

Standards Committee

6 May 2016



Local Assessment Procedure for Code of Conduct Complaints

Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To present proposals for the revision of the Council's Local Assessment Procedure ("Procedure") for Code of Conduct complaints.

Background

2. Under the Localism Act 2011 an Authority must have arrangements in place to determine whether or not a Member (including a Co-opted Member) or a Member of a Parish Council in its area has failed to follow the relevant Code of Conduct. The Procedure sets out how a complaint against a Member will be assessed when it is received by the Monitoring Officer.
3. The Procedure has been fully reviewed to ensure that it reflects current working practice and is consistent with other procedures in place relating to the Standards regime.

Proposed Revisions

4. A copy of the proposed amended Procedure can be found at Appendix 2 with the changes shown highlighted.
5. The following changes are proposed:
 - i) To amend the wording in the Procedure to ensure consistency across all policies and procedures relating to Standards.
 - ii) To name all attached documents as appendices and ensure that reference to them is consistent throughout the Procedure.
 - iii) To include a new Appendix 3 entitled "Assessment Criteria" in the Procedure. This sets out the criteria to be taken into account when assessing a complaint and deciding what action is necessary. It includes questions that the Monitoring Officer and her officers should ask when making decisions on complaints against Members.

Conclusion

6. The proposed changes to the Procedure are intended to make the document clearer and to assist complainants and subject members in finding policies which are referred to in the Procedure. The addition of Appendix 3 should also clarify the assessment process.

Recommendations and Reasons

7. Standards Committee agree the proposed revisions to the Local Assessment Procedure.

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Appendix 1: Implications

Finance – The increase in costs of dealing with standards cases is due to the increase in the numbers of complaints and should not be adversely impacted by changes to the procedure.

Staffing – None

Risk - None

Equality and Diversity - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation – None

Procurement - None

Disability Discrimination Act - None

Legal Implications – None