

Standards Determination Hearing Panel SC02/89

RECOMMENDATION TO COUNCIL

1. INTRODUCTION

As part of its duties, each Determination Panel of the Standards Committee is asked to form a view as to whether or not lessons could be learned from the complaint it had been considering and to make recommendations as appropriate to Council.

Case SC02/89 involved the allegation by an Officer that a Member had been in breach of the Members' Code of Conduct. The complaint was handled initially under the Member/Officer Protocol and then under the Members' Code of Conduct.

The Determination Panel for this complaint was

Mr R.Lovegrove (Chair), Ms A.Loyd, Ms C.Sykes, Cllr Santry, Cllr Williams.

2. COMMENTS

The Determination Panel was concerned at the fact it took over 2½ years and 3 investigations to bring this matter to finality. This caused additional expense to the Authority and prolonged stress for both the Complainant and the Member.

When an Officer enters a complaint against a Member there are two avenues open: as a alleged breach of the Member/Officer Protocol or as an alleged breach of the Members' Code of Conduct.

The fundamental difference between the two approaches is that complaints about breaches of the Code of Conduct come within the remit of the Standards Committee whereas those concerning the Member/Officer Protocol do not: indeed, the Standards Committee is not usually made aware of the latter.

As a consequence:-

- a) There could be confusion in the minds of Officers (including the Complainant) about which course to follow, or indeed whether to follow one and then (if not successful) the other.
- b) There is no independent monitoring of complaints against the Member/Officer Protocol.

3. RECOMMENDATION

That the current Member/Officer protocol of the LB Haringey be reviewed with particular reference to the issue of officer complaints against Councillors to ensure a transparent and clear direction and an appropriate interface with the Members' Code of Conduct complaints process.