

STANDARDS COMMITTEE

REVIEW OF COMPLAINT DOCUMENTATION AND ASSESSMENT CRITERIA AND INVESTIGATION AND HEARING PROCEDURES 18th June 2009

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Committee to consider whether any amendments are needed to the forms and procedures approved in May and June 2008 following the implementation of the new regime for complaints to be made locally.

This report is public

RECOMMENDATIONS

- (1) **That the Committee consider whether it wishes to make any amendments to the documents attached to the report.**

1.0 Introduction

- 1.1 Following the implementation in May 2008 of the new regime for Code of Conduct complaints to be made and dealt with locally, the Committee in May and June 2008 approved its complaints form and guidance, assessment procedure and criteria and investigation, pre-hearing and hearing procedures. These have now been in place for a year, and it would seem an appropriate time for the Committee to consider whether any amendments need to be made to the documents in the light of the experience of the last year.

2.0 Proposal Details

- 2.1 Attached to this report are the following documents:

- Complaint Form
- Guidance for Complainants
- Assessment Procedure and Criteria
- Investigation Procedure
- Pre- hearing Procedure (including Forms A-D)
- Hearing Procedure

- 2.2 The documents have been slightly amended to incorporate decisions of the Committee over the last year, for example to emphasise on the complaint form that full information is required, to provide for the Monitoring Officer to inform a subject

member about a complaint if it is clear that the press are aware of the member's identity, and to enable the original Assessment Sub-Committee to consider a report on "other action". As part of another item on this agenda, the Committee has the opportunity to consider amendments to the Assessment Criteria for "other action".

2.3 Members are asked to consider whether any further amendments are needed to the documents. It should perhaps be noted that the suitability of the investigation, pre-hearing and hearing procedures, has not yet been tested, as until recently no complaint had been referred for investigation.

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 make any appropriate amendments to the documents.

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: