

SC/008/10

Committee Standards Committee

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Policy in relation to age of the complaints that will be entertained by the Committee

1. Purpose of the Report

The purpose of the report is to inform a debate about the policy that ought to be adopted in relation to complaints where they relate to events that are considerably in the past.

2. Background

The assessment sub-committee has had cause to consider issues that surround the elapse of time between events complained of and the making of the complaint. In order to assess a complaint the sub-committee is already obliged to consider whether the complaint is about something that happened so long ago that there would be little benefit in taking action now. After some debate it was decided that it would be useful to have a discussion in the Standards Committee and to arrive at an amplification of this statement to assist decision making in the future.

3. Proposal

It is proposed that a brief statement be agreed that sets out the approach that the Assessment Sub-Committee will take in the future to the assessment of complaints where there has been a significant elapse of time since the matters complained of. It is suggested that the sub-committee might be minded to consider the following criteria in assessing such a complaint

- the time that has elapsed since the alleged conduct occurred
- the seriousness of the alleged conduct
- the benefit that would accrue either to the standards regime or to the complainant in taking action
- the extent to which any evidenced might be compromised by the elapse of time

4. Recommendation

That a paragraph of amplified guidance be drafted following the debate and added to the policies that the Standards Committee uses in assessing complaints