

Title: Standards Board Guidance: Local Assessment of Complaints

Reporting officer: Tim Darsley, Monitoring Officer

1. Purpose

To receive and note the guidance of the Standards Board for England (SBE) on the local assessment of complaints.

2. Background

The new arrangements for the local assessment of complaints came into operation on 8 May. To accompany this, the SBE has issued guidance to councils to assist them with their new responsibilities. Under the Standards Committee Regulations 2008, SBE guidance must be taken into account in dealing with complaints.

3. Key Issues

The SBE guidance is attached as Appendix A. Some of the key points of the guidance are listed below.

- The Standards Committee must establish sub committees to allow a separation of the roles of assessment and review.
- Sub committees must be chaired by an independent member.
- The complaints system must be publicised, both initially and ongoing.
- Complaints must be submitted in writing (with reasonable adjustments for complainants who might have difficulty in making a complaint in writing).
- The Monitoring Officer should check whether the complaint is about member conduct and should consider whether other action is appropriate.
- The procedure for dealing with complaints should be agreed and published.
- The assessment sub committee should develop simple, clear and open criteria against which it is assesses complaints.
- The assessment sub committee should complete its assessment within an average of 20 working days.

- Assessments must be conducted in closed meetings.
- The assessment sub committee may decide to:
 - Refer the complaint to the Monitoring Officer for investigation.
 - Refer the complaint to the SBE.
 - Take no action.
 - Refer the complaint to the Monitoring Officer for other action.
- Any review of a decision to take no action must be carried out within three months.

4. Comment

Most of the required actions arising from the guidance have been completed or are in hand. Agreeing the detailed procedure for the initial handling of complaints is the most significant outstanding task and this is considered later on in this agenda.

5. Recommendation

It is recommended that:

- The SBE guidance on the local assessment of complaints is received and noted.