

## Report of the Assistant Director Corporate Services (City Solicitor) to the meeting of Standards Committee to be held on 28 October 2009.

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### Subject:

Criteria for Referral by Assessment Sub-Committee for Other Action.

### Summary statement:

Members are invited to consider updated guidance to the Assessment Sub-Committee to include more details of the criteria to be used when considering a referral for Other Action.

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Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



1. **Summary**

- 1.1 Members are invited to consider updated guidance to the Assessment Sub-Committee to include more details of the criteria to be used when considering a referral for Other Action.

2. **Background**

- 2.1 The Assessment Sub-Committee has the benefit of a guidance note to assist in undertaking the initial assessment of complaints.

- 2.2 On 13 August 2009 the Standard Committee received a report in which they were asked to consider further guidance issued by Standards for England entitled "Other Action" and specifically to consider how the outcome of other action was to be reported.

- 2.3 At the meeting on 13 August 2009 Standards Committee resolved:

- (1) **That the initial Monitoring Officer's report setting out the outcome of any "other action" direction be submitted to the Assessment Sub-Committee that originally considered the complaint. The Assessment Sub-Committee will have the discretion to refer any wider issues to the Standards Committee under the standard agenda item on the Monitoring Officer's report on complaints.**
- (2) **That the Monitoring Officer review the criteria relating to "other action" in the light of the new guidance and report back to the Standards Committee.**
- (3) **That the annual report include a detailed analysis of the complaints received identifying any trends for consideration by the Standards Committee.**
- (4) **That the Monitoring Officer raise, at the Standards Committee, any significant issues that occur during the assessment process.**
- (5) **That the Monitoring Officer undertake to revise the content of her report to the Standards Committee on complaints to include more meaningful information for the committee while retaining anonymity.**

- 2.4 Attached at Appendix 1 is an updated composite guidance note for use by the Assessment Sub-Committee to assist in undertaking local assessment which now includes the criteria set out in the Standards for England guidance on Other Action. Members are asked to consider the updated guidance note.

**3. Options**

3.1 Committee Members have the following options:

- Members can approve the note as drafted.
- Members may wish to make suggested amendments to the draft guidance note.

**4. Financial and resource appraisal**

4.1 There are no financial and resource implications in this report.

**5. Legal appraisal**

5.1 It is important that the Standards Committee Assessment Sub-Committee has up to date guidance to assist in undertaking the local assessment of complaints in a fair, transparent and consistent manner. The guidance note attached is designed to provide the Assessment Sub-Committee with information to assist in this process

**6. Other Implications**

6.1 There are no Equal Rights, Sustainability, Community Safety, Human Rights Act, Trade Union Implications arising from this report.

**7. Not for Publication documents**

7.1 None.

**8. Recommendations**

8.1 Standards Committee Members are asked to consider the attached guidance note at Appendix 1 and comment on its contents.

**Reason for Recommendation**

8.2 To ensure that the Standards Committee Assessment Sub-Committee has information to support and assist them in determining the initial assessment of complaints.

9. **Appendices**

Appendix 1 - updated composite guidance note

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