

Epping Forest District – Standards Committee

Local Assessment of Complaints – Criteria

The Standards Committee will **not** investigate complaints that are:

- Malicious, relatively minor, politically motivated, trivial or tit for tat.
- Made anonymously.
- Contain no prima facie evidence of a breach of the Code.
- Where the complainant has not supplied enough information to justify a decision to refer the matter for investigation or to evidence their complaint or have supplied information of too general a nature from which to make a judgement to investigate.
- Where an investigation would serve no useful purpose or is not serious enough to warrant a sanction or where only an apology was appropriate.
- The same, or substantially similar, complaint has already been the subject of an investigation or inquiry and there is nothing further to be gained by seeking the sanctions available to the Subcommittee or the local Standards Committees and where no new relevant evidence has been submitted.
- Acts carried out in the Member's private life, when they are not carrying out the work of the authority or have not misused their position as a Member.
- About dissatisfaction with a council decision, about the way the Council conducts or records its meetings, the way the Council has or has not done something.
- Within the Council's complaints process.
- About someone who is no longer a member of either the District Council or a Town or Parish Council within the area, or is a member of another authority.
- More than 1 year has passed since the alleged conduct occurred.
- Not suitable for local investigation (see referral criteria below).
- Where alternative action such as training, mediation would be more appropriate.

The Standards Committee will refer the following cases to the Standards Board for England:

- Where the status of the member(s) being complained of would make it difficult to deal locally with the complaint. For example: Complaints concerning the Leader of the Council, Cabinet member or leading opposition members, Chairman or Standards Committee members.

- Complaints from the Chief Executive, Monitoring Officer or Service Director.
- Instances where a large number of key people are conflicted out or where the authority itself might be perceived to have an interest in the outcome of the case.
- Instances where there has been national attention, or where the Standards Committee feels that the matter turns on an important point of interpretation of the Code (a test case).
- Where there are other public issue considerations, exceptional circumstances or allegations of governance dysfunction that would make it difficult for the authority to deal with the case fairly or speedily.
- Where the Assessment Sub-committee, having undertaken their initial assessment, believes that the matter should be dealt with at Standards Board level.