

Assessment Criteria

Appendix B

The following criteria will be taken into account in deciding what action, if any, to take:

1. **Has the complainant submitted enough information to satisfy the Assessment Sub-Committee that the complaint should be referred for investigation or other action?**

If not:

The information provided is insufficient to make a decision. So unless, or until, further information is received, the Assessment Sub-Committee will take no further action on the complaint.

2. **Is the complaint about someone who is no longer a member of the Council, but is a member of another authority? If so, does the Assessment Sub-Committee wish to refer the complaint to the monitoring officer of that other authority?**

If yes:

The complaint will be referred to the standards committee of that other authority to consider.

3. **Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?**

If yes:

There may be nothing more to be gained by further action being taken.

4. **Is the complaint about something which happened so long ago that there would be little benefit in taking action now?**

If yes:

Further action may not be warranted.

5. **Does the complaint appear too trivial to justify the cost or inconvenience of further action?**

If yes:

Further action will not be warranted.

6. **Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?**

If yes:

Further action will not normally be warranted.

7. Is the complaint anonymous?

If yes:

No action will normally be taken unless there are compelling reasons to suggest otherwise, e.g. if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter.

8. Is it appropriate to refer the matter to the Standards Board?

- Does the Committee believe that the status of the member or members, or the number of members about whom the complaint is made, would make it difficult for it to deal with the complaint?
- Does the Committee believe that the status of the complainant or complainants would make it difficult for the committee to deal with the complaint?
- Does the Committee believe that there is a potential conflict of interest of so many members of the Standards Committee that it could not properly monitor the investigation?
- Does the Committee believe that there is a potential conflict of interest of the Monitoring Officer or other officers and that suitable alternative arrangements cannot be put in place to address the conflict?
- Is the case so serious or complex, or involving so many members, that it cannot be handled locally?
- Will the complaint require substantial amounts of evidence beyond that available from the Council's documents, its members or officers?
- Is there substantial "governance dysfunction" in the Council or its Standards Committee?
- Does the complaint relate to long-term or systemic member/officer bullying which could be more effectively dealt with by someone outside the Council?
- Does the complaint raise significant or unresolved legal issues on which a national ruling would be helpful?
- Might the public perceive the Council to have an interest in the outcome of a case?
- Are there exceptional circumstances which would prevent the Council or its Standards Committee investigating the complaint competently, fairly and in a reasonable period of time, or meaning that it would be unreasonable for local provision to be made for an investigation?