



## Standards Committee

10 July 2023

<b>Report Title:</b>	<b>Review of Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members</b>
<b>Cabinet Portfolio</b>	Corporate Services
<b>Cabinet Member</b>	Councillor Martin Bond
<b>Exempt Report</b>	No
<b>Reason for Exemption</b>	N/A
<b>Key Decision</b>	No
<b>Public Notice issued</b>	N/A
<b>Wards Affected</b>	All
<b>Report of</b>	Jan Bakewell Director of Legal and Governance janbakewell@sthelens.gov.uk
<b>Contact Officer</b>	Joanne Griffiths Team Manager- Democratic and Scrutiny Services joannegriffiths@sthelens.gov.uk

<b>Borough priorities</b>	Ensure children and young people have a positive start in life	
	Promote good health, independence, and care across our communities	
	Create safe and strong communities and neighbourhoods for all	
	Support a strong, thriving, inclusive and well-connected local economy	
	Create green and vibrant places that reflect our heritage and culture	
	Be a responsible Council	X

## 1. Summary

- 1.1 To consider a review of the Council's Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members.

## 2. Recommendations for Decision

**The Committee is recommended to:**

- i. **approve the proposed amendments to the Council's Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members.**

## 3. Purpose of this Report

- 3.1 To present some proposed amendments to the Council's Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members.

## 4. Background /Reasons for the recommendations

- 4.1 The Procedure was last reviewed by the Committee on 12 January 2021 when changes were approved to address the Committee on Standards in Public Life best practice recommendations.
- 4.2 The Procedure has recently been reviewed to ensure it remains fit for purpose and is operating effectively.
- 4.3 The proposed changes to the Procedure are set out in Appendix 1 to this report. They include clarification at paragraph 1.5 regarding the right to request a review when the Monitoring Officer decides not to investigate the complaint in accordance with the delegation from Council and the examples listed in Appendix 1 to the Procedure. Review requests tend to involve the complainant asking for a review simply because they disagree with the decision. It is very rare for a complainant to submit new information or evidence to assist the review which was not

available at the time of submitting the complaint. This prolongs the time taken to conclude the complaints process and can raise the expectations of complainants. The proposed change seeks to address this by requiring requests for a review to be accompanied by new information or evidence.

- 4.4 The other proposed change relates to the non-exhaustive list of examples of complaints which the Monitoring Officer may decide not to progress to investigation set out in Appendix 1 to the Procedure. The change proposed to paragraph [e] would mean complaints which relate to incidents which happened more than 12 months ago and with little benefit in investigating, or the investigation would be compromised by the passage of time, are not progressed to investigation.

## **5. Consideration of Alternatives**

- 5.1 None

## **6. Conclusions**

- 6.1 The proposed changes to the Procedure are recommended for approval.

## **7. Legal Implications**

- 7.1 The Council has delegated to the Standards Committee the statutory function to promote and maintain high standards of conduct by members and co-opted members.

## **8. Community Impact Assessment (CIA) Implications**

- 8.1 None

## **9. Social Value**

- 9.1 None

## **10. Sustainability and Environment**

- 10.1 None

## **11. Health and Wellbeing**

- 11.1 None

## **12. Equality and Human Rights**

- 12.1 The Council's Procedure for Dealing with Complaints is aimed to ensure equality of access by all.

## **13. Customer and Resident**

- 13.1 The Council's Procedure for Dealing with Complaints is published on the Council's website and aims to provide a clear process for customers and residents.

## **14. Asset and Property**

- 14.1 None

**15. Staffing and Human Resources**

15.1 None

**16. Risks**

16.1 None. The recommendations in the report aim to strengthen the Council's procedure for dealing with complaints.

**17. Finance**

17.1 None

**18. Policy Framework Implications**

18.1 None

**19. Impact and Opportunities on Localities**

19.1 None

**20. Background Documents**

20.1 None

**21. Appendices**

21.1 Appendix 1 – Proposed Revised Procedure for Dealing with Complaints regarding breach of the Code of Conduct for Members