

## **Assessment criteria for deciding whether to refer a complaint for investigation**

All involved need to be aware that the making of a complaint does not mean that the complaint will be automatically investigated - eg in 2007/8 the national Standards Board itself decided that 82% of complaints to it should **not** be investigated. However, all complaints will now be assessed locally to see if they should be investigated. The Assessment or Review sub-committees will assess complaints in the light of the following assessment criteria suggested by the national Standards Board and adopted by the Council's Standards and Ethics Committee.

### **Initial tests**

Is it a complaint against a person covered by the Council's Code of Conduct?  
Was he or she in office at the time of the alleged conduct or otherwise subject to the Code?

Would the complaint - if proven - amount to a breach of the Code in force at the relevant time ie is a potential breach disclosed by the complaint?

- If the answer is **NO** to **any** of these questions, there will be no investigation of the complaint

### **Assessment criteria**

It is for the sub-committee to exercise its own discretion with regard to the options available to it, but if the answer to each of the initial tests is yes, then the factors it will have regard to include the following:

- It is important that complaints about member conduct are taken seriously
- However, the sub-committee needs to consider that a decision to investigate (or take other action) will cost both public money and the time of officers and members. The Standards Board confirms that this is an important consideration where the matter is relatively minor
- There is unlikely to be any public benefit in investigating complaints which are less serious, politically motivated, malicious or vexatious - in which cases no further action is likely
- Is there enough information from the complainant to satisfy the sub-committee that there should be an investigation or "other action"? If not, no further action likely unless further information is obtained
- Is the complaint about someone who is no longer a member of this Council but another? If yes, consider referring to that authority
- Has the complaint already been the subject to investigation or other action relating to the Code? Has the complaint been the subject of investigation by other regulatory authorities? If yes, no further action likely

- Is the complaint about something so long ago there is little benefit in taking action now? If yes, no further action likely
- Is the complaint too trivial to warrant further action? If yes, no further action likely
- Does the complaint appear to be simply malicious, vexatious, politically motivated or tit-for-tat? If yes, no further action likely.

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