

APPENDIX 2

STANDARDS COMPLAINTS ASSESSMENT CRITERIA

Complaints which the Monitoring Officer would not normally decide to refer for investigation

1. The complaint is not considered sufficiently serious to warrant investigation; or
2. The complaint relates to a service or policy; or
3. The complaint appears to be motivated by malice or is vexatious or is “tit-for-tat”; or
4. The complaint appears to be politically motivated; or
5. It appears that there can be no breach of the Code of Conduct; for example, failure to respond to correspondence or is about dissatisfaction with a Council decision; or
6. It is about someone who is no longer a Councillor.
7. There is insufficient information available to allow the complaint to be considered.
8. The complaint has not been received within 3 months of the alleged misconduct unless there are exceptional circumstances eg allegation of bullying, harassment etc.
9. The matter occurred so long ago that it would be difficult for a fair investigation to be carried out; or
10. The same, or similar, complaint has already been considered and there is nothing further to be gained by further consideration.
11. It is an anonymous complaint, unless it includes sufficient documentary evidence to show a significant breach of the Code of Conduct.
12. Where the member complained of has apologised and/or admitted making an error and the matter would not warrant a more serious sanction.

Complaints which may be referred to the Standards Committee

1. It is serious enough, if proven, to justify the range of actions available to the Standards Committee; or
2. There are individual acts of minor misconduct which appear to be a part of a continuing pattern of behaviour that is unreasonably disrupting the business of the Council and there is no other avenue left to deal with it other than by way of an investigation.

3. When the complaint comes from a senior officer of the Council, such as the Chief Executive or the Monitoring Officer and it would be difficult for the Monitoring Officer to investigate; or

4. The complaint is about a high profile Member such as the Leader of the Council and it would be difficult for the Monitoring Officer to investigate.

5. Such other complaints as the Monitoring Officer considers it would not be appropriate for him to investigate.

Whilst complainants can be confident that complaints are taken seriously and dealt with appropriately, deciding to investigate a complaint or to take further action will cost both public money and officers' and members' time. This is an important consideration where the complaint is relatively minor.