

Standards Committee 10th April 2014 – discussion paper:

Procedure for dealing with subject (Elected) Member who fails to act upon an outcome of “informal resolution”

The Council’s “Code of Conduct” and associated “Arrangements” govern the principles and processes to be applied when a standards complaint is made alleging misconduct by an Elected Member. To date, most complaints have been resolved by “informal resolution”, an outcome which is applied in circumstances where a potentially valid complaint is made, but where it is not deemed to be in the interests of justice to proceed to a full investigation and where instead a fair and proportionate outcome can be achieved by some other action (often an apology, coupled with an offer to revisit the original topic i.e. a Ward issue). It is the judgement of the Monitoring Officer and Independent Person as to whether to conclude that “informal resolution” is appropriate (with or without the consent of the complainant and subject member).

The Standards Committee are asked to form a view as to what should happen if and when an outcome of “informal resolution is not acted upon by a subject Member. The options could include:

1. Take no action
2. Re-open the original complaint
3. Treat the failure to act as being the topic of a new complaint
4. Refer the matter for political action
5. Public censure

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