

 Standards Committee – 17 November 2009		Agenda Item No.
Title	Local determination of complaints	
For further information about this report please contact	Robert Inman	
Service Area	Members' Services	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number		
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Relevant Director	-	
Chief Executive	-	
CMT	-	
Section 151 Officer	-	
Legal		Peter Oliver
Finance	-	
Portfolio Holder(s)	-	
Consultation Undertaken		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- 1.1 The Committee has established a procedure through which complaints made regarding the conduct of District and Parish/Town Councillors will be processed. This is based on the guidance provided by Standards for England within the Local Standards Framework.
- 1.2 The process consists of four stages, namely
- (1) assessment of the complaint by the Assessment Sub-Committee;
 - (2) if requested by the complainant, the Review Sub-Committee will review the decision of the Assessment Sub-Committee to take no action regarding the complaint;
 - (3) consideration of the investigator's report regarding the complaint by the Consideration and Hearing Sub-Committee; and
 - (4) a hearing of the complaint by a Consideration and Hearing Sub-Committee.
- 1.3 Stages (2), (3) and (4) will only take place depending on the outcome of the previous stage.
- 1.4 The four stages are set out in the attached flowcharts.

2. **RECOMMENDATION**

- 2.1 That the Committee note the details set out in the flowcharts.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 The establishment of the Consideration and Hearing Sub-Committee was agreed at the meeting of the Committee held on 23 September 2009.
- 3.2 The Sub-Committee would be responsible for considering investigation reports into complaints regarding the conduct of Councillors and agreeing what action should be taken regarding the report.
- 3.3 The Sub-Committee would also conduct formal hearings into complaints should it be decided that this was appropriate.
- 3.4 The Committee requested that flowcharts should be produced to summarise the four stages of the process.

4. **ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 None

5. **BUDGETARY FRAMEWORK**

- 5.1 None.

6. **POLICY FRAMEWORK**

- 6.1 None.