

**LINCOLNSHIRE POLICE AUTHORITY
ETHICAL STANDARDS COMMITTEE
4 MARCH 2010**

SUBJECT		PROTOCOL FOR DEALING WITH COMPLAINTS AGAINST “DUAL HATTED” MEMBERS
REPORT BY	MONITORING OFFICER	
CONTACT OFFICER	JOHN DAVIDSON, MONITORING OFFICER	
	TELEPHONE: (01522) 558022	
SUMMARY AND PURPOSE OF REPORT		
To seek approval of a draft Protocol for dealing with complaints against “dual hatted” members and associated Guidance.		
RECOMMENDATION	To approve with or without amendments the draft Protocol and Guidance.	

A. SUPPORTING INFORMATION

1. BACKGROUND

- 1.1 As Members may recall, the network of Chairmen of Standards Committees in Lincolnshire agreed the need for a Protocol on dealing with complaints against individuals who are members of more than one Authority, usually referred to as “dual hatted” members.
- 1.2 The Chairman’s network considered a draft Protocol at its meeting on 15 December 2009 and approved it for circulation to all principal authorities in Lincolnshire.
- 1.3 Certain Authorities have now considered the draft and amendments have been put forward. The amendments were considered by the Lincolnshire Monitoring Officer’s Group on 28 January and were felt to be non-contentious.
- 1.4 The draft attached to this Report incorporates the amendments made so far and subject to any comments Members may have is now recommended for approval. Other amendments may be put forward by authorities who have yet to consider the draft. If any amendments of substance are suggested it may be necessary to circulate a revised draft for approval in due course.
- 1.5 The Monitoring Officer’s Group also considered that as standards for England’s advice on “dual hatted” membership had been withdrawn there might be merit in introducing locally adopted guidance on the implications of the Code of Conduct for “dual hatted” members. The attached draft Guidance Note is put forward for Member’s consideration.

B. FINANCIAL CONSIDERATIONS

None specific.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

The Protocol is intended to assist all Authorities in handling complaints against “dual hatted” members in accordance with their statutory duties under the Local Government Act 2000 as amended.

The draft Guidance being promulgated as part of the Ethical Standards Committee’s remit to advise and assist members in complying with the Code of Conduct.

D. PERSONNEL, EQUAL OPPORTUNITIES AND DIVERSITY ISSUES

(including any impact or issues relating to Children and Young People under the Every Child Matters (ECM) framework.)

None specific.

E. REVIEW ARRANGEMENTS

The Protocol and Guidance will be reviewed in the light of experience and in any event not later than 3 years from the date of adoption.

F. RISK MANAGEMENT

Members’ failure to comply with the Code of Conduct can put the Authority’s reputation at risk. The Guidance is intended to assist in avoiding possible breaches. The Protocol is intended to ensure that any complaints are properly dealt with.

G. LIST OF BACKGROUND PAPERS

Date	Description	File
	None	