

Article 9 - The Standards and Governance Committee

9.01 Standards and Governance Committee

Standards Functions

The Council has established a Standards and Governance Committee to provide and maintain high standards of conduct within the authority and to determine any complaints against Members and voting co-opted Members referred to it by the Monitoring Officer.

The responsibility for receiving and assessing complaints that a Member may have breached the Members' Code of Conduct lies with the Monitoring Officer, after consultation with the Independent Person for standards.

What this means is that if a person wishes to complain that the conduct of a Member of North Yorkshire Council or voting co-opted Member on one of its committees or Member of a town/parish council located in the North Yorkshire area has breached the relevant Members' Code of Conduct, the complainant must submit their complaint, in writing, to:

The Monitoring Officer
Legal and Democratic Services
North Yorkshire Council
County Hall
NORTHALLERTON
North Yorkshire
DL7 8AD

setting out full details of the alleged behaviour and linking this to specific paragraphs of the Code where possible.

The Standards and Governance Committee can only deal with complaints about the behaviour of a Member within the remit of the relevant Code and cannot deal with complaints about things that are not covered by that Members' Code of Conduct. A complaint to the Monitoring Officer under that Code must be about why the complainant thinks a Member has **not followed the relevant Code** of Conduct.

If a complaint against a Member does **not** involve an alleged breach of the Council's Code of Conduct for Members, then such a complaint should be made to the Chief Executive Officer of North Yorkshire Council at the address above or the relevant town/parish council Clerk directly in respect of a parish council member. Contact details for individual parish councils are on the Council's website.

Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Governance Functions

The Standards and Governance Committee also has powers to make necessary decisions in relation to elections and to have responsibility for community governance

together with making recommendations on Honorary Aldermen/women and residual powers in relation to consultation on personal Bills and the making of by-laws.

9.02 Composition

The Standards and Governance Committee will be composed of 10 councillors and will be subject to the rules in relation to proportionality. The Council's Independent Persons for standards are invited to attend Standards and Governance Committee meetings.

Where a standards complaint Hearing Panel is convened to determine a complaint that a parish/town council Member may have breached the relevant parish/town council Members' code of conduct, a non-voting parish/town council representative shall be selected, from a pool of parish/town council representatives who have received appropriate training, to attend the Hearing Panel.

9.03 Roles, Terms of Reference and Functions

The terms of reference for the Standards and Governance Committee are set out in Schedule 1 to Part 3 of the Constitution.

9.04 Membership

Membership of the Standards and Governance Committee is set out in Part 3 of this Constitution.