

Proposed Complaints Procedures Changes

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Document Description

This is a document consolidating all proposed changes to the Complaints Procedures to be considered for ratification at the next Conference. These changes have been drafted with full input by the Disciplinary Sub-Group of the Federal Board (DSG), the Senior Adjudicators Team (SAT) and the Standards Office (SO) personnel.

This document begins with a “Summary of Changes” section which contains an overview of the major changes to the Complaints Procedures. It is followed by a “Specific Wording Changes” section which outlines every change made to the current (March 2023) version of the Complaints Process in intricate detail.

The aim is to have a new version of the Complaints Procedures document ratified at the next Conference in 2024.

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Summary of changes

The proposed changes to the Complaints Procedures detailed below have been captured and developed as part of on-going feedback from various stakeholders to the process.

The changes are mainly amendments to wording, to provide clarity to participants. The significant changes are:

- **The addition of an easy to follow contents page for all readers to be able to more readily access the information they seek in relation to the Federal Complaints Process.**
- **Interim Suspensions (without prejudice)** - by making amendments to the wording in this document, it is hoped that those involved in the Complaints Process and those impacted by sanctions of a member (such as a Local/Regional Party Chair/Executive) are clearer in their understanding of what it means for a Respondent to be suspended on the interim. There is no assumption of guilt if a member is suspended while the allegation(s) against them are being considered.
- **Emergency Suspensions** - When a Party body is looking out for the reputation of the Party and a Nominated Person (defined in the update complaints procedures), requests that a member is suspended to protect the Party's reputation, the Senior Adjudicators Team can review this request on an urgent basis and make a provisional decision (which can be reviewed at any time during the Complaints Process) on suspension while waiting for additional information to be received.
- **Emphasis on the role of Senior Adjudicators** - The Senior Adjudicators support the Lead Adjudicator and the Complaint Process doesn't accurately reflect the level of support provided to the Lead Adjudicator receives from them. Considering the volume of decisions that need to be made by the Lead Adjudicator, decisions will sometimes need to be shared with another member of the Senior Adjudicators Team. Accordingly, where a decision is normally made by the Lead Adjudicator, this updated document also makes it clear that another member of the Senior Adjudicators Team can set in to make that decision, when necessary.
- **Changes to the Council Group Process** - The Complaints Process currently provides a Council Group with the opportunity to handle a Complaint before this Federal Complaints Process is fully engaged. However, in practice, the majority of Council Groups would decline to handle the Complaint but the process of referring a Complaint to them and explaining their responsibilities took longer than having

the Complaints dealt with under this Complaints Process. This new update keeps the Council Group informed of the existence of a Complaint and provides them with the opportunity to make a submission towards the Complaint but removes the ability for the Council Group to handle the Complaint. All Complaints against Councillors under these new rules will now be handled under the Federal Complaints Process.

- **Merger of the Appeals Panel and the Review Panel** - These Panels were appointed to handle specific outcomes from the Complaints Process (Appeals Panels handled upheld outcomes and the Review Panel handled dismissed outcomes). This was an unnecessary distinction made and as the uphold rate of Complaints is low, there was rarely a need for an Appeals Panel. When an Appeals Panel was required, it meant that three more of our Adjudicators were tied up hearing an Appeal when in reality the Appeal could have been heard by the same Adjudicators appointed to the Review Panel (as they come from the same pool of volunteers). Any Complainant or Respondent will now be able to appeal any decision to the Disciplinary Appeals Panel and these new rules reflect that change to a one Appeal body within this Complaints Process.
- **Inclusion of a Complaints Panel to request Expert Evidence when considering a Complaint** - Currently, a Complaints Panel must rely upon the evidence supplied by the complainant and / or Respondent (as well as any witnesses, if relevant) when considering a Complaint. However, there have been occasions where Complaints Panels could benefit from asking advice from an expert - for example, a constitutional point raised within a Complaint. These updated rules will provide a mechanism for Complaints Panels to ask questions. Any Expert Evidence will be shared with parties to a Complaint at the relevant point. Experts are also able to be called to attend a complaints Panel Hearing, if necessary.
- **Support at a Complaints Panel Hearing** - Currently, the Complaints Process states that anyone can bring a supporter to a Complaints Panel Hearing as long as they identify them first. However, this has led to multiple occasions when parties to a Complaint notify the Standards Office moments before a Complaints Panel Hearing or simply bring someone to attend the scheduled Complaints Panel Hearing. The updated rules ask that parties to a Complaint notify the Standards Office four working days before the scheduled Complaints Panel Hearing to ensure that the Standards Office can provide a courtesy email to participants of the attendees to the Complaints Panel Hearing. Parties can also request a supporter via the Standards Office as long as the request has been made four working days in advance.

- **Further Information Submissions** - There are multiple examples of Complainants and Respondents providing a never ending bundle of submissions to back up their statements when making or responding to Complaints. Submissions submitted after the relevant deadlines must be reviewed and considered by the relevant decision makers and can cause significant delays to the Complaints Process if accepted as the opposing party will need to be provided with the opportunity to respond to submissions. However when involved in a Complaint, most parties also want the Complaints Process to be as swift as possible. The addition of wording to confirm the rationale for delays relating to the continuous submission of further documents supports the understanding of any delays to the progression of their Complaint.
- **Supplementary Processes** - The current Complaints Procedures doesn't explain what happens to a Complaint if a Supplementary Process is triggered. The updated document now clarifies that the Complaints Process Rules (Part 1) of the Complaints Procedures document is paused whilst the Supplementary Processes (Part 2) are being followed. Please note, however, that on some occasions a Complaint may contain multiple allegations and some of those allegations may continue through Part 1 without being paused whilst others are paused while the processes in Part 2 are carried out.
- **Allegations being considered by other Party bodies** - currently there is no written explanation of how the Federal Party treats Complaints if any allegation(s) are being considered by another area of the Party. This updated version of the Complaints Procedures now includes a written version of what to expect if this is the case.

Specific Wording Changes

PART 0: Opening the Document

- The Complaints Procedures is often viewed as an adversarial process which led to multiple parties experiencing anxiety about engaging with the Complaints Process. To resolve this, the cover page now includes a statement to highlight that the Complaints Process is one which asks questions of all parties.
 - This is an addition to the Complaints Procedures document and the wording states:
 - ***“This complaints process is an inquisitorial process.”***
- The mission statement of the Complaints Procedures was not previously included on the document and so this has now been added to the front page.
 - This is an addition to the Complaints Procedures document and the wording has been directly lifted from the DSG Standing Orders as below:
 - ***“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.”***
- The Complaints Procedures lacked a “Contents Page”. It was quite common for those involved in Complaints to believe that the Complaints Process was over 25 pages long when in fact most of the document is guidance, definitions, extra steps and appendices.
 - This is an addition to the Complaints Procedures document and the wording is the same as each Heading and Sub-Heading of the Complaints Procedure.

PART 1: Complaints Process Rules

- Amend wording for the summary paragraph before the paragraph numbers begin to confirm that the Complaints Process is agreed by the Federal Board (amendment is shown in the examples below):
 - March 2023: *“This is the complaints process ~~adopted~~ by 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 – Definitions and Glossary.”*
 - March 2024: ***“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.”

- Amend wording for Paragraph 1.1 to state Complaints can be made as long as the information provided answers all questions as posed on the online Complaint form (amendment is shown in the examples below):
 - March 2023: *“Any person can ~~only~~ make a Complaint about a Party Member using the standard complaints form on the Party’s website.”*
 - March 2024: *“Any person can make a Complaint about a Party member by **providing the information required on the Standard Complaints form.**”*
- Add a new clause (Paragraph 1.1.1) to include the ability for Party bodies to be able to submit a Complaint via a representative of that Party body (new wording is as follows):
 - ***“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.”***
- Amend wording for Paragraph 1.2 to enable a member of the Senior Adjudicators Team or relevant Panel to accept additional evidence (amendment is shown in the examples below):
 - March 2023: *“A Complaint must set out all the evidence that supports the allegations raised at the inception of the Complaint. A Complainant must set out all the evidence that supports their allegations raised at the inception of the Complaint. The Complainant may introduce, at the discretion of the Adjudicator, 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”.*
 - March 2024: *“A Complainant must set out all the evidence **supporting** their allegations **when they submit their** Complaint. **At the discretion 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”.*

- Amend wording for Paragraph 1.3 to move the responsibility to accept or decline Complaints from the Standards Office to any member of the Senior Adjudicators Team (amendment is shown in the examples below):
 - March 2023: *~~"The Standards Office will not accept complaints which do 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 contact the Standards Office for advice and/or review the flow chart at Appendix 1 – Who should I report a complaint to?. Decisions of the Standards Office on whether a Complaint meets the criteria or not are final."~~*
 - March 2024: *"**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 for advice. Decisions of **a member of the Senior Adjudicator Team** on whether a Complaint meets the criteria or not are final."*

- Add wording for Paragraph 1.4 to include a third responsibility for the Standards Office and a small formatting change to make this easier to read (new wording is shown in the examples below):
 - March 2023: *"The Standards Office will (a) acknowledge all Complaints and send the person making the Complaint a copy of these rules and (b) 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".*
 - March 2024: *"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"**.*

- Amend wording for Paragraph 1.5 to remove the commentary that all communication will be reviewed (amendment is shown in the examples below):
 - March 2023: *"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 ~~for review~~. Disclosure of information requires adherence to applicable UK GDPR requirements."*

- March 2024: *“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.”*
- Amend wording of Paragraph 2.1 to outline the role of the Standards Office personnel in sharing background information with the Lead Adjudicator or to a member of the Senior Adjudicators Team (amendment is shown in the examples below):
 - March 2023: *“The Standards Office will send a list of Complaints received to the Lead Adjudicator on at least a weekly basis, with a ~~recommendation as to whether each Complaint received should be:~~”*
 - March 2024: *“The Standards Office will send a list of Complaints received to the Lead Adjudicator **or member of the Senior Adjudicators Team** on at least a weekly basis, with a **summary and relevant background information.**”*
- Move Paragraphs 2.1.1, 2.1.2, 2.1.3 and 2.1.4 from under paragraph 2.1 to under Paragraph 2.2. This is to ensure that those involved in the Complaints Process understand that the Standards Office makes no decisions on Complaints and the decisions rest with the Lead Adjudicator or a member of the Senior Adjudicators Team.
 - These paragraphs will now be considered 2.2.1, 2.2.2, 2.2.3 and 2.2.4.
- Amend the wording of Paragraph 2.2 to reflect the movement of Paragraphs 2.1.1 - 2.1.4 to 2.2.1 - 2.2.4 (amendment is shown in the examples below):
 - March 2023: *“The Lead Adjudicator will confirm ~~or change the recommendations made for each Complaint and the Standards Office will inform the parties to the Complaint of the Lead Adjudicator’s decision.~~”*
 - March 2024: *“The Lead Adjudicator **or Senior Adjudicator will confirm whether each Complaint received should be:**”*
- Amend the wording of the newly numbered Paragraphs 2.2.1 to 2.1.4 to provide an explanation to some of the pathways a Complaint may take through the Complaints Process (amendment is shown in the examples below):
 - March 2023:
 - *“2.1.1 dismissed ~~(with or without a Warning);~~*
 - *2.1.2 sent back to the Complainant to ask for more information;*

- 2.4.3 sent to the Senior Adjudicators' Team ~~to decide whether to suspend the Respondent's membership of the Party, before proceeding to a Panel hearing;~~
- 2.4.4. sent to a Panel hearing ~~without suspension being considered."~~
- March 2024:
 - "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 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."**
- Remove Paragraph 2.3 (details of the previous wording is shown below:

- March 2023: *"If the Complaint relates to potentially criminal conduct, or the conduct of either a member of the Party who is also a member of staff employed by the Party, or a member who is a Parliamentarian, Senator, or an elected representative as a member of the Party's group in the London Assembly, or to a breach of data protection rules (including GDPR), or electoral law (including PPERA), or where the Complaint is also being investigated by a regulatory or other disciplinary body, extra steps need to be considered at this point before the Complaint can be dealt with under this complaints process. These extra steps are set out in more detail in **PART 2 – Extra Steps.**"*
- Amend the title for Paragraph 3 to remove comments in brackets (amendment is shown in the examples below):
 - March 2023: *"Dismissal (under 2.1.1)"*
 - March 2024: *"Dismissal"*
- Amend wording in Paragraph 3.1 as a way to merge the previous Paragraphs 3.1 & 3.2. This will ensure that it is clear that a Respondent can appeal the decision to dismiss a Complaint (normally relevant when a Complaint is dismissed with a Warning and a Respondent would like to query the Warning). Also amend the wording to extend the period of time to appeal a Complaints Panel decision as requested by the Federal Appeals Panel and ensure the deadline is stated in working days (amendment is shown in the examples below):
 - March 2023: *"The Complainant can appeal in writing within 7 days of receiving notice from the Standards Office of the decision to dismiss their Complaint. This appeal will be considered by the Review Panel at their next meeting."*
 - March 2024: *"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."*
- Amend wording in Paragraph 3.2 to make the appeal route clear for any Complaints dismissed will be handled by the Disciplinary Appeals Panel (amendment is shown in the examples below):
 - March 2023: *"The Respondent can appeal in writing within 7 days of receiving notice from the Standards Office of the decision to issue a Warning. This appeal will be considered by the Review Panel at their next meeting."*
 - March 2024: *"This appeal will be considered by the **Disciplinary Appeals** Panel at their next meeting **and dealt with under paragraph 7.**"*
- Amend the title for Paragraph 4 to remove comments in brackets (amendment is shown in the examples below):

- March 2023: *"More information needed (~~under 2.1.2~~)"*
- March 2024: *"More information needed"*
- Amend wording for Paragraph 4.1 to merge the previous paragraphs 4.1 & 4.2 and to reflect the deadline for appeals into working days and what happens when further information is provided (amendment is shown in the examples below):
 - March 2023:
 - *"4.1 The Standards Office ~~will~~ ask the Complainant to provide further information and evidence to support the Complaint. If the Standards Office does not receive this within 7-days of asking, the Complaint will be closed.*
 - *~~4.2. If the Standards Office does receive further information and evidence within 7 days the Standards Office will apply paragraph 2.1 again"~~*
 - March 2024: *"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.**"*
- Amend the title for Paragraph 5 to make clear that the Suspension considered at this stage is not the outcome of the Complaint but a temporary Suspension. Also remove comments in brackets (amendment is shown in the examples below):
 - March 2023: *"Suspension (~~under 2.1.3~~)"*
 - March 2024: *"**Interim** Suspension (without prejudice)"*
- Amend the wording of Paragraph 5.1 to explain how 'Interim Suspension' is a neutral act to protect the image of the Party and what the Senior Adjudicators Team consider when making that decision in more detail (amendment is shown in the examples below):
 - March 2023: *"The Senior Adjudicators' Team ~~will~~ consider whether to suspend a person's membership ~~when the Standards Office recommends they do so or at any other time they consider appropriate. 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 SAO when making their decision.~~"*

- March 2024: *“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.**”*
- Add a new clause (Paragraph 5.1.1) to respect the need for the Party to protect its image and Party staff involved in crisis comms needing a swift decision on matters drawing negative attention to the Party. It is not confirmation that the Party believes the allegations to be true. (new wording is as follows):
 - ***“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.”***
- Add a new clause (Paragraph 5.1.2) to outline the documents that the Senior Adjudicators use alongside the Complaint submissions when making their decision on interim suspension (new wording is as follows):
 - ***“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.”***
- Add a new clause (Paragraph 5.1.3) to highlight how interim suspension will be considered when a Party body submits the Complaint and may require an emergency suspension decision (new wording is as follows):
 - ***“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.”***
- Amend the wording of Paragraph 5.2 to simplify the wording for readers (amendment is shown in the examples below):
 - March 2023: *“The Senior Adjudicators’ Team ~~may exercise discretion in adherence to the rules of notifying a Respondent of a Complaint. In exceptional circumstances, in order to clarify subject matter content to aid the decision-making process, the Senior Adjudicators’ Team may contact parties to the complaint at any time during the process.~~”*

- March 2024: *“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.”*
- Amend the wording of Paragraph 5.3 to refer to the Interim Suspension of a Respondent’s membership (amendment is shown in the examples below):
 - March 2023: *“If the Senior Adjudicators’ Team decide to suspend a ~~person’s~~ membership the suspension will be effective immediately, or in exceptional circumstances, after receipt of information requested of the Respondent.”*
 - March 2024: *“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. ”*
- Amend the wording of Paragraph 5.4 to explain which other Party bodies that may be notified of the Interim Suspension of a Respondent (amendment is shown in the examples below):
 - March 2023: *“The Senior Adjudicators’ Team will ask the Standards Office to inform all affected parties of the suspension. This could include the suspended person’s local, regional and state parties, relevant candidates’ chairs, and Party HQ, including the press and membership teams. This list is not exhaustive and a decision will be made on a case by case basis and to what is considered necessary.”*
 - March 2024: *“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.”*

- Amend the wording of Paragraph 5.5 to refer to Interim Suspension and confirm who will be notified of any change to the suspension status of the Respondent (amendment is shown in the examples below):
 - March 2023: *"The decision to suspend can be reviewed by the Senior Adjudicators' Team at any point after it has been taken. The suspension shall automatically be lifted only when the complaints process and any appeals have been fully concluded."*
 - March 2024: *"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.**"*
- Amend the title for Paragraph 6 to remove comments in brackets (amendment is shown in the examples below):
 - March 2023: *"Panel (under 2.1.3 or 2.1.4)"*
 - March 2024: *"Complaints Panel"*
- Add a new subtitle under Paragraph 6 (new wording is as follows):
 - ***"Panel Appointments"***
- Add a new paragraph under this new subtitle stating state how a Complaints Panel is appointed (new wording is as follows):
 - ***"6.1 The Lead Adjudicator or Senior Adjudicator shall identify and appoint three Adjudicators to sit on a Complaints Panel."***
- Amend the wording of what was Paragraph 6.1 (now 6.2) to reflect the deadline for appeals into working days (amendment is shown in the examples below):
 - March 2023: *"The Respondent will be given 14 days from the day they are informed that the Complaint is being sent to a 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."*
 - March 2024: *"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."*
- Amend the wording of what was Paragraph 6.2 (now 6.3) to clarify the process for raising a Counter-Complaint and the Complainant's entitlement to respond (amendment is shown in the examples below):

- March 2023: *"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 heard by the same Panel as the ~~primary~~ Complaint."*
- March 2024: *"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 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.**"*
- Amend the second subtitle for Paragraph 6 to specify the need for the Complaints Panel the Panel to meet (amendment is shown in the examples below):
 - March 2023: *"Panel meeting on the papers"*
 - March 2024: *"Complaints Panel meeting on the written submissions"*
- Amend the wording of what was Paragraph 6.3 (now 6.4) to reflect the change to the name of the "Panel" to "Complaints Panel" (amendment is shown in the examples below):
 - March 2023: *"Once the deadline for all submissions has expired, the Panel Chair will hold a meeting of the Panel to review the Complaint(s), any Counter-Complaint(s), responses and evidence."*
 - March 2024: *"Once the deadline for all submissions has expired, the **Complaints** Panel Chair will hold a meeting of the **Complaints** Panel to review the Complaint(s), any Counter-Complaint(s), responses and evidence. "*
- Amend the wording of what was Paragraph 6.4 (now 6.5) to clarify the pathways open to a Panel when considering any Complaint(s) and /or Counter-Complaint(s) they have been appointed to make a determination (amendment is shown in the examples below):
 - March 2023: *"After considering the ~~documents~~, the Panel will decide whether to:*
 - A) *dismiss the Complaint(s) or Counter-Complaint(s) on the basis of the written evidence only, ~~or~~*
 - B) *uphold the Complaint(s) or Counter-Complaint(s) on the basis of the written evidence only in circumstances where there ~~is~~ ~~evidencable~~ breach(es) of Articles 3.8(c) and/or 3.8(d) of the Federal Constitution, or*

C) hold a hearing, in which case they should set a hearing date at least 14 days in the future.

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

- March 2024: "After considering the **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 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)."

- Remove what was Paragraph 6.5 as this information is now more clearly and succinctly addressed in other paragraphs in this section (paragraph removed is shown in the example below):
 - *"If a Panel decides to hold a hearing, they may request that before the Panel hearing an 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 Panel can request specific questions to be asked by the Investigator to support their review of the Complaint."*
- Add a new subtitle under the new Paragraph 6.5 (new wording is as follows):
 - **"Appointment of an Investigator"**
- Add a new paragraph under this new subtitle stating state how an Investigator is appointed (new wording is as follows):
 - **"6.6 The Lead Adjudicator or a Senior Adjudicator may appoint an investigator."**
- Update the wording of the removed Paragraph 6.5 from the March 2023 version of the Complaints Procedure and move into a sub paragraph of Paragraph 6.6 (so now considered paragraph 6.6.1) to explain the role of the Investigator under this updated Complaints Procedure document (amendment is shown in the examples below):
 - March 2023: *"6.5 If a Panel decides to hold a hearing, they may request that before the Panel hearing an 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 Panel can request specific questions to be asked by the Investigator to support their review of the Complaint."*
 - March 2024: **"6.6.1 The 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."**

- Amend wording of what was Paragraph 6.6 to reflect that it is now Paragraph 6.7 and remove the reference to previous paragraph numbers.
 - March 2023: *"If an Investigator is appointed under ~~paragraph 6.5~~, the Investigator's report (and any supporting evidence) will be shared with the Panel for the Complaint to re-considered under paragraph 6.3."*
 - March 2024: *"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."*
- Remove Paragraph 6.7 as the comments are included within Paragraph 6.6 (paragraph removed is shown in the example below):
 - ~~*"If the Complaint is dismissed, the 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 7 days of receiving notice of the dismissal. Any appeal shall be heard by the Review Panel at their next meeting."*~~
- Add another new subtitle under the new Paragraph 6.7 (new wording is as follows):
 - ***"Request for Expert Evidence"***
- This is a new section of the Complaints Process where the Complaints Panel can request "Expert Evidence" before making a decision. This section has been slotted in before the section on Panel Hearings and the new paragraphs confirm how this new element of the Complaints Process works (new wording is as follows):
 - ***"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."***

- Amend the the next subtitle for Paragraph 6 to reference that Panels considering Complaints (as opposed to appeals) are known as Complaints Panels (amendment is shown in the examples below):
 - March 2023: *“Panel Hearings”*
 - March 2024: *“Complaints Panel Hearings”*

- Amend Paragraph 6.8 to Paragraph 6.9 and replace the wording to confirm that any member of the Panel can produce the paperwork relating to a Complaint and that the paperwork will be distributed in advance of the Hearing date (amendment is shown in the examples below):
 - March 2023: *“6.8 At least 7 days before the Panel hearing, the Panel Chair will send the parties a running order for the hearing. An example running order is given in **Appendix 3 – Panel Hearing Running Order Example.**”*
 - March 2024: *“6.9 **The 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.**”*

- Amend what was Paragraph 6.9 to Paragraph 6.10 and amend the wording to confirm working days to keep in line with the formatting of other deadlines in this document. This deadline has also been extended to four days (amendment is shown in the examples below):
 - March 2023: *“6.9 If a Complainant or Respondent wants the Panel to ask any questions of the other parties or witnesses, they should submit these in writing no less than 48 hours before the Panel hearing.”*
 - March 2024: *“6.10 If a Complainant or Respondent wants the 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.”*

- Amend what was Paragraph 6.10 to Paragraph 6.11 and amend the wording to explain the role of supporters for Complainants or Respondents and how to include them in the Complaints Panel Hearing (amendment is shown in the examples below):
 - March 2023: *“If a Complainant or Respondent asks for extra support at a Panel hearing, the Panel shall consider any support requested and apply the Party’s safeguarding procedures on Party events where appropriate. If a Complainant or Respondent wants to bring a person with them to the Panel hearing to provide emotional support they may do so as long as that supporter is a member of the Party, and that supporter may not speak at the Panel hearing.”*

- March 2024: *"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) 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) 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."***
- Amend what was Paragraph 6.11 to Paragraph 6.12 and amend the wording to explain that the Panel will only be prepared to question witnesses invited to attend a Hearing (amendment is shown in the examples below):
 - March 2023: *"At the Panel hearing the Panel members will ask questions of both parties and any witnesses, and allow the Complainant and Respondent to explain their position, set out their evidence, and respond to each other's statements."*
 - March 2024: *"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.**"*
- Add a new paragraph (6.13) to clarify that no new evidence can be permitted at the Panel Hearing (new wording is as follows):
 - ***"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."***
- Add another new subtitle under Paragraph 6.13 (new wording is as follows):

- **“Complaints Panel Decisions”**
- Amend the wording of the previous Paragraph 6.12 (now 6.14) to explain that the Panel may have more than one Hearing to conduct when several Complaints are linked and therefore a Decision Notice may not be made available as swiftly as stated in the current procedures (amendment is shown in the examples below):
 - March 2023: *“Once the Panel hearing has finished, the Panel should decide whether to uphold the Complaint, including full written reasoning and any sanctions that apply, within 7 days.”*
 - March 2024: *“Once the Panel hearing **and any related hearings** has/have finished, the Panel should decide whether to uphold the Complaint, including full written reasoning and any sanctions that apply, within **twenty (20) working days.**”*
- Amend wording of what was Paragraph 6.13 (now 6.15) to reflect that the Panel is referred to as a Complaints Panel (amendment is shown in the examples below):
 - March 2023: *“The Standards Office will send the Complainant and Respondent copies of the Panel’s decision promptly and may publish Panel decisions, reasoning and sanctions as necessary.”*
 - March 2024: *“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.”*
- Amend wording of what was Paragraph 6.14 (now 6.16) to clarify that the party submitting an appeal must include grounds for their appeal and not simply state their intention to appeal as well as confirm the extended deadline for appeals to be submitted as requested by the Federal Appeals Panel (amendment is shown in the examples below):
 - March 2023: *“~~If a Panel upholds a Complaint~~ the Respondent and/or the Complainant may notify the Standards Officer that they intend to appeal within 7 days of receiving the Panel’s decision.”*
 - March 2024: *“**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.**”*
- Add a new paragraph (6.17) under the new Paragraph 6.16 to confirm that the original Complaints Panel that considered the allegations will also be notified of the existence of any appeal (new wording is as follows):

- ***“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.”***
- Amend the title for Paragraph 7 to confirm the name of the Panel that considers appeals (amendment is shown in the examples below):
 - March 2023: *“Appeals”*
 - March 2024: *“Appeals (Disciplinary Appeals Panel)”*
- Add a new summary under the section heading to clarify a few points about what an appeal is before outlining how they are handled (new wording is as follows):
 - ***“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.”

- Remove the entirety of Paragraph 7 as there will no longer be an Appeals Panel or Review Panel. This entire section merges what used to be the Review Panel (who considered appeals against dismissed Complaints) and the Appeals Panel (who considered appeals against upheld Complaints) into the Disciplinary Appeals Panel (who will consider appeals against any final decision of the Complaints Process).
 - March 2023: *“Appeals against dismissals*
 - 7.1. *A Review Panel will meet at least once a month to consider appeals made in writing against decisions to dismiss (under either of paragraph 3.1, 3.2, 4.1 or 6.7). The decisions of a Review Panel will be final.*
 - 7.2. *If the Review Panel overturns a decision under paragraph 3.1, 3.2 or 4.1, it will set out in writing its reasoning and whether the Complaint should be dealt with under paragraph 2.1.1, 2.1.2, 2.1.3 or 2.1.4 instead.*
 - 7.3. *If the Review Panel overturns a decision under paragraph 6.7, the Standards Office will appoint a new Panel to consider the Complaint at a Panel hearing.*
 - 7.4. *If the Review Panel upholds a decision to dismiss a Complaint it may choose to set out its reasoning in full in writing.*

Appeals against upheld Complaints and/or sanctions

7.5. An Appeals Panel will meet at least once a month to consider appeals against Panel decisions to uphold Complaints made under paragraph 6.14. The decisions of an Appeals Panel will be final.

7.6. The Appeals Panel will consider all the evidence previously submitted to a Panel in relation to the Complaint and decide whether there is any evidence that

- (a) the decision made by the Panel was obviously incorrect, or
- (b) the decision did not take into account relevant evidence available to it, or
- (c) the Panel applied a sanction which was disproportionate to the harm caused.

If the Appeals Panel decides one or more of these criteria are met, they may amend the Panel's decision but if none of them are met they will uphold the Panel's decision.

7.7. The Appeals Panel will set out their decisions in writing within 14 days of meeting to consider the appeal.

7.8. The Standards Office will send the Complainant and Respondent copies of the Appeals Panel's decision promptly and may publish Appeals Panel decisions, reasoning and sanctions as necessary."

- March 2024: "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 complaint process decisions made under paragraphs 3.1, 3.2, 4.1, 6.4(A), 6.4(C) and 6.12. 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 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 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 paragraph 3.1, 3.2 or 4.1, it will set out in writing its reasoning and whether the Complaint should be dealt with under paragraph 2.2.1, 2.2.2, 2.2.3 or 2.2.4 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

- Amend the title of this section to make it clear that this section outlines the additional features of the Complaints Process that we undertake in specific circumstances.
 - March 2023: *“Extra Steps”*
 - March 2024: ***“Supplementary Processes”***
- Add a summary paragraph before the paragraph numbers begin to confirm what will happen to a Complaint if one of these supplementary processes are implemented (new wording is shown below):
 - ***“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.”
- Amend Paragraph 1 to make it clear how Complaints against staff are to be considered as long as they are a member of the Party.

This section has had multiple clarifications added and so the changes have been reflected as the removal of Paragraph 1.1 from the current procedures and the addition of Paragraphs 1.1 to 1.5 which demonstrate a clear outline of how Complaints against staff will be dealt with (amendment is shown in the examples below):

- March 2023: *“Where any Complaint is made about the conduct of a member who is employed in any capacity by the Party or any Party body (including, but not limited to the Federal Party, any State Party, the office of any elected representative or parliamentary or council group, or any AO or SAO) the Standards Office shall refer the Complaint to the relevant employer to consider whether it relates to events taking place, or their conduct when acting, in the course of their employment. If so, the Complaint will not be dealt with under this complaints process, and will, instead, be dealt with as an employment matter in accordance with that member's terms of employment. If not, the employer shall inform the Standards Office within 10 working days and the Complaint shall be dealt with under this complaints process.”*

- March 2024:
 - ***“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 their Party membership decision, 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 membership should be considered under the Complaint Process Rules.”***
- Amend Paragraph 2 to simplify how Complaints against Parliamentarians and other elected representatives are to be considered.

This section has also had multiple clarifications added and so the changes have been reflected as the removal of Paragraphs 2.1 to 2.4.2 from the current procedures and the addition of Paragraphs 2.1 and 2.2 which demonstrate a clear outline of how Complaints against Parliamentarians and elected representatives will be dealt with (amendment is shown in the examples below):

- March 2023: ~~*“2.1 Where any Complaint is made about the conduct of a member who is a Parliamentarian, Senator, or an elected representative as a*~~

~~member of the Party's group in the London Assembly, the Lead Adjudicator shall refer the Complaint to the Chief Whip (or nearest equivalent) of that group for investigation under that group's standing orders to consider whether it relates to events taking place, or their conduct when acting, in the course of their role as a Parliamentarian or elected representative. If not found to have been acting in their role as a Parliamentarian or elected representative, the referee shall inform the Standards Office of their outcome and rationale within 10 working days and the Complaint shall be dealt with under this complaints process. If so, the referee shall apply their standing orders or procedures first before this complaints process applies (subject to paragraph 2.2).~~

- ~~○ 2.2 Three months after any such referral the Standards Office shall write to the referee requesting a report as to the progress of their investigation and, if a final decision has been made, (i) a report of the findings of their investigation, (ii) the final decision reached within their own procedure and (iii) 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 and to the CEO.~~
- ~~○ 2.3 If the referee provides a report and final decision within a month of delivery of the Standards Office's written request under paragraph 2.2, the Complaint shall be referred to the Senior Adjudicators' Team who shall make its decision as to whether to confirm the outcome of the Complaint based on the report and any other evidence the Standards Office has received (and for the avoidance of doubt the SAT shall not be bound by the findings of any report and decision provided by the referee). If the SAT disagree with the referee investigation and/or outcome, the complaint can return to paragraph 2.1.4 stage for Panel deliberation. In the event that a report and final decision are not provided within one month, the Complaint shall be dealt with from that date under this complaints procedure.~~
- ~~○ 2.4 If no Complaint has been made under this system, and instead a complaint is made directly to any of the bodies listed directly in paragraph 2.1 then:
 - ~~■ 2.4.1 if the body complained to considers that the complaint relates to events taking place, or the conduct of the Parliamentarian or elected representative when acting, in the course of their role as Parliamentarian or elected representative and their final decision recommends a sanction which can be applied under this complaints process, they shall inform the Standards Office on completion of their investigation of their final decision and the recommended sanction and provide a copy of their investigation report to the Standards Office. The~~~~

~~Standards Office shall then register a Complaint in the case management system against the Parliamentarian or elected representative (with the body complained to as Complainant) and refer the matter to the Senior Adjudicators' Team who shall appoint a Panel, which shall make its decision as to whether to uphold the Complaint based on the report the Standards Office has received; or~~

- ~~2.4.2 if the body complained to considers that the complaint does not relate to events taking place, or the conduct of the Parliamentarian or elected representative when acting, in the course of their role as Parliamentarian or an elected representative but there are grounds for a Complaint under this complaints process they can refer the person making the complaint to this complaints process."~~

○ March 2024:

- **"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 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."***
- Amend Paragraph 3 to simplify how Complaints against elected councillors are to be considered.

This section has also had multiple clarifications added and so the changes have been reflected as the removal of Paragraphs 3.1 to 3.5.2 from the current procedures and the addition of Paragraphs 3.1 and 3.6.2 which demonstrate a clear outline of how Complaints against elected councillors will be dealt with (amendment is shown in the examples below):

- ~~March 2023: "3.1 Where any Complaint is made about the conduct of a member who is an elected councillor who is part of a recognised Liberal Democrat council group (a Group), the Lead Adjudicator shall contact the Group via any of its officers and ask them to confirm within 10 working days that all three of the following conditions are met:~~

- ~~3.1.1 Power under the standing orders: the Group's standing orders contain a process for the Group to handle complaints against their members; and~~
- ~~3.1.2 Capacity: the Group considers either (a) that it has the capacity to deal with the complaint, or (b) the group does not have the capacity to deal with the complaint but it has requested that the regional or state party identify another council group (the Nominated Group) which is able to deal with the complaint and this request has been agreed to by the relevant regional or state party and the Nominated Group.~~

~~Reasons why a Group may not feel able to deal with a complaint include – without limitation – a complaint involving all the members of the Group who could run the group's internal complaints process, or incapacity among Group members who would otherwise be required to run the process; and~~

- ~~3.1.3 Relevance: the subject matter complained about relates to events taking place, or the respondent's conduct when acting, in the course of their role as an elected councillor.~~

- ~~3.2 If the Group confirms within 10 working days that all three conditions are met, the Group shall apply their standing orders or procedures first before this complaints process applies. However, if any or all of the conditions in 3.1.1, 3.1.2 or 3.1.3 are not met, or the Group fails to confirm within 10 working days whether they are met, or if the response is that the Group does not wish to deal with the complaint, the Complaint shall be dealt with from that date under this complaints procedure.~~
- ~~3.3 If confirmation is given under 3.1, three months after receiving this confirmation the Standards Office shall write to the Group (or if 3.1.2(b) applies, to the Nominated Group) requesting a report as to the progress of their investigation and, if a final decision has been made, (i) a report of the findings of their investigation, (ii) the final decision reached within their own process and (iii) 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.~~
- ~~3.4 If the Group (or if 3.1.2(b) applies, the Nominated Group) provides a report and final decision within a month of delivery of the Standards Office's written request under paragraph 3.3, the Complaint shall be referred to the Senior Adjudicators' Team who shall appoint a Panel, which shall make its decision as to whether to uphold the Complaint based on the report the Standards Office has received. In the event that a report and final decision are not provided within one month, the Complaint shall be dealt with from that date under this complaints procedure.~~
- ~~3.5 If no Complaint has been made under this system, and instead a complaint is made directly to a recognised Group then unless the standing orders of the Group contain an alternative process:

 - ~~3.5.1 if the Group considers that the complaint relates to events taking place, or the conduct of the elected councillor when acting, in the course of their role as an elected councillor and their final decision recommends a sanction which can be applied under this complaints process, they shall inform the Standards Office on completion of their investigation of their final decision and the recommended sanction and provide a copy of their investigation report to the Standards Office. The Standards Office shall then register a Complaint in the case management system against the elected councillor (with the Group as Complainant) and refer the matter to the Senior Adjudicators' Team who shall appoint a Panel, which shall make its decision as to whether to~~~~

~~uphold the Complaint based on the report the Standards Office has received; or~~

- ~~3.5.2 if the Group considers that the complaint does not relate to events taking place, or the conduct of an elected councillor when acting in the course of their role as an elected councillors but there are grounds for a Complaint under this complaints process they can refer the person making the complaint to this complaints process.~~

○ **March 2024: "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, 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, 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."**
- Amend the wording of Paragraph 4.1 to clarify how the Complaints Process will review the investigations of other Party bodies when the allegations reach the Federal Party (amendment is shown in the examples below):
 - March 2023: *"If, at any point during a complaints process ~~before a Panel has been convened~~, 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, ~~the Senior Adjudicators' Team may decide to delay the next steps in the relevant Complaint until that body has completed its investigation. The~~*

~~Senior Adjudicators' Team will review decisions under this paragraph on a monthly basis.~~

- March 2024: *"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.**"*
- Add an additional paragraph (4.1.1) to explain that the Senior Adjudicators Team will consider the report from other Party bodies before a relevant Complaint can progress through the Federal Complaints Process (new wording is as follows):
 - ***"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."***
- Add a new section to describe what happens to a Complaint submitted to the Federal Complaints Process if it has already been investigated (or being investigated) by another Party body (new wording is as follows):
 - ***"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."**
- Amend the section on Criminal Matters from what was Paragraph 5 to Paragraph 6 to reflect the addition of a new section as described above.
- Amend wording for what was Paragraph 5.2 (now 6.2) to reflect the change to add information about the allegation against the Respondent being reported to the Police to the Respondent's membership profile - even if the allegation is unproven (amendment is shown in the examples below):
 - March 2023: *"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 ~~who shall~~, in order to comply with the Party's duty of care to its members and to members of the public, make sure that it is reported to the police."*
 - March 2024: *"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.**"*
- Amend wording for what was Paragraph 5.3 (now 6.3) to make sure that a specific title of a member of staff is used and is referred to appropriately in the Complaints Procedures (amendment is shown in the examples below):
 - March 2023: *"~~In accordance with legal advice~~, 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 ~~Head of HR~~ 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 Head of HR will not share this information with the*

Respondent and does not need the consent of the Respondent to make a report to the police.”

- March 2024: *“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.”*
- Add an additional paragraph (6.3.1) to explain that a Complaint subject to police action is paused under our processes (new wording is as follows):
 - ***“6.3.1. Once a report has been made to the police, the Complaint will be paused until reviewed by the Senior Adjudicator Team”***
- Amend wording for what was Paragraph 5.4 (now 6.4) to make sure that a specific title for a member of staff is used and is referred to appropriately in the Complaints Procedures (amendment is shown in the examples below):
 - March 2023: *“~~Whilst the Party will not investigate such allegations while a police investigation is ongoing (and for the avoidance of doubt, where the police fail to confirm under paragraph 5.9 the Party will deem any police investigation to have concluded) it will consider other Complaints against the same Respondent which are, in themselves, not criminal but which may be linked to criminal conduct.~~”*
 - March 2024: *“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.”*
- Move the section on “Police failure to confirm” to be placed under what is now paragraph 6.4.
- Amend wording for what is was Paragraph 5.9 (now 6.5) to provide the Senior Adjudicators Team with the ability to ensure that any Complaint being considered by the Police can remain paused until the conclusion of their investigation (amendment is shown in the examples below):

- March 2023: *"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 ~~Party will~~ investigate the Complaint under this complaints process."*
- March 2024: *"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.**"*
- Move the section on "End of Police investigation" to be placed under what is now paragraph 6.5.
- Amend wording for what was Paragraph 5.8 (now 6.6) to allow the Party to choose to progress the Complaint under the Federal Complaints Process but only if relevant (amendment is shown in the examples below):
 - March 2023: *"If the police inform the Party that conduct reported to them is not criminal or that their investigation has concluded without charge, the Party ~~will~~ investigate the Complaint under this complaints process."*
 - March 2024: *"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."*
- Move the section on "Suspension, in the case of alleged criminal behaviour" to be placed under what is now paragraph 6.6 and amend the wording to reference "Interim Suspension" (amendment is shown in the examples below):
 - March 2023: *"Suspension, in the case of alleged criminal behaviour"*
 - March 2024: *"Interim Suspension, in the case of alleged criminal behaviour"*
- Amend wording for what was Paragraph 5.5 (now 6.7) to confirm that the interim suspension applied under this section will not be automatically lifted until the conclusion of this Complaints Process (amendment is shown in the examples below):
 - March 2023: *"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."*

- March 2024: *"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.**"*
- Amend wording for what was Paragraph 5.6 (now 6.8) to amend how often the Senior Adjudicators Team reviews any interim suspension decision (amendment is shown in the examples below):
 - March 2023: *"The Senior Adjudicators' Team ~~shall~~ review any such suspension quarterly thereafter, until conviction, the end of any police investigation or, if they determine that this complaints process should apply following any of conviction, the end of police investigation, or police failure to confirm, the end of that complaints process, including any appeal."*
 - March 2024: *"The Senior Adjudicators' Team **may** review any such suspension **from time to time, until any criminal case is determined.**"*
- Move the section on "Conviction" to be placed under what is now paragraph 6.8 and amend the wording to reference "Interim Suspension" (amendment is shown in the examples below):
 - March 2023: *"Conviction"*
 - March 2024: *"Conviction for a serious offence"*
- Amend wording for what was Paragraph 5.7 (now 6.9) to amend how often the Senior Adjudicators Team reviews any interim suspension decision (amendment is shown in the examples below):
 - March 2023: *"Where a Complaint has been made and the member has been convicted of a 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 the conviction or refer it to a Panel hearing. 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."*
 - March 2024: *"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."*
- Amend the section on Data protection and electoral law from Paragraph 6 to Paragraph 7 to reflect the addition of a new section as described above.
- Amend wording for what was Paragraph 6.1 (now 7.1) to include the possibility that a Senior Adjudicator is considering a Complaint and wishes to refer this type of allegation to the relevant Party staff (amendment is shown in the examples below):
 - March 2023: *"~~If the Lead Adjudicator considers that the subject matter of a Complaint relates to data protection law or electoral law they may 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.~~"*
 - March 2024: *"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."*
- Add an additional paragraph (7.2) to explain that a Complaint may only be paused in part if there are other allegations that must be addressed first (new wording is as follows):
 - ***"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."***
- Add an additional paragraph (7.3) to explain that the Data Protection and Compliance teams are to confirm an outcome to the Standards Office as a priority (new wording is as follows):
 - ***"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.”

Draft

PART 3: Guidance and explanatory notes

- Amend Paragraph 1 to simplify how anonymity is described (amendment is shown in the examples below):

- March 2023: ~~“Sometimes Complainants and witnesses will want 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.~~

~~However, the Senior Adjudicators’ Team has to balance someone’s request for anonymity with the duty to properly investigate the details of a Complaint and it is often necessary to share details with the Respondent to allow that to happen.~~

~~If a person asks to be kept anonymous, the Senior Adjudicators’ Team will consider the request and will allow it only where the person making the request has shown good cause (this may include but is not limited to, if a person is concerned about their personal safety, their privacy or their job and employment prospects).~~

~~If the Senior Adjudicators’ Team decide not to grant anonymity to a Complainant, the Complainant will be given the choice to proceed without anonymity or to withdraw their Complaint. If the Senior Adjudicators’ Team decide not to grant anonymity to a witness or any other person, that person will be given the choice to proceed without anonymity or to withdraw their evidence. The Respondent will not be told anything about a Complainant or witness who decides to withdraw.~~

~~Where any personal or identifying information about any party or witness to a Complaint is shared with any other party or witness, they are expected to keep such information confidential and to respect the privacy of the individuals concerned. The Party will take any misuse of this information to harass, bully or intimidate Respondents, Complainants or witnesses very seriously indeed. The Party will also report any potentially criminal harassment, bullying or intimidation of which it is made aware to the police.”~~

- March 2024: **“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."**

- Amend Paragraph 2 to simplify how confidentiality is described (amendment is shown in the examples below):
 - March 2023: ~~"While a Complaint is being considered by this complaints process, it is important that people who are not involved in the Complaint do not try to interfere with the process. One of the best ways to ensure that no one tries to do this is for the parties to the Complaint to keep the details about the Complaint confidential until a decision has been made and all appeals are complete.~~

~~However, people can also find the complaints process stressful and talking to people about that can help. Parties to a Complaint can, therefore, tell other 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 try to limit the number of people they ~~speak to, to~~ close friends or family. It is ~~not appropriate for people involved in those~~ Complaints to make social media posts or publicise ~~them~~ via the media until ~~they~~ have been brought to a conclusion.

The Party has a duty of care to its members and to members of the public, ~~and~~ to allow it to exercise that duty of care the Party may need to tell people inside the Party and others about a Complaint while it is ongoing. For example, the Party may need to tell ~~local, regional or state party or AO or SAO executives~~ if a member in their area or organisation has been accused of a serious offence or is making vexatious Complaints, ~~or candidates' chairs or others, if the~~ Complaint involves an approved candidate who has been or may be selected to represent the Party.

Once a complaints process has concluded, ~~where a Complaint has been upheld~~ the Panel will ~~suggest~~ who to tell 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 ~~and~~ ~~parties may make these public.~~

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

- March 2024: **"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."

- Amend Paragraph 3 to explain what level of evidence is usually required (amendment is shown in the examples below):

- March 2023: *“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 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 Panel may choose to ask an Investigator to look at the evidence and interview parties in ~~very difficult or complex 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 and there will be no separate investigation.

It is the Complainant's responsibility to ~~explain their Complaint and back up anything they say to the Standards Office, the Lead Adjudicator and any Panel with evidence.~~

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 may give the Complainant ~~seven~~ 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 why ~~to the Standards Office, Lead Adjudicator and any Panel~~ and support this with evidence, ~~and not simply state that this is the case.~~

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 eye-witnesses.”

- March 2024: *“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 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 eye-witnesses."

- Amend Paragraph 4 to remove arbitrary deadline to bring a Complaint to a conclusion as well as including comment relating to the discretion of the relevant Panel (amendment is shown in the examples below):

- March 2023: ~~*“Best practice is for Complaints to be dealt with as swiftly as possible. The ideal timeline of a full Complaints process, from initial filing of the online complaints form to the decision from a Panel, should be around 6 weeks (assuming enough evidence is submitted alongside the original Complaint, and the parties all meet the deadlines for their responses). Any appeal would be in addition to this.”*~~

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 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.”

- March 2024: *“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.**”*

- Amend Paragraph 5 to clarify how someone can request to be represented through the Complaints Process and how this will work when a Complaint is submitted by a Nominated Person (amendment is shown in the examples below):
 - March 2023: *“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 ~~or Review 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.*

Members may request advice from a legal professional at any stage of the process. Members may choose a supporter who ~~has legal training at any Panel or Appeals Panel hearing, as long as that supporter is a member of the Party and does not speak at the hearing.~~

- March 2024: *“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 can not 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 four (4) working days in advance of the Complaints Panel Hearing. The Complaints Panel may vary this provision in appropriate circumstances.”

- Amend Paragraph 6 to make it clear that the Process Mentor will not automatically see everything on a Complaint and it is the responsibility of the person assigned a Process Mentor to share what they want to be shared (amendment is shown in the examples below):

- March 2023: *“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 can provide a Process Mentor. ~~A Process Mentor is a volunteer who is not trained to provide emotional support and does not~~ advocate or represent the person they are assisting. ~~Their role is~~ limited to assisting that person to understand these rules and guidance.”*
- March 2024: *“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.”

- Amend Paragraph 7 to clarify what happens to a Complaint when a Respondent resigns from the Party or is not a member at the time a Complaint is raised (amendment is shown in the examples below):

- March 2023: *“Respondents or Complainants may seek to resign their membership of the relevant State Party before the complaints procedure is complete.*

~~*While the relevant State Party may accept such resignations, in such circumstances the Senior Adjudicator’s Team should review the case to determine if there is sufficient interest in continuing the complaints process.*~~

~~If the Senior Adjudicator Team believes there is sufficient rationale to continue with the complaints process, the Panel may continue at the relevant stage of the complaint.~~

~~If the Respondent resigns before the decision of the Complaints Panel has been made, the Complaints Panel should take this into account when considering any outcome and/or sanction.~~

~~For example, the Panel may wish to Uphold the Complaint, and determine a relevant sanction, which is to be applied in the event the Respondent tries to re-join the Party. In order to do this, a flag 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 applicable body of any relevant outstanding sanction, this includes but is not limited to the relevant local, regional and/or state party or Affiliated Organisation membership teams."~~

- March 2024: **"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."

- Amend Paragraph 8 to remove the reference to Warnings (as this will now be its own section) and clarify that decisions will be made by the Senior Adjudicators Team, a Complaints Panel or the Disciplinary Appeals Panel (amendment is shown in the examples below):
 - March 2023: ~~"A Panel will take into account evidence of patterns of behaviour by the same Respondent when considering any Complaint in a few different ways.~~

~~Previous Upheld Complaints~~

~~If a Complaint has previously been upheld against a Respondent and a second similar Complaint is also upheld, the Panel will take into account this evidence when choosing whether to impose heavier sanctions than they otherwise might for individual Complaints, to reflect the additional damage done by the pattern of behaviour to the wellbeing of its members and the public and to the reputation of the Party.~~

~~Where the Senior Adjudicators' Team decides to link Complaints under one complaints process (see paragraph 2.3 of the main complaints process) one Panel may be called to look at all of these Complaints at the same time. In the Panel decision notice, the Panel should make clear their decision in response to each separate Complaint. This will allow the Party more easily to identify patterns of behaviour.~~

~~Warnings~~

~~The Lead Adjudicator or a Panel might not think one act in itself is sufficiently serious to merit a Panel hearing or a sanction, but they may think that if the person did something repeatedly or when combined with other behaviour~~

~~reported to the Party it would cause greater concern. In such circumstances, rather than simply dismissing the Complaint, the Lead Adjudicator or Panel may decide to issue a Warning.~~

~~If any new Complaint is made against the same Respondent in future, the volume, scope and outcome of all previous complaints would then be taken into account by the Lead Adjudicator or Panel in deciding what decision and any sanction to apply."~~

- March 2024: **"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."

- Move and amend the section on Warnings (previously under "Patterns of behaviour" section) to give Warnings their own section in Part 3 - Guidance and Explanatory Notes as the new Paragraph 9 (amendment is shown in the examples below):
 - March 2023: ~~"The Lead Adjudicator or a Panel might not think one act in itself is sufficiently serious to merit a Panel hearing or a sanction, but they may think that if the person did something repeatedly or when combined with other behaviour reported to the Party it would cause greater concern. In such circumstances, rather than simply dismissing the Complaint, the Lead Adjudicator or Panel may decide to issue a Warning.~~

If any new Complaint is made against the same Respondent in future, ~~the volume, scope and outcome of all previous complaints would then be taken into account by the Lead Adjudicator or Panel in deciding what decision and any sanction to apply.~~

- March 2024: *"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."*

- Amend wording for what was Paragraph 9 (now Paragraph 10) to reflect that a Senior Adjudicator, Complaints Panel or the Disciplinary Appeals Panel can also consider the possibility of a Complainant submitting a vexatious Complaint (amendment is shown in the examples below):

- March 2023: *"~~If a person appears to be making a vexatious Complaint –i.e. a Complaint which the person making it is aware has no merit and they are making it with the intention to cause the person complained about distress or personal or professional difficulty– the Lead Adjudicator will take this into account when considering whether to dismiss the Complaint.~~*

If a person makes multiple vexatious Complaints, the Lead Adjudicator may prohibit them from making Complaints for a certain period. During ~~this~~ period, ~~such a person~~ may apply in writing to the Lead Adjudicator for consent to lodge a Complaint ~~and~~ 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."

- March 2024: *"**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."

- Amend wording under the first subtitle ("What is a Sanction?") of what was Paragraph 10 (now Paragraph 11) to clarify the sanctions available to the decision makers within this Complaints Process (amendment is shown in the examples below):
 - March 2023: ~~"If a Panel upholds a Complaint it should explain what sanction – i.e. penalty for the behaviour the Complaint relates to – should apply to the Respondent. Possible sanctions include (but are not limited to) any one or more of the following:"~~
 - March 2024: **"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:"
- Amend wording of the list of sanctions in Paragraph 11 (amendment is shown in the examples below):
 - March 2023: "revocation of membership and expulsion from the relevant State Party or SAO;

suspension of membership of the relevant State Party ~~or SAO~~ 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 as a Liberal Democrat either permanently, for a fixed period or until after a specific event has occurred;

ban from holding office 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 ~~scheduled at the time of request~~);

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 of request~~);

a Warning."

- March 2024: *"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."

- Amend wording below the list of sanctions in Paragraph 11 (amendment is shown in the examples below):

- March 2023: *“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 14 days after the decision is communicated to the Respondent. The 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).”*
- March 2024: ***“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).”*

- Amend the second subtitle for Paragraph 11 to specify the need for the Complaints Panel the Panel to meet (amendment is shown in the examples below):
 - March 2023: *“Appeals and sanctions”*
 - March 2024: *“The effect of Appealing on sanctions”*

- Amend wording under the second subtitle (“The effect of Appealing on sanctions”) of Paragraph 11 to simplify what happens to a sanction when an appeal is submitted against the decision of a Complaints Panel (amendment is shown in the examples below):

- March 2023: *“Where a Panel has recommended a sanction but the Respondent appeals, the sanction will be dealt with in one of two ways:*

~~*For something that has ongoing effect (like removal from a local party committee or suspension of the right to stand as a candidate on behalf of the Party) the sanction will be applicable immediately from the Panel decision being*~~

~~published, and will remain in force, unless and until an appeal overturns the sanction.~~

~~Where a sanction requires a specific action (like undertaking training or writing an apology) (a) the timeline set for completing that sanction will start to run immediately from the Panel decision being published, (b) if the Respondent makes an appeal, the timeline will be suspended until the outcome of the Appeals Panel is published, and (c) unless the Appeals Panel overturns the sanction, the timeline will start again immediately from the Appeals Panel decision being published."~~

- March 2024: "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."**

- Amend wording for what was Paragraph 11 (now Paragraph 12) to clearly outline the other Party bodies members can approach should they wish to pursue a less formal route to address their concerns (amendment is shown in the examples below):
 - March 2023: "This complaints process is not designed to provide informal resolution of Complaints. Where members are interested in informally resolving issues with another member, they should contact the Standards Office to ask for support. The Standards Office may put ~~them~~ in touch with ~~pastoral care support and/or~~ support from appropriate party bodies – such as their local, regional or State parties, Lib Dem LGA, or ALDC – to assist as appropriate."
 - March 2024: "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.”

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PART 4: Administration

- Amend wording of Paragraph 1.1 to remove reference to SAOs (amendment is shown in the examples below):
 - March 2023: *“When considering any amendments to this document, the Federal Board shall consult the State Parties and any other relevant Party bodies including Associated Organisations ~~or Specified 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.”*
 - March 2024: *“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.”*
- Amend wording of Paragraph 1.2 to remove reference to SAOs (amendment is shown in the examples below):
 - March 2023: *“The final decision on any amendments to this complaints process shall be made by the Federal Board.”*
 - March 2024: *“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.**”*
- Amend a clause under Paragraph 2 to reflect that there is no longer an Appeals Panel or Review Panel but that the Lead Adjudicator will report cases appealed to the new Disciplinary Appeals Panel (amendment is shown in the examples below):
 - March 2023: *“the number of cases appealed to the ~~Review Panel and the Appeals Panel;~~”*
 - March 2024: *“the number of cases appealed to the **Disciplinary Appeals Panel;**”*

PART 5: Definitions and Glossary

- Amend the definition of an “Adjudicator” to simplify the reader’s understanding of who can be an Adjudicator (amendment is shown in the examples below):

- March 2023: *“An Adjudicator is a person trained to sit on a panel determining whether sanctions should be imposed.*

Each Panel is made up of three Adjudicators and ~~may impose sanctions on members who are deemed to have brought the Party into disrepute.~~

~~There will be a list of at least 40 individuals who undergo a robust approvals process. Adjudicators are permitted to stand as candidates or hold local government elected posts for the Party or hold office at a Local Party or Associated Organisation level but cannot otherwise hold public office or office elsewhere in the Party.”~~

- March 2024: **“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.***

A person may not be an Adjudicator if they are:

- **A. 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.**
- **B. A member of the Executive of the English, Scottish or Welsh State parties of the Liberal Democrats.**
- **C. An officer of the Executive of an English Region.”**

- Add a definition of “Anonymity” as a basic guide to what anonymity means when used in the Complaints Process (new wording is as follows):
 - **“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.”**
- Add a definition of “Appeal” as a basic guide to how appeals are considered within the bounds of the Federal Complaints Process (new wording is as follows):

- ***“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.”***
- Add a definition of “Appellant” as a reference to explain who is called the appellant when an appeal is being considered (new wording is as follows):
 - ***“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.”***
- Remove the definition of “Appeals Panel” as this will now be merged with the “Review Panel” and considered the “Disciplinary Appeals Panel”.
- Amend the definition of “Bringing the Party into Disrepute” to simplify the reader’s understanding of what can be considered bringing the Party into disrepute (amendment is shown in the examples below):
 - March 2023: *“The Party can be 'brought into disrepute' under Article 3.8 of the Party's Federal Constitution ("the Constitution") by something a member does (an 'act'), by something a member does not do (an 'omission'), or by a number of acts and/or omissions by a member taken together (a 'course of conduct') which would substantially lower the Party's reputation in the mind of a fair, objective and right-thinking observer.*

~~*A few examples of behaviour that could bring the Party into disrepute are breaches of the Constitution, its policies or the Members' Code of Conduct, or behaviour described in any of the grounds for revocation of membership set out in Article 3.8 of the Constitution, as follows:*~~

- ~~■ *(a) material disagreement, evidenced by conduct, with the fundamental values and objectives of the Party;*~~
- ~~■ *(b) conduct which has brought, or is likely to bring, the Party into disrepute;*~~
- ~~■ *(c) standing against the candidate of the Party in any election to public office;*~~
- ~~■ *(d) membership of or support for another political party in Great Britain;*~~
- ~~■ *(e) a breach of the standards set out in Article 3.1(b) of the Constitution;*~~

~~or~~

- ~~(f) discrimination against another person on the basis of a protected characteristic as defined in the Equality Act 2010.~~

However, these are not the only kinds of behaviour Panels will consider."

- March 2024: *"The Party can be 'brought into disrepute' under Article 3.8 of the Party's Federal Constitution by:*
 - *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')*

which would substantially lower the Party's reputation in the mind of a fair, objective and right-thinking observer."

- Amend the definition of a "Complainant" to simplify the reader's understanding of who is referred to as a Complainant (amendment is shown in the examples below):

- March 2023: *"The Complainant is*

(i) a person bringing a Complaint about a member's behaviour or

(ii) where the Complaint is made by the executive of a Party body such as a Local, Regional or State Party or an AO or SAO, that Party body.

Where the Complainant is a Party body, the executive of that Party body shall identify a person who shall act as the Party body's representative in the Complaint."

- March 2024: *"The Complainant can be*

- *a person bringing a Complaint about a member's behaviour.*

- *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*

Please see Part 1. Paragraph 1.1.1 for further details."

- Amend the definition of a "Complaint" to simplify the reader's understanding of what can be referred to as a Complaint (amendment is shown in the examples below):

- March 2023: *"A Complaint is an allegation by any Complainant about the behaviour of a member of the Party. ~~This may include criminal behaviour, although the Standards Office shall advise a Complainant where there are circumstances in which the Complaint shall be referred to the police.~~*

Certain types of Complaints are not covered by this process and will be referred to other Party bodies. These include:

- ~~a) Complaints 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;~~
- ~~b) Complaints about data management or breach of data protection rules, including GDPR, which will be referred to the Data Protection team in Party HQ;~~
- ~~c) Complaints that are not about individual members. A few examples are:
 - a. ~~Party bodies or local, regional or state parties (which should be dealt with in accordance with the body's constitution or standing orders);~~
 - b. ~~council groups (which should be dealt with under the group's standing orders); or~~
 - c. ~~constitutional issues (the complaint should be made to the FAP);~~
 - d. ~~selection processes (which should be sent to the relevant Party's candidates' chair);~~~~
- ~~d) Complaints about Party employees acting in that capacity, which should be sent to their employer; or~~
- ~~e) Members acting in their capacity as returning officers (which should be dealt with under the relevant election rules).~~

Even if a complaint is a Complaint within these rules, it may be dismissed if the behaviour it relates to could not, on the balance of probabilities, bring the Party into disrepute."

- March 2024: "A Complaint is an allegation by any Complainant about the behaviour of a member of the Party."
- Add a definition of "Complaints Panel" as a guide to understand how a Complaints Panel is appointed (new wording is as follows):
 - **"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"**

- Amend the term “Panel Hearing” to “Complaints Panel Hearing” and move into alphabetical order - after the definition of “Complaints Panel”. Change is made to reflect the term “Complaints Panel” now being used and to clarify the reason for asking questions is to assist with their decision making (amendment is shown in the examples below):
 - March 2023: *“An inquisitorial process to which all relevant parties to the Complaint(s) are invited, ~~which~~ is convened by the appointed Panel to review and consider the relevant evidence provided by all parties and to ask any relevant questions.”*
 - March 2024: *“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.**”*
- Add a definition of “Complaints Process” to explain what we mean when we refer to the Complaints Process (new wording is as follows):
 - ***“The rules and guidance provided within this document.”***
- Add a definition of “Confidentiality” as a explanation of how seriously we consider confidentiality (new wording is as follows):
 - ***“Whilst a Complaint is live and under consideration by the Process, confidentiality is extremely important in order to make the process fair and independent.***

Please see the confidentiality section for guidance.”
- Add a definition of “Council Group” to explain what we mean when we refer to a Council Group (new wording is as follows):
 - ***“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.”***
- Amend the definition of a “Decision Notice” to simplify the reader’s understanding of who is referred to as a Complainant (amendment is shown in the examples below):
 - March 2023: *“A document issued to all relevant parties that outlines the ~~decision and~~ rationale of the Lead Adjudicator or Panel in response to the Complaint.”*
 - March 2024: *“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."

- Add a definition of "Disciplinary Appeals Panel" to confirm the details of who considers an appeal submitted against a decision of this Complaints Process (new wording is as follows):
 - **"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."**
- Add a definition of "Disciplinary Sub Group (DSG)" to confirm how the Federal Board has oversight over this Complaints Process on a regular basis (new wording is as follows):
 - **"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.**

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.

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.

For more information about the role and responsibilities of the DSG, see the DSG Standing orders adopted by the Federal Board."

- Add a definition of "Expert Evidence" to explain the new concept of allowing an expert to weigh in on the allegations raised in a Complaint raised via this Complaints Process (new wording is as follows):
 - **"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.**

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. Please see the Expert evidence section for guidance.”

- Add a definition of “Inquisitorial Process” to explain how this type of process works (new wording is as follows):
 - ***“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.”***
- Amend the definition of a “Investigator” to simplify the reader’s understanding of who is referred to as an investigator and their role within this Complaints Process (amendment is shown in the examples below):
 - March 2023: ~~“Investigators are trained to investigate Complaints referred to them without giving favour to either side and are tasked with presenting the Complaints they have investigated to a Panel, where it is determined that the Complaints are serious enough to warrant such action.~~

~~As with Adjudicators, Investigators permitted to stand as candidates or hold local government elected posts for the Party or hold office at a Local Party or Associated Organisation level but are otherwise barred from holding public office or office elsewhere in the Party.”~~
 - March 2024: ***“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 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.***
- Amend the definition of the “Lead Adjudicator” to simplify the reader’s understanding of the responsibilities of the Lead Adjudicator (amendment is shown in the examples below):
 - March 2023: ~~“The Lead Adjudicator is responsible for the smooth running of the complaints process and for reporting to Conference.~~

~~They are a point of contact for Adjudicators with questions about this procedure and any issues arising as a result of applying the procedure, to the extent these~~

~~are not covered by or are not clear to that Adjudicator from reading this procedure and the associated guidance."~~

- March 2024: ***"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.***

The LA is responsible for reporting to each Federal Conference about the recent operation of the Complaints Process.

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.

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.

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."

- Add a definition of "Nominated Person" to explain the new concept of who can be considered a Nominated Person within this Complaints Process (new wording is as follows):
 - ***"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."***
- Add a definition of "Panel Chair" to explain their additional responsibilities above and beyond being a member of the relevant Panel (new wording is as follows):
 - ***"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."***
- Removal of the definition of "Panel" as this is now considered the "Complaints Panel".

- Amend the definition of the “Senior Adjudicators Team” to outline their role and responsibilities under this Complaints Process (amendment is shown in the examples below):

- ~~March 2023: “The Lead Adjudicator is supported in this task by 3 Senior Adjudicators, 1 from each State Party. Together all are known as the “Senior Adjudicators’ Team”.~~

~~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 members of the Senior Adjudicators’ Team is ill or unavailable then the remaining members should be considered quorate.~~

~~Where this procedure and guidance places a duty on the Lead Adjudicator to make a decision and the Lead Adjudicator is temporarily unable to respond or make the decision (e.g. due to ill health, holiday or absence) the Standards Office shall refer that decision to the Senior Adjudicator for the State Party of the Respondent for them to make the decision instead of the Lead Adjudicator.~~

~~The members of the Senior Adjudicators’ Team may delegate their tasks, or any of them, to other Adjudicators. It is expected that no member of the Senior Adjudicators’ Team will serve a term of more than 5 years.”~~

- **March 2024: “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 Democrats.**

Members of the SAT may stand in for the LA as required, as described in other parts of this document.

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.

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.

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.

The members of the Senior Adjudicators' Team may delegate their tasks to other Adjudicators, with the agreement of the DSG.

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.

- Amend the definition of the "Process Mentor" to exclude anyone outside of the Party from being appointed a Process Mentor to support them during the Complaints Process to preserve this resource for members of the Party only (amendment is shown in the examples below):

- March 2023: *"A Process Mentor is an individual ~~chosen by the Party~~ to provide support to ~~participants going through the complaints process~~ to help them understand ~~this complaints process~~.*

~~The Standards Office shall ensure Process Mentors receive adequate training on navigating the complaints process and that they have access to any relevant guidance."~~

- March 2024: *"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.***

Please see the section on Process Mentors for guidance on their role.

- Removal of the definition of "Pastoral Care".
- Remove the definition of "Review Panel" as this will now be merged with the "Review Panel" and considered the "Disciplinary Appeals Panel".
- Amend the definition of the "Standards Office" to exclude anyone outside of the Party from being appointed a Process Mentor to support them during the Complaints Process to preserve this coveted resource for members of the Party only (amendment is shown in the examples below):
 - March 2023: *"The Standards Office are members of Party staff responsible for overseeing the administration of the Party's complaints process, ~~including publishing information and guidance on it on the Party's website."~~*

- March 2024: *The Standards Office are members of Party staff responsible for overseeing the administration of the Party's Complaints Process.*

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 submitting Complaints and Appeals.

- Amend the definition of a "Warning" to clarify the point of issuing a Warning is to highlight that while a single matter may not be enough to engage the Complaints Process, a course of conduct may be appearing and will be considered under this Complaints Process if continued allegations are submitted (amendment is shown in the examples below):
 - March 2023: ~~*"A note issued by the Lead Adjudicator or a Panel to a Respondent to make the Respondent aware that, while they believe a Complaint either does not relate to matters which risk bringing the Party into disrepute, or (in the case of the Lead Adjudicator) that it is inappropriate (as too inconsequential) to be referred to a Panel in and of itself, if a further Complaint were to be received in relation to the same or very similar behaviour, it is more likely to be referred to a Panel and/or is more likely to be upheld by a Panel."*~~
 - March 2024: ***"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."***
- Add a definition of "Working Days" to clarify when the Standards Office may not be available to consider Complaints (new wording is as follows):
 - ***"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."***