

**DETERMINATION OF COMPLAINTS**

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**1. Purpose**

1.1 To discuss the determination of complaints by the Standards Committee.

**2. Recommendations**

2.1 That it be noted that a number of complaints have been received which require determination.

2.2 That it be noted that as soon as training has been undertaken, Assessment Sub Committees will be convened to consider the pending complaints.

2.2 That the Monitoring Officer arrange Standards Committee training as soon as possible, to be undertaken by co-opted Parish Members and for Independent Persons to be invited as appropriate.

2.3 That the flow chart for the determination of complaints, as attached at Appendix 1, be noted.

2.4 That it be noted that should a complaint be referred for investigation, Standards for England guidelines (Appendix 2 and 3) will be followed, pending a full update of the policies and procedures for the investigation and determination of complaints (current version at appendix 4), to be submitted to the next Standards Committee meeting.

2.5 That the Monitoring Officer should ensure that an update on the number of complaints received and the outcomes of any determinations be received at the next meeting.

**3. Background**

3.1 The Standards Committee (England) Regulations 2008 provided for a prescriptive regime for the consideration and determination of complaints against Councillors. This was supported by a body of statutory guidance released by Standards for England, the regulatory body.

- 3.2 The new regime is less prescriptive and allows Milton Keynes Council to develop its own process for determining complaints, which has been approved by the Council and is attached at Appendix 1.
- 3.3 In addition to this flowchart, with regard to formal investigations and hearings, it is suggested that it would be prudent to ensure that clear processes are set out for both the investigation and determination of complaints by hearing, to ensure that the subject member and the complainant are clear about their roles and also to ensure that the subject member has the opportunity to input into the process.
- 3.4 These policy documents are currently being developed and will be submitted to the next meeting of the Standards Committee. However, in the interim it is suggested that the documents attached at Appendices 2, 3 and 4 are followed.

Background Papers:           None