

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**Standards Committee**

**21st July 2008**

**1. LOCAL ASSESSMENT OF COMPLAINTS COMPLAINT FORM  
AND INFORMATION FOR POTENTIAL COMPLAINANTS**

Report of the Monitoring Officer.

**RECOMMENDED**

- 1.1 THAT Members consider and endorse, subject to any comments, the Complaint Form and the accompanying Information for Potential Complainants.
- 1.2 THAT Members note the high level procedures to be followed (following receipt of a complaint) as summarised by the Standards Board in their Assessment and Review flowcharts.

**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 has considered comprehensive reports and taken various decisions in pursuance of its extended duties.
- 2.2 This has 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.”
- 2.3 An important part of this work has included the development of the Complaint Form (Appendix 1) and the accompanying Information for Potential Complainants (Appendix 2).
- 2.4 Following receipt of a complaint the stages to be followed are

helpfully summarised in the Assessment and Review flowcharts published by the Standards Board as part of their toolkit (Appendix 3).

### 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 has included the Standards Committee considering 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 An important part of this work has included the development of the Complaint Form (Appendix 1) and the accompanying Information for Potential Complainants (Appendix 2). These have been developed with due regard to the legislation and the guidance and templates produced by the Standards Board.
- 3.4 Following receipt of a complaint the stages to be followed are helpfully summarised in the Assessment and Review flowcharts published by the Standards Board as part of their toolkit (Appendix 3).
- 3.5 The toolkit also contains templates for letters & decision notices which will form the basis of the authority’s letters and decision notices to be used in complaint cases.

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

In preparing this report an initial Equality Impact Assessment is not required and 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 will require further resources.

N SHARMA  
MONITORING OFFICER