

REPORT TO	ON
Standards Committee	29 June 2017

Jan 2017



TITLE	AUTHOR	Agenda item No.
Hearing and Investigation Procedure for Dealing with Complaints	D Whelan	6

## 1. PURPOSE OF THE REPORT

1.1 It was agreed with Committee in February that as part of its work programme a review of the Hearing and Investigation procedure should be carried out.

## 2. RECOMMENDATIONS

That the Committee consider and approve the revised Hearing and Investigation Procedure together with the two new appendices.

## 3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:-

Clean, green and safe		Strong and healthy communities	
Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	X

## 4. BACKGROUND TO THE REPORT

4.1 The Localism Act introduced major changes to the standards regime for councils

4.2 The council in 2012 adopted a new Code of Conduct. A hearing and investigation procedure for dealing with complaints was also agreed.

4.3 That policy has now been reviewed and amended documentation is now placed before members for approval.

## 5. DETAILS AND REASONING

5.1 Members will please find attached:

- Appendix 1 – Existing Hearing and Investigation Procedure
- Appendix 2 – Suggested amended policy
- Appendix 3 – Assessment Criteria – to be an Appendix to the new policy
- Appendix 4 – Hearing procedure – to be an Appendix to the new policy

5.2 Whilst reviewing our existing policy we compared it with a number of policies elsewhere. It is fair to say there does not appear to be any common approach – practices vary considerable. Of course the whole point of the changes brought in by the Localism Act was to allow considerable flexibility. Some councils (e.g. Chorley Borough Council) have very similar policies to ourselves whilst others have significantly different ones.

5.3 In simple terms the purpose of the policy is to explain how complaints will be dealt with from receipt to final disposal.

5.4 Overall on reflection it was considered that our existing policy was sound. However, it was felt it would be clearer and easier to use if we separated those provisions relating to assessment criteria for complaints and the procedure to be followed at standards committee into separate appendices. It was felt that greater clarity would be brought this way. There has been a general attempt to simplify procedures wherever possible.

## 6. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

### 6.1 Comments of the Statutory Finance Officer

There are no financial implications arising from this report.

### 6.2 Comments of the Monitoring Officer

We must have a regime in place for dealing with complaints against councillors. This is a requirement of the Localism Act 2011. Whilst it is considered that our existing policy for dealing with complaints is sound nevertheless it was considered that there was scope for greater clarify and simplifying it somewhat - hence the reason for the amended document and its appendices.

<p><b>Other implications:</b></p> <ul style="list-style-type: none"> <li>• <b>Risk</b></li>   <li>• <b>Equality</b></li>   <li>• <b>HR</b></li> </ul>	<ul style="list-style-type: none"> <li>• It is important we have a robust regime in place for considering standards complaints – a failure to do so may result in reputational damage for the council.</li>   <li>• There are no adverse implications for equality issues with this report</li>   <li>• There are no HR implications arising from this report</li> </ul>
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## 7. BACKGROUND DOCUMENTS

None