

EAST HERTS COUNCIL

STANDARDS COMMITTEE – 2 DECEMBER 2009

REPORT BY THE MONITORING OFFICER

5. INITIAL ASSESSMENTS OF STANDARDS COMPLAINTS  
ASSESSMENT AND REVIEW CRITERIA AND MONITORING OFFICER  
PROTOCOL

---

WARD(S) AFFECTED: None

---

**Purpose/Summary of Report**

- To consider a draft paper which sets out the criteria which the Assessment Sub-Committee will apply in conducting the initial assessment of allegations of failure by Members to observe the Code of Conduct and a draft Monitoring Officer Protocol.

<b><u>RECOMMENDATION FOR DECISION:</u></b>	
<b>(A)</b>	the Initial Assessments of Standards Complaints Assessment and Review Criteria, as now submitted, be approved, and
<b>(B)</b>	the Monitoring Officer Protocol, as now submitted, be approved.

1.0 Background

According to Standards for England advice, the Standards Committee will need to develop criteria against which it assesses new complaints and decides what action, if any, to take. These criteria should reflect local circumstances and priorities and be simple, clear and open. They should ensure fairness for both the complainant and the subject Member.

## 2.0 Report

- 2.1 At its meeting held on 19 August 2008, the Committee approved the Local Assessment of Complaints Procedure Rules which included assessment criteria (**Essential Reference Paper 'B5' (Pages 5.4 – 5.10)**). The draft assessment and review criteria (**Essential Reference Paper 'C' (Pages 5.11 – 5.18)**) expand on the earlier criteria. They are designed to assist the Assessment Sub-Committee to consider the initial assessment of complaints and deal with reviews.
- 2.2 A draft Monitoring Officer Protocol has been prepared for Members to consider (**Essential Reference Paper 'D' (Pages 5.19 – 5.21)**). The draft contains Instructions to the Monitoring Officer on the discharge of functions for initial assessment and review of allegations that a Member of the Authority has failed to comply with the Code of Conduct.

## 3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A5' (Page 5.3)**.

## Background Papers

None.

Contact Officer: Simon Drinkwater – Monitoring Officer Ext: 1405

Report Author: Simon Drinkwater – Monitoring Officer Ext: 1405

## ESSENTIAL REFERENCE PAPER 'A5'

Contribution to the Council's Corporate Priorities/Objectives (delete as appropriate):	<b>Fit for purpose, services fit for you</b> <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i>
Consultation:	None.
Legal:	The criteria and protocol have been drafted in accordance with the regulations.
Financial:	None.
Human Resource:	None.
Risk Management:	The criteria and protocol are intended to assist the Assessment Sub-Committee and the Review Sub-Committee to deal with complaints and reduce the risk of challenges to their decisions.