

Councillor Complaints Procedure

At the 10 September 2012 meeting of the Council it was agreed that the Council's Monitoring Officer be appointed as the Proper Officer for receiving complaints relating to failure to comply with the Code of Conduct. At the same meeting, the Council agreed the following procedure that should be carried out upon the receipt of a complaint relating to the failure to comply with the code of conduct.

1. That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation and to arrange such investigation. That he be instructed to seek resolution of complaints without formal investigation wherever practicable, and that he be given discretion to refer decisions on investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and to report quarterly to Standards Committee on the discharge of all functions delegated to him;
2. Where an investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be instructed to close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person, and reporting the findings to the Standards Committee for information;
3. Where an investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to Standards Committee. Where such local resolution is not appropriate or not possible, he is to report the investigation findings to a three voting member sub-committee of the Standards Committee for determination;
4. That Council delegate to a three member sub-committee such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include –
 - a. Reporting its findings to Council (*or to the Parish Council*) for information;
 - b. Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub Committees of the Council;
 - c. Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
 - d. Instructing the Monitoring Officer to (or recommend that the Parish Council) arrange training for the member;
 - e. Removing (or recommend to the Parish Council that the member be removed) from all outside appointments to which he/she has been appointed for nominated by the authority (or by the Parish Council);

- f. Withdrawing (or recommend to the Parish Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- g. Excluding (or recommend that the Parish Council exclude) the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.