

What will happen to your complaint

When you make a complaint that a Member of Haringey Council has not followed the Code of Conduct, you should expect the following things to happen.

- You will receive an acknowledgement from the Monitoring Officer who will send you a complaints form to fill in to assist in the processing of your complaint. Please complete this and return it.
- Where it is confirmed that your complaint does potentially involve a breach of the Code of Conduct then a meeting of the Standards Committee Assessment Sub-Committee will be held to consider it and to decide on what action to take. You will be informed of when this is to take place and of the outcome of this meeting.
- *We aim to complete the assessment stage of your complaint within 20 working days of receipt of the complaint.*

The assessment of your complaint

The Assessment Sub-Committee will consider the following questions whenever they assess a new complaint:

Q: Has the complainant submitted enough information to satisfy the Assessment Sub-Committee that the complaint should be referred for investigation or other action? If the answer to this is **no** you will be informed of this and given an opportunity to submit further information.

Q: Does the complaint disclose a possible breach of the Code of Conduct? If it does then subject to the answers given to the questions below the complaint will be referred for investigation.

Q: Is the complaint about someone who is no longer a member of the authority, but is a member of another authority? If this is the case then the Haringey Standards Committee will not be able to deal with your complaint but

the assessment sub-committee may refer the complaint to the monitoring officer of that other authority.

Q: Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?

If the answer to either of these questions is **yes**, then the Assessment Sub-Committee may decide that there is nothing more to be gained by further action being taken.

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

If the answer is **yes** then it is unlikely that the Assessment Sub-Committee will take any further action.

Q: Is the complaint too trivial to warrant further action?

If the answer is **yes** then the Assessment Sub-Committee will decide not to take any further action.

Q: Does the complaint appear to be simply malicious, politically motivated or tit-for-tat and not in other respects sufficiently serious?

If the answer is **yes**, then the Assessment Sub-Committee will decide that no further action is warranted.

Where following the consideration of the above questions, the Assessment Sub-Committee decides that the complaint discloses a possible breach of the Code and should be investigated then the Assessment Sub-Committee will either refer the complaint to the Monitoring Officer for investigation or refer the complaint to the Standards Board for England.

Your right to a review

Where the Assessment sub-committee decides to take no further action on the complaint, you will be informed and will have the opportunity to seek a review of this decision. Where a review is requested the Review Sub-Committee of the Standards Committee (composed of different members of the Standards Committee than those on the Assessment Sub-Committee) will meet and consider the complaint and may decide to ask the Monitoring Officer to investigate, to refer the complaint to the Standards Board for England or to take no further action. Where the sub-committee decides to take no further action then its decision is final. *The review process must be completed within three months of receiving the request for a review.*

Investigating your complaint

Where a complaint is referred to the Monitoring Officer for investigation, then the Monitoring Officer or their deputy will carry out an investigation and produce a report to the Standards Committee. *It is expected that the majority of investigations will be completed with finalised reports within a period of 6 months of being commissioned.*

Complaints referred to the Standards Board for England

In exceptional circumstances, the Assessment Sub-Committee or Review Sub-Committee may decide not to deal with a particular complaint but instead refer it to the Standards Board for England. This would be in the following kinds of circumstances:

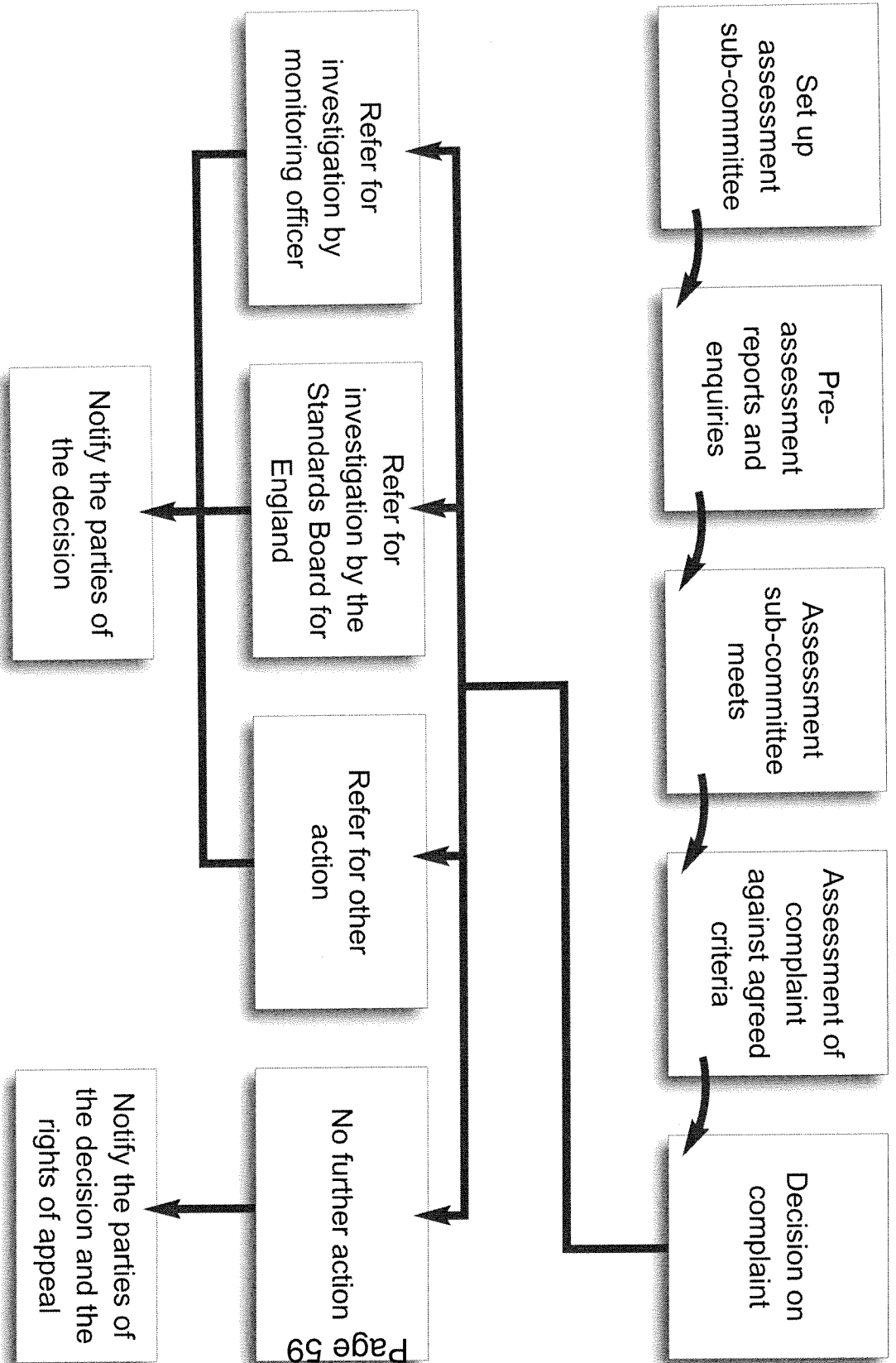
- Where the status of member or numbers of members would make a standards committee investigation particularly difficult
- Where the status of the complainant would make a standards committee investigation particularly difficult
- Where a potential conflict of interest of a large number of Standards Committee members existed
- Where the complaint raised issues so serious or complex that it should not be dealt with locally
- Where public may perceive authority having an interest in the outcome

Considering Investigation Reports

Where the Monitoring Officer report finds that there has been a breach of the Code of Conduct, a meeting of the Hearings Sub-Committee of the Standards Committee will be convened which will hear oral evidence from the parties and will decide whether there has been a breach of the code of conduct and if so what the sanction should be. *The hearing of the complaint must take place within 3 months of the date on which the monitoring officer's report was completed.*

Where the Monitoring Officer's report finds that there has not been a breach of the Code of Conduct then the Standards Committee will meet to consider this finding and decide whether or not it agrees with it. If it agrees then it will make a finding of "no failure to follow the code".

assessment flowchart



Note:

- If at any stage (up until decision) the complainant asks to withdraw their complaint, refer to the guidance.
- If confidentiality is requested by the complainant you may need to amend the notification stages of this process. Please refer to the guidance.

review flowchart

