

EXTRACT FROM THE MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE 22 JANUARY 2015

9. REVISED PROCEDURE FOR DEALING WITH STANDARDS COMPLAINTS

9.1 The Interim Director of Legal and Governance introduced a report that contained a draft revised Procedure for Dealing with Standards Complaints that had been developed following a recent review. The revised Procedure incorporated both the City Council and Joint Parish and Town Councils' Procedures and provided greater clarity of the process for the complainant and the Member who was the subject of the complaint. Appended to the report were the existing and revised Procedures.

9.2 The Interim Director indicated that the main proposed changes and features of the revised Procedure were:-

- Having one Procedure for complaints relating to the City, Parish and Town Councils and Co-opted members.
- Providing a complaint form that would include the opportunity for the complainant to indicate any remedy they were seeking in submitting the complaint.
- Asking the Member to submit a statement of fact in response to the complaint at the start of the process.
- The Leader of the relevant political Group, Group Whip and Chair of the Standards Committee would be informed that a complaint has been received.
- Where necessary, seeking or clarifying information from both parties earlier in the process.
- Including timescales for each stage of the process.
- Clarifying the process for an investigation.
- Having a Consideration Sub-Committee to consider investigation reports.
- A Hearing Sub-Committee comprising three Councillors and one non-voting co-opted Independent Member.
- Providing both parties with information on the pre-hearing process and procedure at a hearing.
- There would be no right of appeal.

9.3 In response to questions from Members of the Committee relating to there being no right of appeal, the Interim Director indicated that there was no right of appeal within the process, however a complainant always has a right to ask the Local Government Ombudsman to investigate if they felt that the Council had not dealt with their complaint properly.

9.4 **Resolved:** That:-

(a) the Committee recommends to Full Council:-

- (i) the adoption of the Revised Procedure for Dealing with Standards Complaints, as set out in Appendix A of the report now submitted;

- (ii) the establishment of Consideration and Hearing Sub-Committees of the Standards Committee, as set out in the report and
 - (iii) that the Constitution is amended accordingly;
- (b) the revised Procedure for Dealing with Standards Complaints is referred to the Parish and Town Councils for consideration; and
- (c) if the revised Procedure is adopted by Full Council, the Director of Legal and Governance is requested to review the operation of the new Procedure in 12 months' time.