

**REPORT FOR: ASSESSMENT SUB
COMMITTEE**

Date of Meeting:	12 March 2010
Subject:	Assessment Sub-Committee – Terms of Reference
Responsible Officer:	Hugh Peart, Director of Legal and Governance Services
Exempt:	No
Enclosures:	Appendix A – Terms of Reference Appendix B – Assessment Criteria Appendix C – Members Code of Conduct

Section 1 – Summary and Recommendations

This report details the role and responsibilities of this Sub-Committee in assessing complaints lodged. The content of the complaint will be dealt with as a separate item, and all information will be circulated on the day of the meeting.

Recommendation: The Committee is requested to consider and note its Terms of Reference and the identified criteria for complaints as set out in Appendices A & B, together with the Members' Code of Conduct at Appendix C before considering any complaint before it.

Section 2 – Report

1. Background

- 1.1 The Local Government and Public Involvement in Health Act 2007 came into force in October 2007. At its meeting on 5th June 2008 the Standards Committee agreed its revised Terms of Reference. It also established this Sub-Committee for the purposes of considering complaints received about a possible breach of the Authority's Code of Conduct (attached at Appendix C).

Procedure on Receipt of Complaints

- 2.1 The Complaint Form and Guidance (set out in Appendix B) are available to anyone who wants to make a complaint about a Member and can either be downloaded from the Council's website or requested in hard copy.
- 2.2 Complaints are received by the Monitoring Officer who considers in the first instance whether the allegation relates to a breach of the Code of Conduct. Where a breach of the Code of Conduct has been identified, this is referred to this Sub-Committee for consideration.
- 2.3 Harrow Council has adopted the following good practice guidance in terms of how this Assessment Sub-Committee will operate:
- (a) The Monitoring Officer should prepare a short summary of the complaint for the Assessment Sub-Committee to consider.
 - (b) The Sub-Committee will consider complaints received against agreed criteria, including criteria for referral to the Standards Board for England (set out in Appendix B).

3. Legal Implications

- 3.1 The Local Government and Public Involvement in Health Act 2007 places new obligations on the Standards Committee to deal with written allegations that a member or co-opted member may have failed to comply with the Code of Conduct. These powers are in addition to the powers under Part III of the Local Government Act 2000.

4. Financial Implications

- 4.1 Any costs relating to this matter will be met from the provision for legal fees.

Section 3 - Statutory Officer Clearance

Name: Myfanwy Barrett Chief Financial Officer

Date: 24 June 2008

Name: Hugh Peart Monitoring Officer

Date: 24 June 2008

Section 4 - Contact Details and Background Papers

Contact: Vishal Seegoolam, Acting Senior Professional – Democratic Services Tel: 020 8424 1883 (ext 2883)

Background Papers: Local Government Act 2000
Local Government and Public Involvement in Health Act 2007
The Standards Committee (England) Regulations 2008
Standards Board for England – Local Assessment of Complaints

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Corporate Priorities	NO