

Dear [insert name of complainant]

Ref:

I thank you for your letter of [insert date] asking the Standards Sub-Committee (Review) to review the decision of the Standards Sub-Committee (Initial Assessment) in respect of your complaint. The Sub-Committee will now meet to reconsider your complaint, along with any additional information that you may have provided.

As before, you and the Member(s) against whom you have complained will not have the opportunity to attend this meeting, as it is not a public meeting. As required by law, the Member(s) against whom you have complained will be told of your request for a review of the Standards Sub-Committee (Initial Assessment)'s decision.

As before, you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Sub-Committee (Review) can reach one of the following decisions:

- Uphold the decision of the Standards Sub-Committee (Initial Assessment) not to refer your complaint for investigation or other action;
- Overturn the decision of the Standards Sub-Committee (Initial Assessment) and refer your complaint to the Monitoring Officer for investigation (or other action); or
- Overturn the decision of the Standards Sub-Committee (Initial Assessment) and refer your complaint to the Standards Board for England for investigation.

The Standards Sub-Committee (Review) comprises of members who were not on the Standards Sub-Committee (Initial Assessment) and it will make this decision within a maximum of three months of the date we received your review request. You will be informed of the decision in writing.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Andrea McCaskie
Monitoring Officer and Head of Legal & Democratic Services

Dear Councillor [insert name of member]

Ref:

Further to my letter of [insert date], I write to inform you that the complainant has asked for a review of the Standards Sub-Committee (Initial Assessment)'s decision not to investigate the complaint. The request was received on [insert date].

As before, you and the complainant will not have the opportunity to attend this meeting, as it is not a public meeting, and you should take care when acting on this information, as some information in this matter may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Sub-Committee (Review) can reach one of the following decisions:

- Uphold the decision of the Standards Sub-Committee (Initial Assessment) not to refer your complaint for investigation or other action;
- Overturn the decision of the Standards Sub-Committee (Initial Assessment) and refer your complaint to the Monitoring Officer for investigation (or other action); or
- Overturn the decision of the Standards Sub-Committee (Initial Assessment) and refer your complaint to the Standards Board for England for investigation.

The Standards Sub-Committee (Review) comprises of members who were not on the Standards Sub-Committee (Initial Assessment) and it will make this decision within a maximum of three months of the date we received your review request. You will be informed of the decision in writing.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Andrea McCaskie
Monitoring Officer and Head of Legal & Democratic Services

Dear [insert name of complainant]

Ref:

Further to my letter of [insert date] acknowledging your request for the Standards Sub-Committee (Review) to review the handling of your complaint. The Standards Sub-Committee (Review) met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Parties receiving the attached Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

If you have any queries about the process, please do not hesitate to contact me.

Yours sincerely

Andrea McCaskie
Monitoring Officer and Head of Legal & Democratic Services

**CODE OF CONDUCT FOR MEMBERS – DECISION NOTICE:
INITIAL ASSESSMENT – DECISION UPHELD
STANDARDS SUB-COMMITTEE (REVIEW)**

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Sub-Committee (Review) met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Complaint

On [insert date], the Standards Sub-Committee (Initial Assessment) considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of [insert authority/parish council name].

A general summary of the complaint appears below:

[Summarise complaint and Decision of Standards Sub-Committee (Initial Assessment)]

Decision of Standards Sub-Committee (Review)

The Standards Sub-Committee (Review) has resolved to uphold the decision of the Standards Sub-Committee (Initial Assessment) not to take any action on your complaint [add further explanation, if desired].

A copy of this Decision Notice has been sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the parish council, if applicable].

We realise that you may be disappointed with the results of the review. However, this is now the end of the process and there is no further right of appeal to the Council against this decision.

Signed: **Date:**

Chairman of the Standards Sub-Committee (Review)

c/o Andrea McCaskie
Monitoring Officer
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire DE11 0AH

Tel: 01283 595831
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CODE OF CONDUCT FOR MEMBERS – DECISION NOTICE: REFERRAL FOR [INVESTIGATION OR OTHER ACTION (delete as applicable)]

STANDARDS SUB-COMMITTEE (REVIEW)

Reference [insert reference number]

Parties receiving this Decision Notice should take care when acting on this information, as some information in this Decision Notice may be confidential for the purposes of these proceedings and must not be released without first discussing the same with the Monitoring Officer.

The Standards Sub-Committee (Review) met on [insert date] to review your complaint and it has also carefully considered any further information that you might have provided for the review.

Complaint

On [insert date], the Standards Sub-Committee (Initial Assessment) considered a complaint from [name of complainant] concerning the alleged conduct of [name of member], a member of [insert authority/parish council name].

A general summary of the complaint appears below:

[Summarise complaint and Decision of Standards Sub-Committee (Initial Assessment)]

Decision of Standards Sub-Committee (Review)

It was resolved to refer the allegation [delete those which do not apply: for investigation by the Monitoring Officer / for investigation by the Standards Board for England / to the Monitoring Officer for other action (include details of other action proposed)].

Potential breaches of the Code of Conduct identified

The Standards Sub-Committee (Review) has identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct. [for investigations only: The investigator will actually determine which paragraphs are relevant during the course of the investigation and which paragraphs may have been breached.]

[Delete those which do not apply]

- failing to treat others with respect
- acting in a way that may cause the authority to breach an equality enactment
- bullying
- intimidating, or attempting to intimidate a person involved in an allegation against you
- compromising the impartiality of those who work for, or on behalf of, the authority
- disclosing confidential information

[Delete those which do not apply]

- bringing an office or authority into disrepute
- using your position as a member improperly to confer or secure an advantage or disadvantage
- not using the resources of the authority in accordance with their requirements
- disregarding advice when reaching decisions
- failing to give reasons for decisions
- failing to declare a personal or prejudicial interest
- having a prejudicial interest and failing to act appropriately
- failing to register interests

A copy of this notice has been sent to the person or persons making the allegation, the member against whom the allegation was made [and the clerk to the parish council, if applicable].

What happens next ?

[Delete those which do not apply]

- Investigation
- Referral to the Standards Board for England for investigation – the Committee has referred the complaint to the Standards Board for England, which will now decide whether to carry out the investigation into this matter. We will write to you again if the Standards Board for England refuses and refers the allegation back to the Standards Committee.
- Other action – [describe to the complainant what, if any, allowance your authority makes for their involvement and/or notification in the other action].

Additional Help

If you need additional support in relation to this or future contact with us, please let the Monitoring Officer know as soon as possible. If you have difficulty reading this notice, we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed: **Date:**

Chairman of the Standards Sub-Committee (Review)

c/o Andrea McCaskie
Monitoring Officer
South Derbyshire District Council
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Swadlincote
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