

Joint Standards Committee

14 May 2024

Report of the Deputy Monitoring Officer

Monitoring Report in respect of Complaints Received

Summary

1. This report is to update the Committee on the position regarding ongoing complaints.

Background

2. The Joint Standards Committee is responsible for promoting a culture of openness, accountability, probity and the maintenance of high standards of conduct by members. In order to do this, it reviews all code of conduct complaints. This enables, amongst other things:
 - Monitoring overall numbers of complaints allowing comparison with similar authorities
 - Monitoring trends of increasing/decreasing levels of complaints and identifying links to key events or triggers
 - Identifying common types of complaints which may illustrate a need for enhanced training and information
 - Assessing the efficacy of sanctions imposed by linking an increase/decrease in complaints regarding a particular member or from a particular locus to intervention or sanctions previously imposed.
 - Assessing the efficacy of the complaints procedure and identifying possible improvements.

Commentary on Case Logs

Open cases

3. Case reference 2023/21 falls under paragraph 5 of the complaints handling process and was considered by a JSC Assessment Sub Committee on 30 January 2024. The Committee decided to refer

the matter for investigation which it indicated should be external. The cost of an external investigation was explored and found to be disproportionate. The investigation has since been tasked to two senior CYC lawyers who expect to complete their report within 3 months. Interviews with the complainants have been undertaken.

4. Case reference 2024/01 falls under paragraph 5 of the complaints handling process. It was referred to a JSC Sub Committee for assessment which determined the complaint was not in scope. Following a request from the complainant to allow a verbal description of their complaint to be put to the Assessment Sub Committee, the Monitoring Officer has agreed to a re-hearing as a reasonable adjustment.
5. Case reference 2024/06 remains at assessment stage.

Cases closed since last JSC

6. Case reference 2023/13 was investigated by a CYC lawyer and a report was presented to a hearing on 18 April 2024. The complaint was upheld and sanctions applied as described in the case log.
7. Case reference 2023/14 was investigated by a CYC lawyer and a report was presented to a hearing on 18 April 2024. The complaint was upheld and sanctions applied as described in the case log.
8. Case references 2024/02 to 2024/05 were assessed by the Deputy Monitoring Officer as being in scope. The complaints were interrelated. It was determined that each should be resolved by way of informal resolution through advice and information in line with the recommendation of the Independent Person. This has been provided.

Implications

9. **Financial** Not applicable to this report.
10. **Human Resources (HR)** Not applicable to this report.
11. **Equalities** Maintaining standards across the City through the Code of Conduct ensures that an ethical framework can be adhered to, including ensuring that equality issues form an integral part of that framework.
12. **Legal** As detailed within the report.

13. **Crime and Disorder, Information Technology and Property** Not applicable to this report.

Recommendations

14. That the Joint Standards Committee notes the report, in order to ensure that the Committee is aware of the current levels of activity and is able to provide oversight of the complaints procedure.

Author & Officer Responsible for the report:

Frances Harrison
Deputy Monitoring Officer
frances.harrison@york.gov.uk

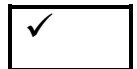
**Report
Approved**



Date 1 May 2024

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

- Annex A (i) Table showing open complaints received.
- Annex A (ii) Table showing open complaints received (confidential)
- Annex B (i) Table showing recently closed complaints.
- Annex B (ii) Table showing recent complaints (confidential)