. A further update will be given to the Committee when the Monitoring Officer is in a position to do so.
- 5.5 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.
- 5.6 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. The statistics for the first municipal year 2023-2024 for NYC are now published on the website at: [Councillors' code of conduct | North Yorkshire Council](#)
- 5.7 Whilst the volume of complaints and associated correspondence and information governance requests has meant a sustained heavy workload for officers and the Independent Persons; we are pleased to report that the average time taken to process complaints is now reducing as the previous backlog is eroded. 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.

## **6.0 FINANCIAL IMPLICATIONS**

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

## **7.0 LEGAL IMPLICATIONS**

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

**8.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS**

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

**9.0 EQUALITIES IMPLICATIONS**

9.1 There are no significant equalities implications arising from this report

**10.0 RECOMMENDATIONS**

10.1 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

6 March 2025