

ASSESSMENT CRITERIA: ANONYMOUS COMPLAINTS**Report By: Assistant Chief Executive - Legal and Democratic****Wards Affected**

County Wide.

Purpose

1. To consider and agree criteria for dealing with anonymous complaints received about local authority, town and parish councillors.

Financial Implications

2. None arising as a direct result of this report.

Recommendations

3. **THAT:**
 - (a) **The Standards Committee agrees the criteria, as recommended by the Standards Board for England, and set out in this report, for dealing with anonymous complaints about local authority, town and parish councillors, and includes it in the adopted guidance "Assessment and Review Criteria of Herefordshire Council Standards Committee".**

Background

4. The Committee will recall considering a report at its meeting on 04 July, 2008 entitled: "Local Assessment – Initial Handling of Complaints". The Committee agreed to adopt local guidance to be made available to the public, entitled "Assessment and Review Criteria of Herefordshire Standards Committee". This guidance is enclosed at Appendix 1.
5. Paragraph 3 of the guidance gives advice about what sort of complaints can be considered. In addition to this guidance, it is also necessary for the Standards Committee to decide and publish a procedure for dealing with anonymous complaints. It is suggested that this procedure be included with the existing guidance, as an additional paragraph following Paragraph 3.
6. The Standards Board for England (SBE) refers to anonymous complaints on Pages 25 and 26 of its publication: "Local Assessment of Complaints". It states:

Further information on the subject of this report is available from Alan McLaughlin,
Assistant Chief Executive Legal and Democratic Services
on tel: (01432 260200)

“Authorities should publish a statement setting out how complaints received anonymously will be dealt with. The Assessment Sub-Committee may decide that an anonymous complaint should only be referred for investigation or some other action if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter. If so, this needs to be included in the Standards Committee’s assessment criteria.”

7. The SBE guidance appears to imply that the Assessment Sub-Committee should consider anonymous complaints as a matter of course. **The issue to be decided, therefore, is under what circumstances anonymous complaints can be referred for investigation or some other action.**

Reasons

8. To ensure that the Standards Committee and its Sub-Committees have a complete, robust and sound procedure for dealing with all forms of complaints about councillors, which is available to the public.

Risk Management

9. The publication of guidance on anonymous complaints is needed to meet the requirements of Standards Committee (England) Regulations 2008.

Background Papers

Standards Committee Agenda Papers – 4 July 2008

Appendices

Appendix 1 – Assessment and Review Criteria of Herefordshire Council Standards Committee