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| Report to: | Standards Committee | Date: | 16 September 2015 |
| Report title: | Process for dealing with Standards Allegations under the Localism Act 2011 | | |
| Report from: | Jessica Crowe, Monitoring Officer | | |
| Ward/Areas affected: | Borough wide | | |
| Chair of Committee/Lead Member: | Tony Hazeldine, Independent Chair | | |
| Author(s)/Contact Number(s): | Alexa Coates, Committee and Management Services Support Manager, 020 8770 5094 | | |
| Corporate Plan Priorities: | <ul style="list-style-type: none"> • An Open Council • A Fair Council | | |
| Open/Exempt: | Open | | |
| Signed: |  | Date: | 1 September 2015 |

1. Summary

- 1.1 To consider revising the process for dealing with code of conduct complaints.

2. Recommendations

- 2.1 To recommend to Council, via Strategy and Resources Committee, amendments to the standards committee complaints process.
- 2.2 To endorse contact from the Monitoring Officer by complainants over the past 12 months who did not choose to complete the Standards complaints form.

3. Background

- 3.1 Few formal code of conduct complaints have been received by the Council. In the last six months there has been one formal complaint which the independent member was consulted on. Over recent months some queries in relation to code of conduct complaints have been received by the Monitoring Officer, often through the Council's Freedom of Information or complaints processes. If founded some of the allegations raised would likely be breaches of the code of conduct.



4. Issues

- 4.1 When a query relating to a code of conduct issue comes into the Council the complainant is asked to complete a complaint form; this is a requirement spelt out in the Council's constitution. Experience over the past 12 months suggests that at this point complainants do not take the next step of completing the form which would enable a code of conduct complaint to be processed under the Standards Committee procedures. It is possible that the requirement to complete a form may be seen as an overly bureaucratic barrier which puts people off pursuing what may be a legitimate complaint.
- 4.2 If some of the allegations raised were founded they would be considered breaches of the code of conduct therefore it is proposed that the complaints process set out in the Constitution is amended so that complaints can be taken forward providing enough information is provided at the first point of contact. To ensure the required information has been provided, officers may complete a version of the current form based on the information supplied by the complainant, send it back to the complainant to check its accuracy and then progress the complaint as per the rest of the procedure set out in the constitution. It is also suggested that the Monitoring Officer contacts the complainants who over the past 12 months opted not to complete the form to find out why.

5. Options Considered

- 5.1 The Standards Committee complaints procedure is part of the Council's constitution, Section 5, part 6. It is the standards committee's responsibility to promote and maintain high standards of conduct and probity for all councillors and co-opted members of the Council. It is therefore appropriate for the committee to review how the code of conduct complaints procedure is operating and suggest amendments through the Constitutional Review process.

6. Impacts and Implications

Financial

- 6.1 There are no financial implications arising from this report.

Legal

- 6.2 The legal issues are outlined in the body of the report

7. Appendices and Background Documents

| Appendix Letter | Title |
|-----------------------------|--|
| A | Standards Committee Complaints Procedure Section 5, part 6 of the Council's Constitution |
| Background Documents | |
| None | |



| Audit Trail | | |
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| Version | Final | Date: 25 August 2015 |
| Consultation with other officers | | |
| Officer | Comments Sought | Comments checked by |
| Finance | No | n/a |
| Legal | Yes | Paul Evans, Head of South London Legal Partnership |

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