

REPORT FOR: ASSESSMENT SUB-COMMITTEE

Date of Meeting: 7 December 2011

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 – Code of Conduct for Councillors

Section 1 – Summary

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:

That the committee: -

- 1. notes it Terms of Reference and**
- 2. the identified criteria for complaints**

Section 2 – Report

Background

1. The Local Government and Public Involvement in Health Act 2007 came into force in October 2007. At its meeting on 5 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 for Councillors (attached at Appendix C).

Procedure on Receipt of Complaints

2. Guidance on submitting complaints (set out in Appendix B) are available to anyone who wants to make a complaint about a Member.
3. 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.
4. 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).

Section 3 – Legal Implications

5. The Local Government and Public Involvement in Health Act 2007 places 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.

Section 4 – Financial Implications

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

Section 5 – Corporate Priorities

Please identify which corporate priority the report incorporates and how:

- United and involved communities: A Council that listens and leads.

Name: Steve Tingle



on behalf of the*
Chief Financial Officer

Date: 20 July 2011

Name: Matthew Adams



on behalf of the*
Monitoring Officer

Date: 20 July 2011

Section 6 - Contact Details and Background Papers

Contact: Vishal Seegoolam, Senior Democratic Services Officer, 0208 424 1883

Jessica Farmer, Head of Legal Practice – Legal and Governance Services, 0208 420 1889

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