

# Standards Assessment Sub-Committee

## 1. Preliminary Assessment

Before assessment of a complaint begins the sub-committee should be satisfied the complaints meet the following tests:

1. Is the complaint against one or more named members of the authority covered by the standards committee?
2. Was the named member in office at the time of the alleged conduct, and the Code of Conduct in force?
3. If proven, would the complaint be a breach of the Code of Conduct under which the member was operating at the time of the misconduct? If so, which section?

Yes

NO  
to any of these  
questions

Take no action

## 2. Assessment Criteria

Has the complainant submitted enough information for the complaint to be referred for investigation or other action?

NO

Take no action

Does the complaint appear to be simply malicious, politically motivated or tit for tat? *(Is the complaint vexatious?\*)*

YES

Take no action

Has the complaint been the subject of an investigation/other action relating to the Code of Conduct/subject of an investigation by other regulatory authorities?

YES

Take no action

Is the complaint about something that happened so long ago that there would be little benefit in taking action now?

YES

Take no action

Is the complaint too trivial to warrant further action?

YES

Take no action

Is the complaint about someone who is now a member of another authority? Do you wish to refer the complaint to that other authority?

YES

Refer to the  
respective authority

### \*Vexatious:

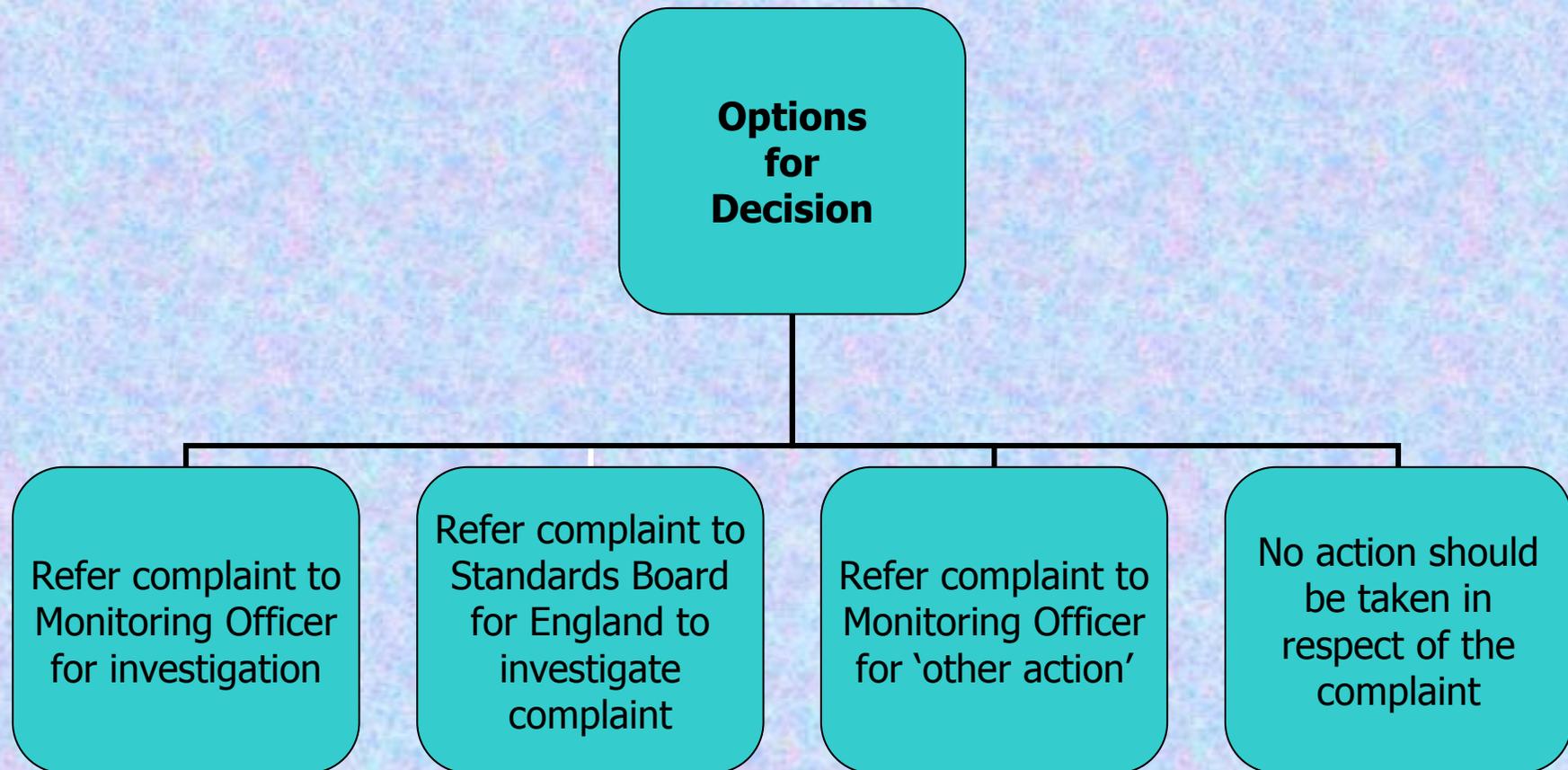
*It would impose a significant burden on the authority in terms of expense or distraction and:*

- (a) *The request is likely to cause unjustified distress, disruption or irritation, or*
- (b) *It can fairly be seen as excessive, or*
- (c) *The request is harassing the authority or its staff, or*
- (d) *The request is designed to cause disruption or annoyance, or*
- (e) *The request lacks serious purpose or value*

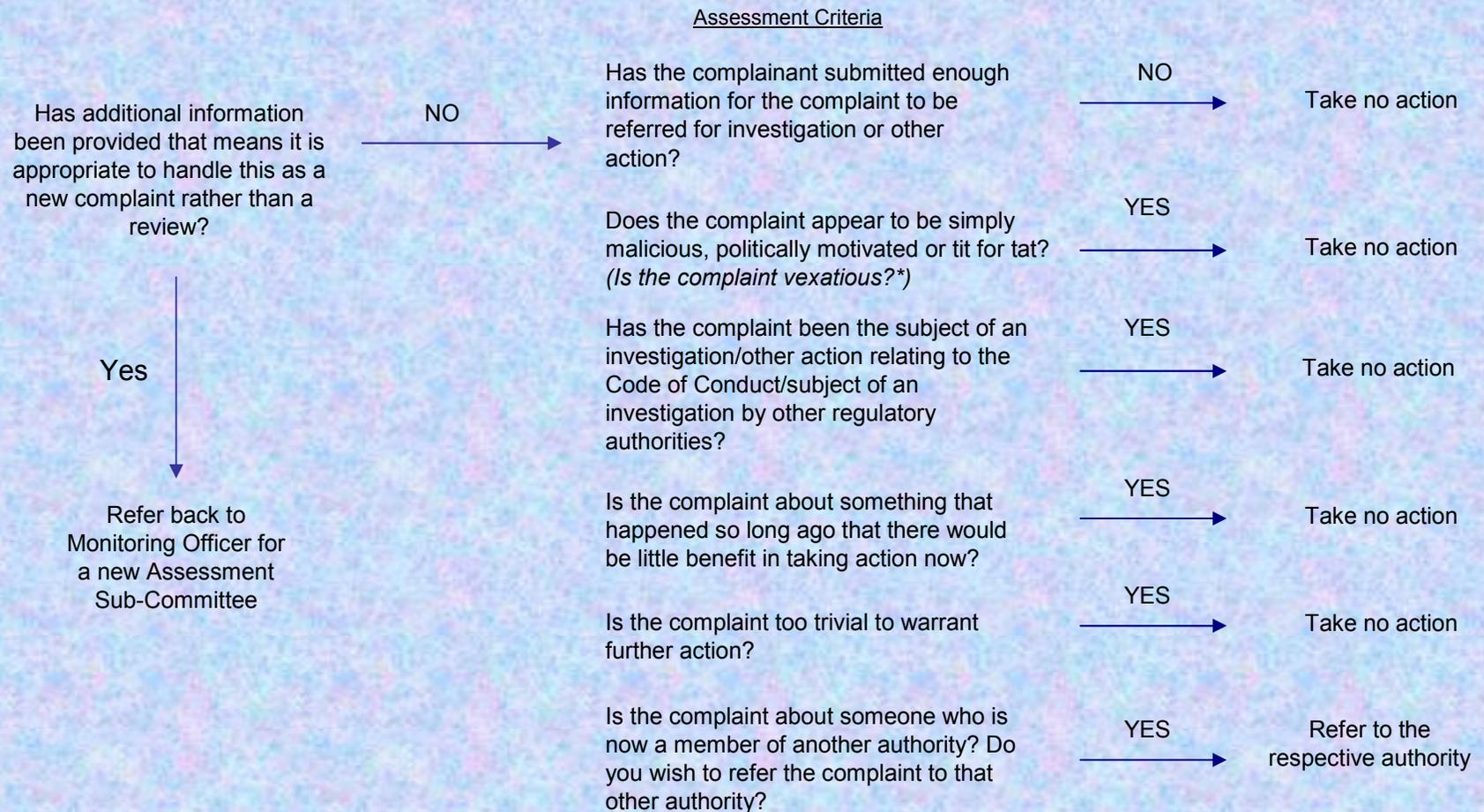
**Where any of these  
criteria are failed the  
complainant will be  
informed about the review  
process**

## Hearsay Evidence:

The complainant must submit enough information which, if proven, would show that the subject member has acted in breach of the Code of Conduct at the time of the alleged misconduct. Although it is not for the Assessment or Review Sub-Committees to investigate or to weigh up evidence/reject evidence, even hearsay evidence, sufficient tangible and/or checkable facts must be presented for assessment to enable a decision to be made that a complaint should be referred to investigation or other action.



# Standards Review Sub-Committee



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