

STANDARDS COMMITTEE

REVIEW OF ASSESSMENT CRITERIA 1st October 2009

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Committee to consider a proposed amendment to the Assessment Criteria.

This report is public

RECOMMENDATIONS

- (1) That the proposed amendment to the Assessment Criteria for referring an allegation to the Monitoring Officer for investigation, as set out in the report, be approved.

1.0 Introduction

1.1 At its meeting on the 18th June 2009, the Committee reviewed its complaints procedure documentation, including the Assessment Criteria. A copy of the Assessment Criteria as approved at that meeting is appended to this report.

1.2 The Committee expressed concern that, in considering whether to refer a complaint to the Monitoring Officer for investigation, cost should not be the overriding factor, and requested the Monitoring Officer to consider an appropriate amendment to B1, and to report back to a future meeting.

2.0 Proposal Details

2.1 The Monitoring Officer has reviewed the Assessment Criteria adopted by a number of local authorities. Whilst some have adopted a criterion similar to B1, the reference to cost is by no means uniform, and was not a Standards Board requirement.

2.2 The Monitoring Officer would suggest that B1 could perhaps be amended to read:

“Where the allegation discloses a potential breach of the Code of Conduct sufficiently serious, if proven, to warrant a sanction, and where it would be in the public interest to investigate.”

2.3 Whilst it would be open to the Assessment Sub-Committee, in considering the public interest, to take account of the resources (time, cost etc) that an investigation would require, it would also be possible to look at other issues, for example the health of the

subject member, and whether or not an investigation would serve any useful purpose.

2.4 The Committee is asked to consider the proposed amendment.

3.0 Details of Consultation

3.1 There has been no consultation.

4.0 Options and Options Analysis (including risk assessment)

4.1 It is open to the Committee to approved the amendment suggested above, or some other amendment of B1, or to leave B1 unamended.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None arising from this report.

FINANCIAL IMPLICATIONS

None directly arising from this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

None directly arising from this report.

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her capacity as adviser to the Standards Committee.

BACKGROUND PAPERS

None

Contact Officer: Mrs S Taylor

Telephone: 01524 582025

E-mail: STaylor@lancaster.gov.uk

Ref: