



INVESTIGATIONS PROCESS

CASES REFERRED TO THE MONITORING OFFICER FOR INVESTIGATION

1. The Monitoring Officer will appoint an Investigating Officer who may be an officer of the Council or an external investigating officer. The Investigating Officer may appoint persons to assist him/her in the conduct of the investigation, and may obtain such professional advice as may be necessary. The Monitoring Officer will advise the Subject Member and the Complainant of the appointment in the Decision Notice and the Investigating Officer will then make contact with them. The appointment will set out the responsibilities delegated by the Monitoring Officer to the Investigating Officer. The Monitoring Officer will maintain the function of overseeing the investigation.
2. In carrying out the investigation, the Investigating Officer shall have regard to any relevant guidance issued by the Standards Board, and shall comply with any relevant direction given by the Standards Board.
3. The Investigating Officer may make such enquiries as he/she thinks necessary or expedient for the purposes of conducting the investigation. He/she may require any person to give such information or explanation as the Investigating Officer thinks necessary or expedient for the purpose of conducting the investigation. The Investigating Officer may require any of the relevant authorities concerned to provide such advice and assistance as may reasonably be needed to assist in the investigation and to provide reasonable access to such documents, in the possession of that authority, as appear to the Investigating Officer to be necessary for the purpose of conducting the investigation.
4. Statements will be prepared and agreed with each person interviewed during an investigation, including the Subject Member. The Subject Member will be advised that he/she may be accompanied by a professional representative or advisor, a Group colleague or friend during the interview. Any other person interviewed may be accompanied by a friend or representative if they so wish.

5. The Investigating Officer will complete the investigation within a reasonable period of time according to the nature of the complaint and the extent of the investigation required.
6. Where during the course of the investigation
 - as a result of new evidence or information, the Investigating Officer forms an opinion that the matter is materially more serious or materially less serious than may have seemed apparent to the Assessment Sub-Committee, when it made its decision to refer the matter for investigation, and that it would have made a different decision had it been aware of the new evidence or information;
 - the Subject Member has died, is seriously ill or has resigned from the Authority concerned, and the Investigating Officer is of the opinion that in the circumstances it is no longer appropriate to continue with the investigation;then the matter shall be referred to a new Assessment Sub-Committee. The Assessment Sub-Committee shall consider the matter as if it were a new allegation.
7. The Investigating Officer, having concluded the investigation, will consider whether to produce a draft report before the final report. A draft report may be appropriate where the facts are complex or ambiguous, or where the facts are disputed. Any draft report will be issued to the Subject Member and the Complainant for review and comment, and will indicate that it does not necessarily represent the Investigating Officer's final finding. If the Investigating Officer issues a draft report, he/she will consider whether the responses reveal a need for further investigation or for changes to the report. In some complex cases, the Investigating Officer may wish to issue a second draft report before the final report is issued.
8. The Standards Board recommend that most investigations are carried out, and a report on the investigation completed, within 6 months of the original complaint being assessed by the initial Assessment Sub-Committee.