

Your contact:
Direct Dial:
Fax:
Our ref:
Date:

Dear

Subject

Thank you for your letter of... asking the Assessment Sub-Committee to consider your complaint. The Sub-Committee will meet over the coming few weeks to consider your complaint.

As per the normal procedure for such matters, you and the Member(s) against whom you have complained will not have the opportunity to attend this meeting, as it is not a public meeting, and you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Name
Function
Email contact

Your contact:
Direct Dial:
Fax:
Our ref:
Date:

Dear

Subject

I refer to your recent allegation of a breach of the Code of Conduct and attach a copy of the Decision Notice of the Assessment Sub-Committee, which also explains the relevant procedures including your right to seek a review of the decision.

As before, you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you decide to exercise this right of review, I must receive your written request and any supporting information by [insert date].

Yours sincerely

Name
Function
Email contact

**CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:
NO FURTHER ACTION**

ASSESSMENT STANDARDS SUB-COMMITTEE

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could be the subject of a review and the Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of Member], a member of [insert authority, Parish or Town Council name].

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee decided that no action should be taken on the allegation.

Reasons for decision

[include reasons for decision]

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the Parish or Town Council if applicable].

Right of review

At the written request of the complainant, the Review Sub-committee can review and, if it considers it appropriate to do so, change the above decision as the Review Sub-Committee is constituted of different Members from those Members on the Assessment Sub-Committee.

If the complainant wishes to exercise the right of a review, the complainant must submit his / her written request within 30 days from the date of this Decision Notice, explaining in detail the grounds upon which the decision should be reviewed.

If a request for a review is received in the appropriate timescale, the Review Sub-Committee will deal with it within a maximum of three months of receipt. All the parties mentioned above will be notified that a Review has been requested and the outcome of any such review.

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Assessment Sub-Committee

**CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:
REFERRAL TO MONITORING OFFICER FOR
[INVESTIGATION OR OTHER ACTION (delete as
applicable)]**

ASSESSMENT SUB-COMMITTEE

Reference

Parties receiving this Decision Notice should take care when acting on this information, as the matter could be the subject of a review and the Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of Member], a member of [insert authority/parish or town council name].

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee resolved to refer the allegation to the Monitoring Officer for [insert investigation/description of other action]

Potential breaches of the Code of Conduct identified

The Sub-Committee identified below the paragraphs of the Code of Conduct which may apply to the alleged breach. The investigator will actually determine which paragraphs are relevant during the course of the investigation and which paragraphs may have been breached.

[Delete those which do not apply]

- failing to treat others with respect
- acting in a way that may cause the authority to breach an equality enactment
- bullying
- intimidating, or attempting to intimidate a person involved in an allegation against you
- compromising the impartiality of those who work for, or on behalf of, the authority
- disclosing confidential information
- bringing an office or authority into disrepute
- using your position as a member improperly to confer or secure an advantage or disadvantage
- not using the resources of the authority in accordance with their requirements
- disregarding advice when reaching decisions
- failing to give reasons for decisions
- failing to declare a personal or prejudicial interest
- having a prejudicial interest and failing to act appropriately
- failing to register interests

This Decision Notice is sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the Parish or Town Council if applicable].

What happens now?

[Delete those which do not apply]

- Investigation – Please see the attached guide on the investigations process [or a direction to where this is available]
- Other action – [describe to the complainant what, if any, allowance your authority makes for their involvement and/or notification in the other action]

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Assessment Sub-Committee

CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE: REQUEST FOR FURTHER INFORMATION

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could ultimately be the subject of a review and the Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of Member], a member of [insert authority, Parish or Town Council name].

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee resolved that no action should be taken on the allegation at this time. This is because the information provided was insufficient to make a decision as to whether there should be no action on the allegation(s) or whether the complaint should be referred for investigation (or other action).

Reasons for decision

In particular it was noted that [list gaps in information].

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the Parish or Town Council if applicable].

Provision of further information

If the requested information is provided within the 21 days of this Decision Notice, the Sub-Committee will consider afresh as to what to do with the complaint.

Unless and until further information is received, no further action will be taken on this allegation and if the information is not provided within 21 days or no good reasons have been put forward by the complainant to substantiate why more than 21 days is required to provide the required information, the Assessment Sub-Committee is likely to resolve that no action should be taken on the allegation and the complainant will be advised, accordingly, at the relevant time.

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Assessment Sub-Committee

CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE: REFERRAL TO THE STANDARDS BOARD FOR ENGLAND ASSESSMENT SUB-COMMITTEE

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as the matter could be the subject of a review and the Review Sub-Committee may come to a different view on the complaint. In addition, some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

Complaint

On [insert date], the Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of Member], a member of [insert authority, Parish or Town Council name].

A general summary of the complaint appears below:

[Summarise complaint]

Decision

In accordance with Section 57A(2)(b) of the Local Government Act 2000, as amended, the Assessment Sub-Committee decided to refer the allegation to the Standards Board for England, for the following reason(s): [delete which do not apply]

- The Sub-Committee believes that the status of the Member would make it difficult for the authority to deal with the complaint.
- The Sub-Committee believes that the number of Members involved would make it difficult for the authority to deal with the complaint.
- The Sub-Committee believes that the status of the complainant or complainants would make it difficult for the authority to deal with the complaint.
- The Sub-Committee believes that there is a potential conflict of interest for so many members of the Standards Committee and its Sub-Committees that it could not deal with the hearing of this allegation following an investigation.
- The Sub-Committee believes that there is a potential conflict of interest for the Monitoring Officer (or other officers) and that suitable alternative arrangements cannot be put in place to address the conflict.
- The Member is a member of more than one authority having a Standards Committee, and the alleged conduct also relates to their capacity as member of another authority. The Sub-Committee believes that the Standards Board for England should decide how the allegation ought to be dealt with.

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and the Standards Board for England [and the clerk to the Parish or Town Council if applicable].

What happens now?

The Standards Board for England will now decide whether to investigate this allegation itself. It is not bound to take charge of the case, and has the discretion to refer the matter back to the Assessment Sub-Committee, or to decide to take no further action in respect of the allegation. The Standards Board aims to make its decision within ten working days, and will write to the Assessment Sub-Committee and the complainant when it has done so.

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading

this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Assessment Standards Sub-Committee

Your contact:
Direct Dial:
Fax:
Our ref:
Date:

Dear Councillor [insert name of Member]

Further to my letter of [insert date], I write to inform you that the complainant has asked for a review of the Assessment Sub-Committee's decision not to investigate the complaint. The request was received on [insert date].

As before, you and the complainant will not have the opportunity to attend this meeting, as it is not a public meeting, and you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Review Sub-Committee can reach one of the following decisions:

- Uphold the decision of the Assessment Sub-Committee not to refer your complaint for investigation or other action;
- Overturn the decision of the Assessment Sub-Committee and refer your complaint to the Monitoring Officer for investigation (or other action); or
- Overturn the decision of the Assessment Sub-Committee and refer your complaint to the Standards Board for England for investigation.

The Review Sub-Committee comprises of members who were not on the Assessment Sub-Committee and it will make this decision within a maximum of three months of the date we received your review request. You will be informed of the decision in writing.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Name
Function
Email contact

Your contact:
Direct Dial:
Fax:
Our ref:
Date:

Dear [insert name of complainant]

Subject

I thank you for your letter of [insert date] asking the Review Sub-Committee to review the decision of the Assessment Sub-Committee in respect of your complaint. The Sub-Committee will now meet to reconsider your complaint, along with any additional information that you may have provided.

As before, you and the Member(s) against whom you have complained will not have the opportunity to attend this meeting, as it is not a public meeting. As required by law, the Member(s) against whom you have complained will be told of your request for a review of the Assessment Sub-Committee's decision.

As before, you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Review Sub-Committee can reach one of the following decisions:

- Uphold the decision of the Assessment Sub-Committee not to refer your complaint for investigation or other action;
- Overturn the decision of the Assessment Sub-Committee and refer your complaint to the Monitoring Officer for investigation (or other action); or
- Overturn the decision of the Assessment Sub-Committee and refer your complaint to the Standards Board for England for investigation.

The Review Sub-Committee comprises members who were not on the Assessment Sub-Committee and it will make this decision within a maximum of three months of the date we received your review request. You will be informed of the decision in writing.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Name
Function
Email contact

**CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:
INITIAL ASSESSMENT – DECISION UPHELD**

REVIEW SUB-COMMITTEE

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Review Sub-Committee met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Complaint

On [insert date], the Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of Member], a member of [insert authority, Parish or Town Council name].

A general summary of the complaint appears below:

[Summarise complaint and Decision of Assessment Sub-Committee]

Decision of the Review Sub-Committee

The Review Sub-Committee has resolved to uphold the decision of the Assessment Sub-Committee not to take any action on your complaint. [add further explanation if desired].

A copy of this Decision Notice has been sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the Parish or Town Council if applicable].

We realise that you may be disappointed with the results of the review. However, this is now the end of the process and there is no further right of appeal to the Council against this decision.

Signed

Date

Chairman of the Review Sub-Committee

CODE OF CONDUCT FOR MEMBERS - DECISION NOTICE:

REFERRAL FOR [INVESTIGATION OR OTHER ACTION

(delete as applicable)]

REVIEW STANDARDS SUB-COMMITTEE

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Review Sub-Committee met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Complaint

On [insert date], the Assessment Sub-Committee considered a complaint from [name of complainant] concerning the alleged conduct of [name of Member], a member of [insert authority, Parish or Town Council name].

A general summary of the complaint appears below:

[Summarise complaint and Decision of Assessment Sub-Committee]

Decision of Review Sub-Committee

It was resolved to refer the allegation [delete those which do not apply: for investigation by monitoring officer/for investigation by Standards Board for England/to the monitoring officer for other action (include detail of other action proposed)]

Potential breaches of the Code of Conduct identified

The Review Sub-Committee has identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct. [For investigations only: The investigator will actually determine which paragraphs are relevant during the course of the investigation and which paragraphs may have been breached.]

[Delete those which do not apply]

- failing to treat others with respect
- acting in a way that may cause the authority to breach an equality enactment
- bullying
- intimidating, or attempting to intimidate a person involved in an allegation against you
- compromising the impartiality of those who work for, or on behalf of, the authority
- disclosing confidential information
- bringing an office or authority into disrepute
- using your position as a member improperly to confer or secure an advantage or disadvantage
- not using the resources of the authority in accordance with their requirements
- disregarding advice when reaching decisions
- failing to give reasons for decisions
- failing to declare a personal or prejudicial interest
- having a prejudicial interest and failing to act appropriately
- failing to register interests

A copy of this letter has been sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the Parish or Town Council if applicable].

What happens next?

[Delete those which do not apply]

- Investigation - Please see the attached guide on the investigations process.
- Referral to the Standards Board for England for investigation – The committee has referred the complaint to the Standards Board for England which will now decide whether to carry out the investigation into this matter. We will write to you again if the Standards Board for England refuses and refers the allegation back to the standards committee.
- Other action – [describe to the complainant what, if any, allowance your authority makes for their involvement and/or notification in the other action].

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading

this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed **Date**

Chairman of the Review Standards Sub-Committee

Your contact:
Direct Dial:
Fax:
Our ref:
Date:

Dear [insert name of complainant]

Subject

I thank you for your letter of [insert date] asking the Review Sub-Committee to review the decision of the Assessment Sub-Committee in respect of your complaint. The Sub-Committee will now meet to reconsider your complaint, along with any additional information that you may have provided.

As before, you and the Member(s) against whom you have complained will not have the opportunity to attend this meeting, as it is not a public meeting. As required by law, the Member(s) against whom you have complained will be told of your request for a review of the Assessment Sub-Committee's decision.

As before, you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Review Sub-Committee can reach one of the following decisions:

- Uphold the decision of the Assessment Sub-Committee not to refer your complaint for investigation or other action;
- Overturn the decision of the Assessment Sub-Committee and refer your complaint to the Monitoring Officer for investigation (or other action); or
- Overturn the decision of the Assessment Sub-Committee and refer your complaint to the Standards Board for England for investigation.

The Review Sub-Committee comprises members who were not on the Assessment Sub-Committee and it will make this decision within a maximum of three months of the date we received your review request. You will be informed of the decision in writing.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Name
Function
Email contact

Your contact:
Direct Dial:
Fax:
Our ref:
Date:

Dear [insert name of complainant]

Subject

Further to my letter of [insert date] acknowledging your request for the Review Sub-committee to review the handling of your complaint. The Review Sub-Committee met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Parties receiving the attached Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Name

Function

Email contact