

# **West Wiltshire District Council**

## **Local Assessment Criteria**

The Assessment Sub-Committee will take the following matters into account in its assessment of complaints.

### **Initial tests:**

Before assessment of a complaint begins, the Assessment Sub-Committee must be satisfied that the complaint meets all of the following tests:

1. The complaint must be about one or more named members of West Wiltshire District Council or a Town or Parish Council within West Wiltshire (the “subject member”).
2. The subject member must have been in office and the Code of Conduct must have been in force at the time of the alleged misconduct.

If the subject member is no longer a member of a relevant authority but is a member of another authority, the Sub Committee may refer the complaint to the Monitoring Officer of that other authority.

3. The complaint, if proven, would be a breach of the Code of Conduct under which the member was operating at the time of the alleged misconduct.

### **The Assessment Sub-Committee is likely to refer a complaint for investigation where:**

1. The alleged conduct has the potential to damage the public’s confidence in local democracy, or
2. It is serious enough, if proven, to justify the range of sanctions available to the Standards Committee, or
3. Where individual instances of less serious conduct combine to form a pattern of behaviour.

### **The Assessment Sub-Committee is unlikely to refer a complaint for investigation where:**

1. The information provided is insufficient to make a decision as to whether the complaint should be referred for investigation or other action.

2. The matter is not considered to be sufficiently serious to warrant further action.
3. It is clear that the complaint concerns acts carried out in the member's private life and that the member was not carrying out the work of the authority.
4. The matter is considered to be relatively minor and would not justify the cost of undertaking an investigation.
5. The matter of the compliant has already been subject to a previous investigation or other action and there is nothing more to be gained by further action being undertaken.
6. The matter appears to be simply malicious, politically motivated or tit or tat.
7. The complaint is about something that happened so long ago that there would be little benefit in taking action now.
8. It is considered that Other Action (as set out in the Regulations and Guidance) is more appropriate.