

**Items identified to date for considering as part of the review of local assessment and determination of complaints**

|   | <b>Summary of issue</b>  | <b>Reason/comments</b>  | <b>Priority</b> |
|---|--|---|-----------------|
| 1 | Review of publicity to the process                                   | <ul style="list-style-type: none"> <li>• To ensure appropriate levels of awareness</li> <li>• A new performance indicator is to be introduced to measure the % of people who are aware of the elected member complaints system</li> </ul>   |                 |
| 2 | Joint working with neighbouring authorities                          | <ul style="list-style-type: none"> <li>• Regulations to be published in May to enable this</li> </ul>   |                 |
| 3 | Constitution of the main Standards Committee                         | <ul style="list-style-type: none"> <li>• Are there sufficient members to deal appropriately with all aspects of the process? Should a recommendation to Council be considered to increase the size of the Committee?</li> <li>• Should there be a Cabinet member on the Committee?</li> <li>• Should parish representatives be elected (as opposed to co-opted?)</li> </ul> |                 |
| 4 | Composition of the sub-committees                                    | <ul style="list-style-type: none"> <li>• Separation of membership of assessment and final determination sub-committees?</li> <li>• Are the sub-committees working well?</li> <li>• Final Determination Sub-Committee composition – should it be revisited?</li> </ul>   |                 |
| 5 | Receipt of Investigating Officer's report (Regulation 17(1) hearing) | <ul style="list-style-type: none"> <li>• Should this be undertaken by the full Standards Committee or a sub-</li> </ul>   |                 |

## Appendix 1

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|    |  | committee?  |  |
| 6  | Monitoring Officer pre-complaint protocol                  | <ul style="list-style-type: none"> <li>Some authorities instruct the MO to try to resolve complaints before referring them to the Assessment Sub-Committee – should this be considered?</li> </ul>  |  |
| 7  | Complaint form to be reviewed                              | <ul style="list-style-type: none"> <li>To consider it from the perspective of members of the public</li> <li>Should it be more specific in terms of identifying the part of the Code which has been breached?</li> <li>Should it ask the complainant to identify the remedy sought (to identify complaints about service delivery etc rather than conduct)</li> <li>Should it be scrapped?</li> </ul> |  |
| 8  | Guidance to be reviewed                                    | <ul style="list-style-type: none"> <li>To consider it from the perspective of members of the public</li> <li>Inclusion of flow charts</li> </ul>  |  |
| 8  | Review of website  | <ul style="list-style-type: none"> <li>To consider it from the perspective of members of the public</li> <li>Submission of complaints on-line</li> </ul>  |  |
| 10 | Review of report presented to the Assessment Sub-Committee | <ul style="list-style-type: none"> <li>Should it include a suggestion as to the part of the Code which may have been breached?</li> <li>Should it include recommendations from officers?</li> <li>Should it include transcripts of meetings or other documentation</li> </ul>   |  |

## Appendix 1

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|    |   | <p>other than minutes or other publicly available documents?</p> <ul style="list-style-type: none"> <li>• Should the sub-committee's powers be clearly set out?</li> </ul>   |  |
| 11 | Review of assessment criteria               | <ul style="list-style-type: none"> <li>• These were based on those in the SBE guidance. Based on practical experience, could these be improved?</li> </ul>   |  |
| 12 | Notification to subject member of complaint | <ul style="list-style-type: none"> <li>• At what point should the subject member be notified of the complaint? Currently they are not notified until after the Assessment Sub-Committee has met</li> </ul>   |  |
| 13 | Decision Notices                            | <ul style="list-style-type: none"> <li>• These are currently based on the SBE model. Could they be improved?</li> <li>• Should they include details of the members sitting on the committee?<br/><i>(NB – consider the difference between Regulation 8 and Regulation 11 notices)</i></li> <li>• Should these be published more widely?</li> <li>• Should they include more information about review?</li> </ul> |  |
| 14 | Review                                      | <ul style="list-style-type: none"> <li>• Should a form be developed and sent out as a matter of course in the case of each case not referred for investigation?</li> <li>• Should these take the form of a re-hearing or a review of the adequacy of the process? (There is a divergence</li> </ul>  |  |

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|    |  | <p>of opinion on this in practice)</p> <ul style="list-style-type: none"> <li>Should the same officer advise the review sub-committee as advised the assessment sub-committee?</li> </ul>   |  |
| 15 | Referrals to the MO for other action/adjournment of assessment to enable the MO to explore the possibility of other action           | <ul style="list-style-type: none"> <li>To be explored in the light of advice from the SBE</li> </ul>  |  |
| 16 | Referrals to the Adjudication Panel under Regulation 17 (serious cases not appropriate for consideration by the Standards Committee) | <ul style="list-style-type: none"> <li>The prior consent of the President of the APE is required before the Standards Committee may refer a matter to the APE. How is the MO to be authorised to seek the consent of the APE prior to consideration of the matter by the Standards Committee</li> </ul> |  |
| 17 | Final Determinations   | <ul style="list-style-type: none"> <li>How much guidance should be given to the subject member on how to prepare?</li> <li>Emphasise the slot in the process for the subject member to make representations on sanctions and any mitigating circumstances</li> </ul>                                    |  |
| 18 | Parish Councils  | <ul style="list-style-type: none"> <li>Notification to parish councils concerning complaints (see Town &amp; Parish Standard issue 4), to prepare advice for parish councils</li> </ul>   |  |
| 19 | Recommendations to full Council  | <ul style="list-style-type: none"> <li>Who should present these on behalf of the Standards Committee?</li> </ul>  |  |