

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**Standards Committee**

**21<sup>st</sup> July 2008**

**1. LOCAL ASSESSMENT OF COMPLAINTS ASSESSMENT AND REVIEW CRITERIA**

Report of the Monitoring Officer.

**RECOMMENDED**

- 1.1 THAT Members endorse the Local Assessment of Complaints - Assessment and Review Criteria (set out at Appendix 1) and that these be used by the Assessment and Review Sub-Committees in the initial assessment of standards complaints.
- 1.2 THAT the Assessment and Review Criteria be appropriately published and be made available to potential complainants.

**2. PURPOSE OF REPORT**

- 2.1 In order to facilitate and implement the changes required by the Local Government and Public Involvement in Health Act 2007, the Standards Committee (England) Regulations 2008 and the guidance issued by the Standards Board the Standards Committee in considering comprehensive reports at its meetings and taking various decisions in pursuance of its extended duties.
- 2.2 This includes the Standards Committee resolving:

“That the Monitoring Officer further develop and consolidate specific guidance and processes required to facilitate the assessment, review and determination of complaints in accordance with the law, the guidance and toolkit issued by the Standards Board and bring relevant reports to future meetings of the Standards Committee as appropriate.”
- 2.3 The Standards Committee has considered resolving to adopt the assessment criteria suggested in the Standards Board guidance “Local Assessment of Complaints” and that this be made publicly available to potential complainants and others. It further

considered resolving to develop the assessment criteria in the context of local knowledge and experience. The initial criteria is set out at Appendix 1 in a form that can be considered by the Assessment and Review Sub-Committees and can also be made available to the public as appropriate. Appendix 1 also includes the various decision options available to the Sub-Committees.

### 3. **BACKGROUND**

3.1 In order to facilitate and implement the changes required by the Local Government and Public Involvement in Health Act 2007, the Standards Committee (England) Regulations 2008 and the guidance issued by the Standards Board the Standards Committee has considered comprehensive reports and taken various decisions in pursuance of its extended duties.

3.2 This included the Standards Committee resolving:

“That the Monitoring Officer further develop and consolidate specific guidance and processes required to facilitate the assessment, review and determination of complaints in accordance with the law, the guidance and toolkit issued by the Standards Board and bring relevant reports to future meetings of the Standards Committee as appropriate.”

3.3 The Standards Committee has considered adopting the assessment criteria suggested in the Standards Board guidance “Local Assessment of Complaints” and that this be made publicly available to potential complainants and others. It further considered resolving to develop the assessment criteria in the context of local knowledge and experience. The initial criteria is set out at Appendix 1 in a form that can be considered by the Assessment and Review Sub-Committees and can also be made available to the public as appropriate. Appendix 1 also includes the various decision options available to the Sub-Committees. The document is based upon a model produced by Bevan Brittan, Solicitors, which in turn is based on the Standards Board’s guidance.

### 4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an Equality Impact Assessment has not been carried out.

## **5. LEGAL IMPLICATIONS**

- 5.1 The Local Government and Public Involvement in Health Act 2007 and the Standards Committee (England) Regulations 2008 have brought in legislative changes to the ethical framework as initially established by the Local Government Act 2000 and the associated regulations.
- 5.2 The Standards Board is given power by the legislation to issue guidance which the local authorities have to take into account.
- 5.3 The Standards Board is also given a monitoring and regulatory role by the legislation and it is important to implement the changes with due regard to the legislation and guidance. If the Standards Board is not happy with performance at the local level it does have power to take away the additional responsibilities now being given to the authority.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The revised ethical framework is requiring the Monitoring Officer to allocate additional time and resources to the developmental work. In addition, subject to the number of complaints that may be received, investigations and meetings of the relevant Sub-Committees, if necessary, will require further resources.

N SHARMA  
MONITORING OFFICER