

**LIBERAL DEMOCRATS:
INDEPENDENT COMPLAINTS PROCESS
VERSION 17/03/2024**

This Complaints Process is an Inquisitorial Process.

Mission Statement

“Providing fair, independent and efficient resolution of Complaints against Liberal Democrat party members in line with the party’s constitutions, rules and values.”

Contents

PART 1: Complaints Process Rules	4
1. Making and recording a Complaint	4
2. Initial Steps to a Complaint	5
3. Dismissal	5
4. More information needed	6
5. Interim Suspension (without prejudice)	6
6. Complaints Panel	7
<i>Panel Appointments</i>	7
<i>Respondent's evidence and opportunity to make a Counter-Complaint</i>	7
<i>Complaints Panel meeting on the written submissions</i>	8
<i>Appointment of an Investigator</i>	8
<i>Request for Expert Evidence</i>	9
<i>Complaints Panel Hearings</i>	9
<i>Complaints Panel Decisions</i>	10
7. Appeals (Disciplinary Appeals Panel)	10
PART 2: Supplementary Processes	12
1. Complaints against Party staff	12
2. Complaints against Parliamentarians and other elected representatives	13
3. Complaints against elected councillors	13
4. Investigation of Complaints by other regulatory or disciplinary bodies	15
5. Investigation of Complaints by Party bodies	15
6. Criminal matters	16
<i>Reporting</i>	16
6.1. Any person who believes a crime may have been committed should report it to the police	16
<i>End of Police investigation</i>	16
<i>Interim Suspension, in the case of alleged criminal behaviour</i>	17
<i>Conviction for a serious offence</i>	17
7. Data protection and electoral law	17
PART 3: Guidance and explanatory notes	18
1. Anonymity	18
2. Confidentiality	18
3. Evidence	20
4. Timelines, Extensions and Postponements	20

5.	Representation	21
6.	Process Mentors.....	21
7.	Resignation of parties to the Complaint	22
8.	Patterns of behaviour.....	23
	<i>Previous Complaints</i>	23
9.	Warnings	23
10.	Vexatious Complaints	23
11.	Sanctions.....	24
	<i>What is a sanction?</i>	24
	<i>The effect of Appealing on sanctions</i>	25
12.	Informal Resolution.....	25
PART 4: Administration		26
1.	Amendments to this Complaints Process.....	26
2.	Reports to conference	26
PART 5: Glossary		28
	Adjudicator	28
	Anonymity	28
	Appeal.....	28
	Appellant	28
	Bringing the Party into Disrepute	28
	Complainant	28
	Complaint	29
	Complaints Panel	29
	Complaints Panel Hearing	29
	Complaints Process.....	29
	Confidentiality.....	29
	Council Group	29
	Counter-Complaint	29
	Decision Notice	29
	Disciplinary Appeals Panel	30
	Disciplinary Sub Group (DSG)	30
	Expert Evidence	30
	Inquisitorial Process	30
	Investigator.....	30
	Lead Adjudicator (LA).....	31
	Nominated Person.....	31

Panel Chair.....	31
Procedure Notice.....	31
Senior Adjudicators' Team (SAT)	31
Process Mentor	32
Respondent.....	32
Standards Office.....	32
Suspension Notice.....	33
Warning.....	33
Working Days.....	33

PART 1: Complaints Process Rules

This is the Complaints Process **agreed by the Federal Board and reported to** the Federal Conference of the Liberal Democrats (“**the Party**”). The way to amend it is set out in **Part 4 – Administration**. If a word is capitalised, that means it has a definition, which is included in **Part 5 – Glossary**.

1. Making and recording a Complaint

- 1.1. Any person can make a Complaint about a Party member by **providing the information required on the Standard Complaints form**.
 - 1.1.1. **A Nominated Person(s) appointed by the Federal Board, the executive of a State Party or an English Region or by an Associated Organisation may make a Complaint on behalf of the body which has nominated them.**
- 1.2. A Complainant must set out all the evidence **supporting** their allegations **when they submit their Complaint**. **At the discretion of a member of the Senior Adjudicator Team or the relevant Panel, the Complainant may submit** further evidence if it either:
 - A) became available only after the inception of the Complaint; or
 - B) becomes newly relevant to the Complaint in the course of the investigation or in relation to the Respondent's submission.
- 1.3. **A Complaint will not be accepted if it does not fall** within the definition of a ‘Complaint’ under these rules. If a person is not sure whether their Complaint meets the criteria, they may **seek advice via** the Standards Office. Decisions of **a member of the Senior Adjudicator Team** on whether a Complaint meets the criteria or not are final.
- 1.4. The Standards Office:
 - A) will acknowledge all Complaints and send the person making the Complaint access to a copy of these rules; and
 - B) will record all Complaints in a comprehensive Complaint management system, including whether there are any other Complaints against the same Respondent for the same or similar events or conduct; and
 - C) may request further information supporting the Complaint.**
- 1.5. Any written communication about a Complaint sent by any person to an Adjudicator allocated to that Complaint or to the Senior Adjudicators’ Team or to the Standards Office shall be added to the records for that Complaint. Disclosure of information requires adherence to applicable UK GDPR requirements.

2. Initial Steps to a Complaint

- 2.1. The Standards Office will send a list of Complaints received to the Lead Adjudicator **or to member of the Senior Adjudicators' Team** on at least a weekly basis, with a **summary and relevant background information**.
- 2.2. The Lead Adjudicator or a Senior Adjudicator will confirm whether each Complaint received should be:
 - 2.2.1. Dismissed. *See paragraph 3;*
 - 2.2.1.1. **If a Warning is considered appropriate the Respondent will be asked to provide a brief response to the Complaint. The Lead Adjudicator or a Senior Adjudicator will consider the response and decide whether or not to issue a Warning, dismiss the Complaint or progress the Complaint to a Complaints Panel under 2.2.4.**
 - 2.2.2. Sent back to the Complainant to ask for more information. **If sufficient information is provided this process will continue. See paragraph 4**
 - 2.2.3. Sent to the Senior Adjudicators' Team **who will:**
 - 2.2.3.1. **Decide whether to suspend the Respondent's membership of the Party, before proceeding to a Complaints Panel Hearing. See paragraph 5; or**
 - 2.2.3.2. **In exceptional cases, have the option to expel the Respondent for a breach of the Article 3.8 sub-paragraph c. d. or e. of Federal Constitution of the Liberal Democrats or a conviction for a serious criminal offence, providing that sufficient and compelling evidence is submitted to establish the Complaint.**
 - 2.2.4. Sent to a Panel Hearing. *See paragraph 6.*
 - 2.2.5. **In certain circumstances a Complaint may proceed in part. This would be in a case where there are multiple issues which need to be addressed separately in order to provide a fair outcome. See paragraph 6.**

The Standards Office will inform the parties to the Complaint of the Lead Adjudicator's or Senior Adjudicator's decision.

3. Dismissal

- 3.1. The Complainant **and/or Respondent** can Appeal **a decision under paragraph 2.2.1** in writing within **ten (10) Working Days** of receiving notice from the Standards Office of the decision to dismiss their Complaint.
- 3.2. This Appeal will be considered by the **Disciplinary Appeals Panel** at their next meeting **and dealt with under paragraph 7.**

4. More information needed

- 4.1. The Standards Office, on behalf of the Lead Adjudicator or a member of the Senior Adjudicators' Team, may ask the Complainant to provide further information and evidence to support the Complaint. If the Standards Office does not receive this within ten (10) Working Days of asking, the Complaint will be closed. Extensions will only be granted in exceptional circumstances by the Lead Adjudicator or by a member of the Senior Adjudicators' Team. If further information is received the matter will then be reconsidered under Paragraph 2.

5. Interim Suspension (without prejudice)

- 5.1. The Senior Adjudicators' Team may consider and decide whether to suspend a person's membership on an interim basis ('Interim Suspension') in situations where if the allegations were to be proven, other members may need protection from such behaviour or a member's actions may lower the reputation of the Party in the mind of a reasonable bystander. 'Interim Suspension' can be considered and imposed by the Senior Adjudicators' Team following the submission of a Complaint or at any other time during the disciplinary process if they consider it appropriate.
 - 5.1.1. The act of 'Interim Suspension' is a neutral act to protect the Party's reputation during the time a Complaint is open. It does not imply that a Respondent is guilty of the allegations raised in a Complaint.
 - 5.1.2. The Senior Adjudicators' Team will take into account the relevant articles of the Federal Constitution and, if applicable, the Constitution of the relevant State Party or Associated Organisations (AOs) and the members' code of conduct when making their decision. They may take into consideration any other material which they consider to be relevant.
 - 5.1.3. Where a Complaint has been submitted by a Nominated Person(s) of the party according to 1.1.1, the Senior Adjudicators' Team will consider, if requested, an emergency 'Interim Suspension' decision, where there appears to be an immediate political risk to the Party or the wellbeing and safety of its members.
- 5.2. The Senior Adjudicators' Team has discretion to vary the rules regarding notifying a Respondent of a Complaint. In order to seek clarification to aid the decision-making process, the Senior Adjudicators' Team may contact parties to the Complaint at any time during the process.
- 5.3. If the Senior Adjudicators' Team decide to suspend a Respondent's membership the 'Interim Suspension' will be effective immediately, or in exceptional circumstances, after receipt of information requested of the Respondent.

- 5.4. The Senior Adjudicators' Team will ask the Standards Office to inform all affected parties of the 'Interim Suspension'.
 - 5.4.1. This could include the suspended person's local, regional and state parties; Party Headquarters including the press and membership teams; and where known any relevant candidates' chairs and administrators of online forums and groups.
 - 5.4.2. If they are an elected councillor, their Council Group and Association of Liberal Democrat Councillors and Campaigners (ALDC) will be informed, as will the appropriate party groups on the Local Government Association (LGA), Welsh Local Government Association (WLGA) and Convention of Scottish Local Authorities (COSLA).
 - 5.4.3. This list is not exhaustive, and a decision will be made on a case-by-case basis as to what is considered necessary.
- 5.5. The decision to suspend can be reviewed by the Senior Adjudicators' Team at any point after it has been taken. The 'Interim Suspension' shall automatically be lifted only when the Complaints Process and any Appeals have been fully concluded. Those previously notified of the suspension will be notified of any change.

6. Complaints Panel

Panel Appointments

- 6.1. The Lead Adjudicator or Senior Adjudicator shall identify and appoint three Adjudicators to sit on a Complaints Panel.

Respondent's evidence and opportunity to make a Counter-Complaint

- 6.2. The Respondent will be given ten (10) Working Days from the day they are informed that the Complaint is being sent to a Complaints Panel to send the Standards Office a written response and produce any evidence of their own, and, if they choose to, to make a Counter-Complaint.
- 6.3. If the Respondent opts to make a Counter-Complaint about the Complainant, this should be labelled clearly and included in their full written submission when responding to allegations raised. This Counter-Complaint will be considered by the same Complaints Panel at the same time as the initial Complaint. The original Complainant will have ten (10) Working Days to respond to the Counter-Complaint in writing. Both the Counter-Complaint and the response to the Counter-Complaint should include all evidence the parties intend to rely on.

Complaints Panel meeting on the written submissions

- 6.4. Once the deadline for all submissions has expired, the **Complaints** Panel will hold a meeting to review the Complaint(s), any Counter-Complaint(s), responses and evidence.
- 6.5. After considering **all relevant documents**, the **Complaints** Panel will decide whether to:
 - A) Dismiss the Complaint(s) **and / or** Counter-Complaint(s) on the basis of the written evidence only.
 - B) Ask the Senior Adjudicators' Team to appoint an Investigator and supply the terms of reference for their investigation. *See paragraph 6.6*
 - C) Ask the Senior Adjudicators' Team to appoint an expert, who will provide an opinion on matters raised in the Complaint, such as constitutional information or legal advice, to support the Complaints Panel's consideration of the Complaint. *See Paragraph 6.8*
 - D) Uphold the Complaint(s) **and / or** Counter-Complaint(s) and issue a Warning on the basis of the written evidence only in circumstances where a Warning is considered appropriate, and the Respondent has replied.
 - E) Uphold the Complaint(s) **and / or** Counter-Complaint(s) on the basis of the written evidence only in circumstances where there **are** evidenced breach(es) of Articles 3.8(c) and / or 3.8(d) **and / or** 3.8(e) of the Federal Constitution.
 - F) Hold a Hearing, in which case they should set a hearing date at least **ten (10) Working** Days in the future.

If the Complaint is dismissed, the Complaints Panel will set out its reasoning in full in writing and this will be shared with all parties. The Respondent and Complainant have a right to Appeal this decision within five (5) Working Days of receiving notice of the dismissal. Any Appeal shall be heard by the Disciplinary Appeals Panel at their next meeting. *See section 7.*

The Standards Office shall tell all parties to the Complaint of the Complaints Panel's decision rationale and sanction (if applicable in the case of an **upheld** decision) or the hearing date (if any).

Appointment of an Investigator

- 6.6. **The Lead Adjudicator or a Senior Adjudicator may appoint an Investigator.**
 - 6.6.1. **The Complaints Panel may request that the Investigator interviews the Complainant, the Respondent and any witnesses named in the papers, reviews the evidence provided, and produces a report summarising the Complaint(s) and any Counter-Complaint(s) and any evidence**

provided. The Complaints Panel can request specific questions to be asked by the Investigator to support their review of the Complaint.

- 6.7. If an Investigator is appointed, the Investigator's report (and any supporting evidence) will be shared with the **Complaints** Panel for the Complaint to be re-considered under paragraph 6.3.

Request for Expert Evidence

- 6.8. A member of the Senior Adjudicators' Team may provide guidance to Complaints Panels on whether they might need to take Expert Evidence to assist with their deliberations. The Expert Evidence may be provided by another member of the SAT or by an expert identified by the SAT.
 - 6.8.1. The Lead Adjudicator or a Senior Adjudicator may appoint an Expert.
 - 6.8.2. If the Complaints Panel schedules a Panel Hearing, any Expert Evidence will be discussed with the parties to the Complaint during the Panel Hearing. The person that provided the Expert Evidence may be invited by the Complaints Panel to attend the Panel Hearing if one is scheduled.
 - 6.8.3. If the Complaints Panel determine the Complaint based on the written submissions only (under paragraph 6.5A), the Expert Evidence may be incorporated into their Decision Notice.

Complaints Panel Hearings

- 6.9. The Complaints Panel will provide the Standards Office with a Procedure Notice to be distributed to parties invited to attend the Complaints Panel Hearing. This will include a Running Order outlining the structure of the Hearing. This will be distributed no later than ten (10) Working Days in advance of the Hearing date.
- 6.10. If a Complainant or Respondent wants the Complaints Panel to ask any questions of the other parties or witnesses, they should submit these in writing no **fewer** than **four (4) Working Days** before the **Complaints** Panel Hearing.
- 6.11. If a Complainant or Respondent asks for extra support at a **Complaints** Panel Hearing, the **Complaints** Panel shall consider any support requested and apply the Party's safeguarding procedures where appropriate. If a Complainant or Respondent wants to bring a person with them to the **Complaints** Panel Hearing to provide emotional support they may do so as long as that supporter is a member of the Party **and their name is given to the Standards Office four (4) Working Days** in advance of the hearing. If the Complainant or Respondent wish to bring a non-Party member they may request this no later than **four (4) Working Days** in advance of any hearing, identifying the person and any political affiliations they may have. The Complaints Panel will consider the request and make a decision in advance of the hearing.

- 6.11.1. If a member needs additional assistance to enable them to participate fairly in the process, the Lead Adjudicator or a Senior Adjudicator may appoint an appropriate person to provide the necessary assistance. The request for support must be made within four (4) Working Days of receiving the hearing notice.
- 6.12. At the **Complaints Panel Hearing** the **Complaints Panel** members will ask questions of both parties and any witnesses **permitted to attend the Complaints Panel Hearing by the Complaints Panel** and allow the Complainant and Respondent to explain their position, set out their evidence, and respond to each other's statements **and any statements made by witnesses**.
- 6.13. **Fresh information and new grounds of Complaint or defence cannot be introduced at the hearing without all parties (including any expert appointed) having a reasonable opportunity to assess and respond to it.**

Complaints Panel Decisions

- 6.14. Once the Complaints Panel Hearing **and any related hearings** has/have finished, the Complaints Panel should decide whether to uphold the Complaint, including full written reasoning and any sanctions that apply, within **twenty (20) Working Days**.
- 6.15. The Standards Office will send the Complainant and Respondent copies of the **Complaints Panel's** decision promptly and may publish **Complaints Panel** decisions, reasoning and sanctions as necessary.
- 6.16. **Following the decision of the Complaints Panel**, the Respondent and/or the Complainant may notify the Standards Officer that they intend to Appeal within ten **(10) Working Days** of receiving the **Complaints Panel's** decision. **At the same time, they must give the grounds for their Appeal and the evidence they intend to rely upon.**
- 6.17. Any Adjudicator involved in the consideration or investigation of the Complaint will be notified of the outcome at the expiry of the deadline for appealing the **Complaints Panel Decision** or at the conclusion of any submitted Appeal.

7. Appeals (Disciplinary Appeals Panel)

An Appeal is a request to review a decision which may be unsafe due to specific grounds set out in paragraph 7.2 below.

An Appeal is not an opportunity for an unsuccessful party to disagree with the Complaints Panel's decision if the unsuccessful party has had a fair opportunity to present their case and their evidence.

The decisions of the Disciplinary Appeals Panel will be final within this Complaints Process.

- 7.1. A Disciplinary Appeals Panel of three Adjudicators will be appointed by the Lead Adjudicator or Senior Adjudicator to consider Appeals made in writing against Complaints Process decisions made under part 1 paragraphs 2.2.1, 6.5(A), 6.5(D) and 6.14. All parties to the Complaint should be notified immediately when the Appeal is submitted.
- 7.1.1. The Standards Office will provide access to all documents and relevant information, including any electronic/digital recording of the Complaints Panel Hearing, to the Disciplinary Appeals Panel when appointed by the Lead Adjudicator or Senior Adjudicator.
- 7.2. The Disciplinary Appeals Panel will consider all the evidence previously submitted to a Complaints Panel in relation to the Complaint and decide whether there are any grounds that:
- A) the decision is one that no reasonable decision-making body would have reached on the available evidence; or
 - B) compromised by some serious failing (e.g. an unfair procedure); or
 - C) is subsequently called into question by evidence that could not have reasonably been provided at the time of the hearing; or
 - D) the Panel applied a disproportionate sanction.
- 7.3. The Disciplinary Appeals Panel will consider requests for an attended Appeal hearing, if requested, and it is in their discretion to allow attendance at an Appeal hearing.
- 7.4. If the Disciplinary Appeals Panel decides one or more of these criteria are met, they may:
- A) amend the Complaint Panel's decision; or
 - B) return it to a new Complaints Panel, with alternative panellists, for reconsideration.
- If the Disciplinary Appeals Panel overturns a decision under part 1 paragraphs 2.2.1, it will set out in writing its reasoning and whether the Complaint should be dealt with under paragraph 2.2.1.1, 2.2.4 or 2.2.5 instead.
- 7.5. The Disciplinary Appeals Panel will set out their decisions in writing within twenty (20) Working Days of meeting to consider the Appeal.
- 7.6. The Standards Office will send the Complainant and Respondent copies of the Disciplinary Appeals Panel's decision promptly and may publish Disciplinary Appeals Panel decisions, reasoning and sanctions as necessary.

PART 2: Supplementary Processes

This section outlines some additional processes which may apply to a Complaint. Should any supplementary process be required, the Complaint submitted will normally be paused under **Part 1 - Complaints Process Rules** until the conclusion of the relevant Supplementary Process.

On the conclusion of any of these supplementary processes, the Senior Adjudicators' Team will review the outcome from the relevant process. They have the right to continue the Complaint or to make the decision to conclude the Complaint without returning to the relevant stage of **Part 1 - Complaints Process Rules**.

1. Complaints against Party staff

- 1.1. Where any Complaint is made about the conduct of a member of the Liberal Democrats who is employed in any capacity by the Party or any Party body (including, but not limited to the Federal Party, or any State Party), the Standards Office shall refer the Complaint to the relevant employer. That employer shall decide whether the Complaint about the Respondent relates to events taking place, or their conduct when acting, in the course of their employment.
- 1.2. If it is agreed that the allegation(s) raised relate to an employment matter, the Complaint will be paused.
- 1.3. In exceptional circumstances, the Senior Adjudicators' Team may decide that the Complaint may also be dealt with under the Complaints Process Rules at the same time as the relevant employment handles the allegation(s) under their process.
- 1.4. The Senior Adjudicators' Team may issue an Interim Suspension of the Respondent's Party membership, as described in the Complaints Procedures Rules, pending the outcome of the Complaint and / or employment process.
- 1.5. The Head of Human Resources, or the appropriate person in the relevant party body, shall:
 - A) inform the Standards Office as soon as is practical that their process has concluded;
 - B) recommend to the Senior Adjudicators' Team whether or not a review of the Respondent's rights as a member should be considered under the Complaint Process Rules.

2. Complaints against Parliamentarians and other elected representatives

- 2.1. If a Complaint is made about a Parliamentarian or Greater London Assembly member, the Chief Whip (or nearest equivalent), and the Respondent will be notified by the Standards Office of the Complaint. This will be after the Lead Adjudicator, or a member of the Senior Adjudicators' Team, has determined whether the Complaint should be progressed through this Complaints Process or should be dismissed. If the Complaint is sent to the Chief Whip (or equivalent), the case will be paused or may proceed in part.
 - 2.1.1. If the Respondent is considered to have not been acting in their role as a Parliamentarian or elected representative, by the Chief Whip (or equivalent), they shall inform the Standards Office of their outcome and rationale within ten (10) Working Days of being notified of the allegation(s) and the Complaint shall be dealt with under this Complaints Process Part 1.
 - 2.1.2. If the Respondent is considered to have been acting in their role as a Parliamentarian or elected representative, the Chief Whip (or equivalent), shall apply their standing orders or procedures first before this Complaints Process Part 1 applies (subject to paragraph 2.2).
- 2.2. Three months after any such referral the Standards Office shall write to the relevant body to request a report as to the progress of the investigation and, if a final decision has been made, request:
 - A) a report of the findings of the investigation
 - B) the final decision reached within their own procedure
 - C) a recommendation as to any additional sanction to be applied under this Complaints Process.

The Standards Office shall then report any response to the Senior Adjudicators' Team who will make any necessary directions.

3. Complaints against elected councillors

- 3.1. If a Complaint is made against a Liberal Democrat member who is elected to a post in Local Government
 - 3.1.1. The Lead Adjudicator, or a member of the Senior Adjudicators' Team, will determine whether the Complaint should be progressed through this Complaints Process or should be dismissed.
 - 3.1.2. If a Complaint is made about a Liberal Democrat councillor, an appropriate member of any Liberal Democrat Council Group they belong to will be notified by the Standards Office of the Complaint.

- 3.1.3. The Standards Office may ask ALDC or the Liberal Democrat Group at the LGA, WLGA or COSLA for suitable contact details for the Group and will avoid contacting the group solely via either the Complainant or the respondent.
- 3.1.4. If the Respondent is not a member of a Liberal Democrat Group on the relevant Council, the Complaint will proceed under this Complaints Process without reference to any Liberal Democrat Group on that Council.
- 3.2. If a Complaint is accepted the Respondent will be notified of the Complaint and if the Complaint is to progress, they will be given the opportunity to respond to the allegations raised in the Complaint form.
- 3.3. When the Council Group is notified of the Complaint, they will be asked to send in a statement which will be used in evidence during the Complaints Process. The statement must be provided within ten (10) Working Days.
 - 3.3.1. The statement should cover everything the Group deems relevant, including whether the matter has been referred to the local authority's Standards process and what the result of that was, if it is known.
 - 3.3.2. The statement may also include the group's view on what they would like to see as the outcome of the Complaint, but this Complaints Process is not bound by any recommendation.
 - 3.3.3. The Complaint will at all times be considered under the Federal Complaints Process. The Council Group is not expected to investigate the matters raised within the Complaint form.
 - 3.3.4. For clarity, Council Groups may continue with internal disciplinary processes on matters that fall within the remit of the Group and may also make Complaints to the Party's independent Complaints system, if they feel it is necessary.
- 3.4. The Council Group will be notified of the outcome of the Complaint. If a sanction is applied which affects the Respondent's ability to continue sitting as a Liberal Democrat councillor, the Local Party, ALDC, the Liberal Democrat Group on COSLA or WLGA, and the Liberal Democrat Group at the LGA, will also be notified of the outcome.
- 3.5. If at any stage the Respondent is suspended from the Party while the Complaint is being considered, the Local Party, the Council Group, ALDC, the Liberal Democrat Group on COSLA or WLGA and the Liberal Democrat Group at the LGA, will be notified as quickly as possible. They will all also be notified if the suspension is lifted.
- 3.6. The Council Group will be notified in the event of an Appeal and invited to submit a statement.

- 3.6.1. The deadline provided to the Council Group to submit a statement will be the same deadline as those given to the parties to the Appeal.
- 3.6.2. Notification of the outcome of an Appeal will follow paragraph 3.4 above.

4. Investigation of Complaints by other regulatory or disciplinary bodies

- 4.1. If, at any point during the Complaints Process, the Senior Adjudicators' Team is made aware that a regulatory or disciplinary body is also investigating the event or conduct giving rise to a Complaint, they may decide to pause the case as a whole or part of a Complaint.
 - 4.1.1. When that body has completed its investigation, the Senior Adjudicators' Team will review that decision. They will then decide how to progress the Complaint in whole or in part.

5. Investigation of Complaints by Party bodies

- 5.1. If a Complaint is received from a Party body, via a Nominated Person as outlined in paragraph 1.1.1 of the Complaints Process Rules, it will be expected that the Nominated Person will remain the same throughout the consideration of that Complaint.
 - 5.1.1. The Nominated Person from a Party body will be expected to be the one point of contact for the Standards Office for the duration of the Complaints Process, including any Appeal.
 - 5.1.1.1. On occasion, Party bodies may need to change the Nominated Person appointed to handle a Complaint on their behalf and if this is the case, the Standards Office will ensure that the relevant Nominated Person is kept up to date.
 - 5.1.1.2. The Nominated Person will be responsible for providing any and all submissions the Party body is expected to rely upon during the Complaints Process. The Standards Office will not accept submissions from another member of the Party body.
 - 5.1.2. The Nominated Person will be expected to maintain Confidentiality through the Complaints Process and not widely discuss the Complaint with other members of the Party body, subject to the Confidentiality section in **Part 3 - Guidance and explanatory notes**.
- 5.2. If, at any point during the Complaints Process, it becomes clear that another Party body is best placed to consider the allegation(s) raised by a Complainant, the Senior Adjudicators' Team may decide to pause the case until the conclusion of that Party body's standing orders or procedures.

6. Criminal matters

Reporting

- 6.1. Any person who believes a crime may have been committed should report it to the police.
- 6.2. Where the Lead Adjudicator or Senior Adjudicators' Team suspects a crime may have been committed but it has been reported using the standard Complaints form, the Standards Office shall report it to the appropriate or relevant senior members of HQ staff. In order to comply with the Party's duty to its members and to members of the public, **the member of HQ staff shall make sure that it is reported to the police. This should also be recorded on that Respondent's Membership Records until the matter is concluded.**
- 6.3. Where senior members of HQ staff intend to report a suspected crime to the police, they should seek the consent of the Complainant and, if different, the victim, to disclose full details of the allegation to the police. If the Complainant and/or victim does not consent, the **relevant members of staff, including a representative from the HR department**, shall provide a limited report to the police which covers the nature of the allegation, the identity of the Respondent, and the identity of the alleged victim. The relevant member of HQ staff will not share this information with the Respondent and does not need the consent of the Respondent to make a report to the police.
 - 6.3.1. **Once a report has been made to the police, the Complaint will be paused until reviewed by the Senior Adjudicator Team.**
- 6.4. The Party will not investigate such allegations while a police investigation is ongoing. For the avoidance of doubt, where the police fail to confirm under paragraph 6.5 the Party will deem any police investigation to have concluded. **A Complaints Panel may consider other Complaints, or part of a Complaint against the same Respondent, which are, in themselves, not criminal.**

Police failure to confirm

- 6.5. If the police do not confirm to the Party whether or not they are taking action within 6 months from the date a report is made to them, then the Standards Office shall contact them to request confirmation. If the police do not confirm within 1 month of the Standards Office's request, the **Senior Adjudicator Team may decide that the matter progresses. The Complaints Panel appointed shall take Expert advice as to how they should proceed.**

End of Police investigation

- 6.6. If the police inform the Party that conduct reported to them is not criminal or that their investigation has concluded without charge, the Party **may** consider the Complaint under this Complaints Process.

Interim Suspension, in the case of alleged criminal behaviour

- 6.7. In instances where a member has been accused of criminal behaviour, the Senior Adjudicators' Team shall determine whether or not to suspend the member pending the outcome of any police investigation **and until the conclusion of the Complaints Process.**
- 6.8. The Senior Adjudicators' Team **may** review any such suspension **from time to time, until any criminal case is determined.**

Conviction for a serious offence

- 6.9. Where a Complaint has been made and the member has been convicted of a **serious** criminal offence relating to the event or behaviour giving rise to the Complaint, the Senior Adjudicators' Team shall have the right to expel the member immediately on confirmation of a conviction or refer it to a Panel hearing.
 - 6.9.1. Where the member has evidenced to the Standards Office that they have appealed against such conviction to the relevant higher courts, the Senior Adjudicators' Team may decide to wait to make their determination until such Appeal is concluded. In this case, if the member is suspended, they shall remain suspended until such Appeal is concluded and the Senior Adjudicators' Team may also decide to suspend them at any point during this process.

7. Data protection and electoral law

- 7.1. If a Complaint relates to data protection law or electoral law, **the Standards Office shall** inform the Head of Compliance and/or the Party's Data Protection Officers of the Complaint in order to ensure compliance by the Party with electoral law, including PPERA, and/or data protection law, including GDPR.
- 7.2. **The Complaint may be paused by the Senior Adjudicators' Team or in certain circumstances may proceed in part, if there are other issues in the Complaint that they believe need to be addressed urgently.**
- 7.3. **The relevant senior member of Party staff will determine if there has been a breach of Data Protection or Electoral Law, on the evidence provided to them. They shall report their decision in writing to the Standards Office and the Senior Adjudicators' Team within twenty (20) Working Days. The Senior Adjudicators' Team will then determine whether the Complaint should proceed or be dismissed.**

PART 3: Guidance and explanatory notes

This section is intended to help people involved in Complaints to understand the rules set out in **Part 1 – Complaints Process Rules**. If there is a conflict between any part of this section and any part of Part 1, then Part 1 will take precedence.

1. Anonymity

In exceptional circumstances, some Complainants and witnesses may ask to remain anonymous – by this we mean they want personal or identifying information about them not to be shared with other parties to the Complaint. People will always be required to give their name and contact details to the Party or the Complaint cannot be accepted by the Standards Office.

The Senior Adjudicators' Team will consider a request for Anonymity on the grounds that the person raising the request is concerned about their personal safety, their privacy or their job and employment prospects. Other grounds may be also considered. The Senior Adjudicators' Team has a duty to properly investigate and balance the request for Anonymity against the need to progress the Complaint on a fair and equitable basis. The Complainant will be informed that it will always be necessary to share some of their details with the Respondent to allow a Complaint to proceed.

If the Senior Adjudicators' Team decide not to grant Anonymity to a Complainant, witness or any other person, they will be given the choice to proceed without Anonymity or to withdraw their Complaint. The Respondent will not be told anything about a Complainant, witness or any other person who decides to withdraw in these circumstances.

In exceptional circumstances, Anonymity may not be granted when the Senior Adjudicators' Team considers that the scope of the Complaint includes an allegation of criminal activity. The Party will report any potentially criminal harassment, bullying activity or intimidation of which it is made aware to the police.

Where any personal or identifying information about any party or witness to a Complaint is shared with any other party or witness, they must keep such information confidential and to respect the privacy of the individuals concerned. The Senior Adjudicators' Team will consider any misuse of this information to harass, bully or intimidate Respondents, Complainants or witnesses as a breach of the Party's Member's Code of Conduct. They will then treat it accordingly.

2. Confidentiality

The Complaints Process needs to be as transparent as possible in order to ensure that the process is independent, fair and consistent in the decisions it makes.

Whilst a Complaint is live and under consideration by the Process, Confidentiality is extremely important in order to make the process fair and independent.

In addition, GDPR and other data protection rules must be properly observed by everyone involved throughout the Complaints Process, without exception.

Therefore, an appropriate balance needs to be struck between Confidentiality and secrecy. The existence of a Complaint is not a secret. But all further details should be treated as confidential until the case is concluded.

If a Panel finds that Confidentiality has been breached without good reason, they may take this into account.

One of the best ways to ensure that a Complaint is handled properly and efficiently and to maintain Confidentiality is to involve as few people as necessary whilst the case is live. Details should in most cases only be shared with those directly involved in the Complaints Process, until a decision has been made and all Appeals have concluded.

However, it is understood that people can find the Complaints Process stressful and talking to others close to them can help.

Therefore, Parties to a Complaint may confide in a limited number of people that they have made a Complaint, or that they are involved in a Complaints Process as a witness, or that they have had a Complaint made against them.

They should limit the number of people they confide in, to family, close friends and trusted colleagues.

It is essential that those involved in a Complaint, or those they have confided in, do not breach Confidentiality. For example, they must not make social media posts, talk to Party members or publicise the case via the media until all aspects of the Complaints Process have been brought to a conclusion and the time for all Appeals has expired.

In the event that anyone involved in a Complaint believes that Confidentiality has been breached they should seek advice from the Lead Adjudicator or the Senior Adjudicator Team via the Standards Office.

The Party has a duty of care to its members and to members of the public. To allow it to exercise that duty of care the Party may need to notify people inside the Party and others about a Complaint while it is ongoing. For example, the Party may need to tell relevant Party bodies if a member in their area or organisation has been accused of a serious offence or is making vexatious Complaints.

Once a Complaints Process has concluded, the Panel or the Senior Adjudicators' Team will decide who to notify and how these parties should be informed about the outcome and any sanction imposed.

At this point, it is no longer necessary to maintain Confidentiality about the details of the Complaint unless the relevant Panel or the Senior Adjudicators' Team determines otherwise. However, GDPR provisions still need to be respected.

This section is in addition to and subject to any restrictions made to protect Anonymity in accordance with paragraph 1 above.

3. Evidence

Decisions taken under this Complaints Process will be made on the balance of probabilities – i.e. is it more likely than not that the behaviour complained about occurred and was capable of Bringing the Party into Disrepute. To make this decision, the Complaints Panel must have all the information put before them clearly. It is the responsibility of the Complainant to ensure that all supporting material is included in the initial Complaint. Failure to do so may lead to the Complaint being dismissed.

The **Complaints** Panel may choose to ask an Investigator to look at the evidence and interview parties in **appropriate cases**. In these cases, the Investigator will act as a neutral third party and produce a report summarising the Complaint(s) and any Counter-Complaint(s) as well as any evidence in support or against either side.

However, in most cases the parties will be expected to produce their own evidence **when they submit their Complaint or response**, and there will be no separate investigation.

It is the Complainant's responsibility, **when they submit a Complaint, to provide an appropriate level of evidence in order to substantiate their allegation(s). For example, screenshots of social media posts are sufficient. whereas simply providing a social media username is insufficient.**

Complainants must produce evidence to support each part of their Complaint and name any witnesses they want to call at the same time they fill in the online Complaints form. If they do not provide this evidence and information, the Lead Adjudicator **or Senior Adjudicator** may give the Complainant **ten (10) Working** Days to submit more information but if they fail to meet this deadline the Complaint will be dismissed and will not be reconsidered except in exceptional circumstances.

It is the Respondent's responsibility to explain and produce evidence to support their defence against a Complaint and to support any Counter-Complaint they make. If a Respondent thinks a Complaint is baseless, vexatious and/or should be dismissed, they must explain **in writing** why, **directed to the Lead Adjudicator and/or any Panel via the Standards Office** and support their assertion with evidence. **Merely stating that this is their belief is not sufficient.**

Useful evidence can include emails or other written correspondence, screenshots of social media posts or other online activity, photographs, video or other visual evidence, or evidence given by eyewitnesses.

4. Timelines, Extensions and Postponements

To assist with the swift resolution of a Complaint, parties to a Complaint are expected to comply with timelines set for them in this Complaints Process. An extension to the timeline will be allowed only in exceptional circumstances, such as where witnesses who could provide evidence which might sway the outcome of the Complaint are unavailable for a Complaints Panel Hearing.

Examples of what may constitute exceptional circumstances include death of a close friend or family member, serious illness, pre-existing commitments the cancellation of which would incur significant costs (e.g. a wedding, holiday or surgery), severe emotional or physical distress, and/or reputational damage.

Applications for an extension in the timeline must be sent to the Standards Office in writing and shall then be considered by the relevant Panel or Appeals Panel (as applicable), whose decision shall be final. **The Panel has discretion in this matter and their decision shall be made on the basis of Natural Justice.**

5. Representation

The Party's Complaints Process is not a legal process: it relates to the membership of an organisation. The Standards Office, the Senior Adjudicators' Team, the Panel, any Appeals Panel and any Investigator will always speak with any person going through the process directly, rather than a representative, unless the Senior Adjudicators' Team has agreed in writing that they can deal with a named representative **on their behalf.**

Where it has been agreed that a party to the Complaint can have a Representative, either the Representative or the person they are representing may speak at the hearing, but not both.

The only other exception to this rule is when a Complaint has been submitted by a Nominated Person of a Party body as outlined in paragraph 1.1.1 of the Complaints Process rules section of this document.

Members may seek advice from a legal professional at any stage of the process.

Members or Nominated Persons may choose a supporter **to attend any Panel or Appeals Panel hearing, with them** who **may have** legal training. **This supporter must normally be** a member of the Party and cannot speak at the hearing.

The names of all persons attending a Complaints Panel Hearing (in addition to the Complainant and respondent) must be agreed by the Panel and notified to all attendees no later than four (4) Working Days in advance of the Complaints Panel Hearing. The Complaints Panel may vary this provision in appropriate circumstances.

6. Process Mentors

Some people may find this Complaints Process confusing to navigate. If a Complainant or Respondent asks the Standards Office for guidance on how the system works or what the rules mean, the Standards Office may also provide a Process Mentor.

The role of the Process mentor is strictly limited to assisting that person to understand these rules and guidance.

They are volunteers who are not trained to provide emotional support. They will not act as an advocate and will not represent the person they are assisting in a Complaints Panel Hearing.

The person they are supporting may show their Process Mentor any of the documents in their possession that form a part of the Complaint.

A Process Mentor shall be informed of the outcome of the relevant Complaint and any subsequent Appeal.

7. Resignation of parties to the Complaint

Complaints raised against a person who is not a member of the Party at the time the Complaint is reported to the Party, even if they were members when the behaviour took place, will be kept on file until any such time as the person applies to re-join and their application is accepted.

Respondents or Complainants may seek to resign their membership of the relevant State Party before the Complaints procedure is complete.

If the State Party accepts such a resignation, any Complaint will be adjourned and a record kept of it.

In the event of the person seeking to rejoin, the Membership Department will tell the Local Party, and the relevant State, and English Region (if applicable) that there is an unresolved Complaint against this person.

If the application for membership is accepted the complaint will then be re-opened and proceeded with.

If the State Party does not accept the resignation the Complaint will be proceeded with.

The Respondent will continue to be notified and invited to participate in the remainder of the Complaints Process. At the conclusion of the Complaint the Resignation will take effect. Any sanctions applied by the Complaints Panel will take effect if and when the Respondent applies to rejoin the Party and their membership is accepted.

If the Complaint is upheld and a sanction is recommended by the Panel, a note/marker will be placed on the Respondent's Federal Party membership record by the Standards Office. In the event that the Respondent tries to re-join the Party the Standards Office will inform the relevant local or State Party of any relevant outstanding sanction. This includes but is not limited to the relevant Party bodies.

If a Respondent resigns after a Sanction has been imposed, the Sanction will take effect from the point that the Respondent seeks to rejoin the Party and is accepted.

8. Patterns of behaviour

The Senior Adjudicators' Team, a Complaints Panel, or a Disciplinary Appeals Panel will take into account evidence of patterns of behaviour by the same Respondent when considering any Complaint.

Previous Complaints

If a **similar or related** Complaint has previously been upheld against a Respondent, the **Senior Adjudicators' Team, a Complaints Panel, or a Disciplinary Appeals Panel** can take this into account and may choose to impose heavier sanctions.

The Senior Adjudicators' Team, a Complaints Panel, or a Disciplinary Appeals Panel may take into account earlier closed similar or related Complaints whether upheld or not, when determining whether there is a pattern of behaviour. If it is determined that there is a pattern of behaviour they may choose to impose heavier sanctions.

Where the Lead Adjudicator or a Senior Adjudicator decides to link Complaints, one **Complaints** Panel may be **asked** to look at all of these Complaints at the same time. In the **Complaints** Panel Decision Notice, the **Complaints** Panel should make clear their decision in response to each separate Complaint. This will allow the Party more easily to identify patterns of behaviour.

9. Warnings

The Lead Adjudicator, a **Senior Adjudicator** or a Panel might not think one act in itself is sufficiently serious to merit a **Complaints** Panel Hearing or a **more serious** sanction. **Rather than dismissing the Complaint**, the Lead Adjudicator, a **Senior Adjudicator or a Complaints Panel** may decide **the behaviour was sufficiently concerning** to issue a Warning.

If any new Complaint is made against the same Respondent in future, **any previous Warning regarding related behaviour may be** taken into account by the Lead Adjudicator, a **Senior Adjudicator** or a **Complaints** Panel in deciding what decision and any sanction to apply.

10. Vexatious Complaints

Vexatious Complaints include those that are pursued, regardless of their merits, to harass, annoy or subdue, something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

If a person appears to be making a vexatious Complaint, the Lead Adjudicator, a **Senior Adjudicator, a Complaints Panel or a Disciplinary Appeals Panel** will take this into account when considering whether to dismiss the Complaint.

If a person makes multiple vexatious Complaints, the Lead Adjudicator may, **in addition to dismissing any or all of the Complaints**, prohibit them from making Complaints for a

certain period. During the period of being prohibited from raising Complaints, the person may apply in writing to the Lead Adjudicator for consent to lodge a Complaint via the Standards Office. The Lead Adjudicator will take into account the details provided in considering whether to accept this Complaint.

The Lead Adjudicator may also choose to publish to Conference the details of the number and nature of vexatious Complaints.

11. Sanctions

What is a sanction?

A Sanction is the penalty imposed on the Respondent when a Panel upholds a Complaint. The Panel must explain to the Respondent what the Sanction is that they are applying.

Possible sanctions include (but are not limited to) any one or more of the following:

- revocation of membership and expulsion from the relevant State Party or other Party bodies;
- suspension of membership of the relevant State Party for a fixed period or until after a specific event has occurred (for example, completion of additional training);
- ban from standing for or holding external office (all or specific offices) as a Liberal Democrat either permanently, for a fixed period or until after a specific event has occurred;
- ban from standing for or holding office (all, or specific offices) within the Party permanently, for a fixed period or until after a specific event has occurred;
- recommendation to the relevant State Party candidates' chair that the member is removed from the approved list of candidates, either permanently, for a fixed period or until after a specific event has occurred;
- mandatory training (in which case a timetable for completion of such training shall be laid down at the time the sanction is issued);
- ban from attendance at all or specific types of Party related meetings or events for a fixed period of time or until after a specific event has occurred;
- loss of data access (such as Connect, MiniVAN, Lighthouse or other) for a fixed period of time or until after a specific event has occurred;
- request for an apology to be given (in which case the date by which such apology should be given shall be scheduled at the time the sanction is issued);
- a Warning.

Where a sanction requires a specific action (like undertaking training or writing an apology), then the timeline set for completing that sanction will start to run immediately from the decision being issued.

Where a Complaint has been concluded and a Sanction imposed that requires training to be undertaken, the delivery of such training shall be overseen by the DSG.

If the sanction requires the Respondent to do something (such as undertake training or give an apology) the Panel should state the deadline for completing this, which shall always be at least **ten (10) Working Days** after the decision is communicated to the Respondent. The **Complaints** Panel shall also include a further sanction if the Respondent does not do what is required in the time set unless a reasonable excuse can be given (e.g. if no training providers were providing relevant courses before the deadline).

The effect of Appealing on sanctions

Where a Complaints Panel has recommended a sanction but the Respondent Appeals, the **Senior Adjudicator Team** has the discretion to either:

- suspend the sanction until after the Appeal has been dealt with; or
- leave the sanction in place while the Appeal is dealt with.

12. Informal Resolution

This Complaints Process is not designed to provide informal resolution of Complaints. **There is a separate volunteer led Mediation Process** which Liberal Democrat members may opt into in order to settle a dispute through informal resolution. Normally this will be before a formal Complaint has been submitted.

Members should not contact the Standards Office before they put in a Complaint. However, if they have already submitted a Complaint and then they decide that they wish to seek mediation and an informal resolution, then Standards can put them in touch with the bodies mentioned below.

The Standards Office may put **members** in touch with support from appropriate party bodies – such as their local, regional or State parties, **the Disciplinary Sub Group of the Federal Board (DSG)**, **the Lib Dem Local Government Association (LGA)**, or **the Association of Liberal Democrat Councillors and Campaigners (ALDC)** – to assist as appropriate.

PART 4: Administration

1. Amendments to this Complaints Process

1.1. Consultation

When considering any amendments to this document, the Federal Board shall consult the State Parties and any other relevant Party bodies including Associated Organisations in advance of making changes.

Where substantial amendments to this Complaints Process are being proposed, the Federal Board shall also consider how best to consult the membership as a whole.

1.2. Decision

The final decision on any amendments to this Complaints Process shall be made by the Federal Board, **subject to reporting to Federal Conference, under 1.3 below.**

1.3. Reporting

The Federal Board shall include in its report to Conference any amendments it makes to this Complaints Process.

1.4. General Elections

During the period of any UK, Scottish or Welsh General Election the Federal Board, in the case of a U.K. General Election, and the Scottish and Welsh Executives, respectively, in the case of a Scottish or Welsh General Election, may make temporary amendments to this Complaints Process to ensure urgent decisions are made with expedition during the campaign and less urgent matters can be postponed until after polling day.

Such changes will be set out in any General Election Protocol or regulations established by the Federal Board or Scottish or Welsh Executive, respectively.

2. Reports to conference

The Lead Adjudicator shall submit an annual report to each autumn Federal Conference which shall include for each year:

- information on the numbers of Complaints;
- the number of Party members suspended;
- the number of Party members expelled;
- **the number of cases appealed to the Disciplinary Appeals Panel;**

LIBERAL DEMOCRATS: INDEPENDENT COMPLAINTS PROCESS AND GUIDANCE

- the number of cases ongoing and the number concluded;
- the number of concluded Complaints which were dismissed, referred back for additional information and referred to a Complaints Panel;
- the average number of days taken to conclude each Complaints Process; and
- the sanctions imposed, if any, in each concluded case.

PART 5: Glossary

Adjudicator	<p>An Adjudicator is a person trained to review and consider Complaints submitted to the Standards Office. They may sit on a Complaints Panel. Each Panel is made up of three Adjudicators, and will determine the outcome of a Complaint and, if upheld, whether sanctions should be imposed on the Respondent. They may also act as an Investigator or a Process Mentor.</p> <p>A person may not be an Adjudicator if they are:</p> <ol style="list-style-type: none"> A member of the Federal Board, the Federal Council, the Federal Finance and Resources Committee, the Federal People Development Committee, the Federal Communications and Elections Committee or the Federal Audit and Scrutiny Committee. A member of the Executive of the English, Scottish or Welsh State parties of the Liberal Democrats. An officer of the Executive of an English Region.
Anonymity	<p>A status given to a party to a Complaint who has shown good cause for their details being withheld from the Respondent. Please see the Anonymity section for guidance on how Anonymity is requested and applied.</p>
Appeal	<p>An Appeal is a request for a Disciplinary Appeals Panel to review a decision made within the Complaints Process, which may be unsafe due to specific grounds set in Section 7 of the above Rules.</p>
Appellant	<p>This is a term used to describe a person who has submitted an Appeal against a decision made within the Complaints Process. An Appellant is usually either the Complainant (including Nominated Persons) or Respondent, associated with the Complaint decision being appealed. In addition, and in certain cases Nominated persons appealing on behalf of a Party Body.</p>
Bringing the Party into Disrepute	<p>The Party can be 'brought into disrepute' under Article 3.8 of the Party's Federal Constitution by:</p> <ul style="list-style-type: none"> something a member does, or something a member does not do, or a number of acts and/or omissions by a member taken together (a 'course of conduct') <p>which would substantially lower the Party's reputation in the mind of a fair, objective and right-thinking observer.</p>
Complainant	<p>The Complainant can be:</p> <ul style="list-style-type: none"> a person bringing a Complaint about a member's behaviour.

	<ul style="list-style-type: none"> • A Nominated Person appointed by the Executive of a Party body such as the Federal Board, a State Party, an English Region or an Associated Organisation, to make a Complaint on their behalf. <p><i>Please see Part 1. Paragraph 1.1.1 for further details.</i></p>
Complaint	A Complaint is an allegation by any Complainant about the behaviour of a member of the Party.
Complaints Panel	The panel of three Adjudicators appointed by the Lead Adjudicator, or a Senior Adjudicator, to consider a Complaint. The opinions of all three Panel members carry equal weight.
Complaints Panel Hearing	An Inquisitorial Process to which all relevant parties to the Complaint(s) are invited. The Complaints Panel Hearing is convened by the appointed Complaints Panel to review and consider the relevant evidence provided by all parties and to ask any relevant questions before making a determination.
Complaints Process	The rules and guidance provided within this document.
Confidentiality	Whilst a Complaint is live and under consideration by the Process, Confidentiality is extremely important in order to make the process fair and independent. <i>Please see the Confidentiality section for guidance.</i>
Council Group	In Scotland and England, on any Council, a group of councillors recognised by the relevant Liberal Democrat State Party under their Constitution. In Wales a group of Liberal Democrat councillors registered with the relevant local authority.
Counter-Complaint	A Complaint made by a Respondent in response to a Complaint made about them.
Decision Notice	A document issued to all relevant parties which details the outcome of the Complaint (and Counter-Complaint if one was submitted). This document will include the rationale for the decision as written by the decision maker for the specific Complaint. This may be the Lead Adjudicator, member of the Senior Adjudicator Team or member of the Complaints Panel.

<p>Disciplinary Appeals Panel</p>	<p>A Panel of three experienced Adjudicators tasked with considering whether a submitted Appeal meets the criteria for overturning a decision or amending the severity of sanctions imposed. Their decision will be final within this process.</p>
<p>Disciplinary Sub Group (DSG)</p>	<p>The role of the Disciplinary Sub-Group (“DSG”) of the Federal Board is to oversee, and from time to time, propose (to the Federal Board) variations in the procedures for handling of complaints made to the Independent “Complaints Procedure” of the Liberal Democrats.</p> <p>They are responsible for ensuring the independence, efficiency and effectiveness of the Complaints Procedure. Members of DSG do not have a role within the procedure itself and will not be involved at any stage in the application of the procedure to any individual live Complaints.</p> <p>The DSG also monitors, reviews and amends the procedure and guidance on an ongoing basis to ensure they are fit for purpose and that there is clarity and consistency of approach across the process.</p> <p>For more information about the role and responsibilities of the DSG, see the DSG Standing orders adopted by the Federal Board.</p>
<p>Expert Evidence</p>	<p>Evidence required by the Panel when considering a Complaint that is accepted by the Party to be authoritative. This will usually be information that is not provided by the Complainant or Respondent but is helpful to the Panel when making a determination.</p> <p>Examples include, requesting constitutional advice from a Party body, a copy of rules/procedures relevant to the scope of the Complaint or advice from the Senior Adjudicators’ Team to the appointed Panel. <i>Please see the Expert Evidence section for guidance.</i></p>
<p>Inquisitorial Process</p>	<p>An Inquisitorial Process is one where the decision makers (in this process the Independent Adjudicator(s)) are actively involved in investigating and enquiry regarding the facts of a Complaint in order to arrive at a decision. It is to be distinguished from an adversarial system in which the decision maker acts as an arbiter and the parties compete to establish the truth.</p>
<p>Investigator</p>	<p>Not every case will require an investigator. They are appointed to gather evidence and factual information and present that information to the Panel. Investigators are expected to review the Complaint referred to them without giving favour to either side. They are tasked with presenting their findings in a written report to the Panel, where it is determined that the Complaints are serious enough to warrant such action. The Panel may also ask them</p>

	to attend a Panel hearing to present their findings and answer any supplementary questions from the Panel. An Investigator shall be informed of the outcome of the Panel hearing and any subsequent Appeal.
Lead Adjudicator (LA)	<p>The Lead Adjudicator (“LA”) leads the Senior Adjudicators’ Team. They lead, support and oversee the volunteers who implement the Independent “Complaints Procedure” of the Liberal Democrats.</p> <p>The LA is responsible for reporting to each Federal Conference about the recent operation of the Complaints Process.</p> <p>They are appointed by the Federal Board. The roles, responsibilities and term of office of the Lead Adjudicator are described in more detail in the SAT Terms of Reference adopted by the Federal Board and the adopted DSG Standing Orders.</p> <p>With the agreement of the DSG, the Lead Adjudicator may choose to delegate some of their tasks to another adjudicator, as and when they feel this is appropriate.</p> <p>If the Lead Adjudicator is temporarily incapacitated, needs to step back for a short while or stand aside, the DSG may agree with the President to appoint an Acting Lead Adjudicator, until the Federal Board can appoint a new permanent Lead Adjudicator. This will happen as soon as it is practical.</p>
Nominated Person	A Nominated Person may be appointed by the Federal Board, the executive of a State Party or an English Region or by an Associated Organisation. They may make a Complaint to this Complaints Process on behalf of the body which has nominated them.
Panel Chair	One of a Panel of three Adjudicators, (a Complaints Panel or a Disciplinary Appeals Panel) who agrees to be the contact person for coordinating the administrative details of holding a Panel Hearing and takes responsibility for the completion of the relevant paperwork.
Procedure Notice	A document issued to all relevant parties that outlines the details of a Panel Hearing including, but not limited to the time and date of the Hearing and relevant evidence to be taken into consideration.
Senior Adjudicators’ Team	The Lead Adjudicator is supported by a team of three Senior Adjudicators, one from each State Party. Together they are known as the "Senior Adjudicators’ Team". The role of the Senior Adjudicators’ Team (“SAT”) is to lead, support and oversee the volunteers who implement the Independent “Complaints Procedure” of the Liberal

<p>(SAT)</p>	<p>Democrats.</p> <p>Members of the SAT may stand in for the LA as required, as described in other parts of this document.</p> <p>The roles, responsibilities and terms of office of members of the SAT are described in detail in the SAT Terms of Reference adopted by the Federal Board in January 2023.</p> <p>The members of the SAT (other than the Lead Adjudicator) shall be identified and appointed by the DSG according to the process detailed in Appendix 1 of the adopted DSG Standing orders. They shall be Party members with relevant skills and experience.</p> <p>Where the Senior Adjudicators' Team is required to make a decision they should aim to do so by majority vote. Where a majority cannot be achieved, the Lead Adjudicator shall have the deciding vote. If any member(s) of the Senior Adjudicators' Team is ill or unavailable then the remaining members should be considered quorate.</p> <p>The members of the Senior Adjudicators' Team may delegate their tasks to other Adjudicators, with the agreement of the DSG.</p> <p>If a member of the SAT is temporarily incapacitated, needs to step back for a short while or stand aside, the DSG may agree with the relevant State Party to appoint an Acting SAT member until the next round of SAT appointments.</p>
<p>Process Mentor</p>	<p>A Process Mentor is an individual who is appointed to provide support to Party members who are involved in a Complaint, to help them understand the Complaints Process and how it works. The Process Mentor is not an advocate and will not attend any subsequent Panel hearing to represent the person they are supporting. <i>Please see the section on Process Mentors for guidance on their role.</i></p>
<p>Respondent</p>	<p>The Respondent is the Party member about whom a Complaint has been made.</p>
<p>Standards Office</p>	<p>The Standards Office are members of Party staff responsible for overseeing the administration of the Party's Complaints Process.</p> <p>They are an administrative support office for the Complaints Process as well as other Party bodies. The staff members in the Standards Office cannot become involved in the subject matter of a Complaint and must remain independent at all times to ensure the unbiased processing of Complaints for all parties who are involved in</p>

	submitting Complaints and Appeals.
Suspension Notice	A document issued to all relevant parties and appropriate Party bodies that outlines the decision of the Senior Adjudicators' Team to suspend or not suspend a Party Member. This will be based on the facts available to them at the time of their review.
Warning	A Warning will be sent to a Respondent by the Lead Adjudicator, Senior Adjudicator or a Panel to make them aware that, whilst they do not believe the Complaint merits the application of a more serious sanction, the matter will be kept on file. Such a previous Warning may be taken into account when deciding how to progress, determine or apply a sanction in a subsequent, related Complaint.
Working Days	Throughout this document, deadlines are calculated on the basis of the number of Working Days. These will be calculated on the basis of where the parties to the Complaint live, taking into account Bank Holidays in different parts of the UK. The Standards Office will be closed on English Bank Holidays and such days will not be counted as Working days. The longest calculated deadline will apply in each case.