

CODE OF CONDUCT COMPLAINTS PROCESS – WRITTEN SUMMARY

Stage I

1. If a complaint has been made by an Officer of the District Council against a District Councillor it shall not normally be referred to the Monitoring Officer (MO) unless it has first been dealt with under the Member/Officer Relations Protocol.
2. Upon receipt of complaint, an initial assessment will be undertaken by the MO to establish the exact nature of the complaint and whether there is a potential breach of the Code of Conduct.
3. All complaints will be acknowledged and the Councillor complained of notified within five working days of receipt. The Leader of the Council will be notified of all complaints against District Councillors and generally kept advised.
4. The MO will seek further information as required from either the Councillor complained of or the complainant within 15 working days of receipt of the complaint. If the subject Councillor declines to co-operate with the MO without good reason, then the MO may move directly to consult with the Independent Person (IP) – this in itself could constitute a separate breach of the Code of Conduct.
5. The MO will then consider the complaint in discussion with the IP and reach a conclusion as to the likelihood of a breach of the Code and a way forward. A conclusion will normally be reached within 25 working days of receipt of the complaint, and the respective parties notified. Options for conclusion at this stage are:
 - No further action
 - Refer to Political Group Leader for action (MO / IP to reconsider if no action taken)
 - Informal resolution
 - Refer to Police (if potential criminal issues involved)
 - MO / IP decide to put straight to **investigation** (internal) and then Stage II **Hearing**
 - Move to Stage II (with or without further discussion with parties to complaint)

Stage II

1. Refer to Joint Standards Committee (JSC) – two possible decisions/outcomes –
 - **Investigation** (and Group Leader informed)
 - No further action (all parties including IP to be notified immediately and rationale / detailed reasoning to be provided within 10 working days of the decision)

2. **Investigation** outcomes –
 - **NO BREACH**
 - No further action
 - Copy of report and findings to all parties including IP
 - Report to JSC for information

 - **BREACH**
 - MO / IP consider and pursue possible **informal resolution**
 - **JSC Hearing** (which may also be convened to hear outcome of Stage I investigation by MO or a failure to achieve informal resolution under Stage II)

3. **Hearing** findings to be notified to all parties immediately and any rationale/detailed reasoning for decision to be provided within 10 working days of the hearing. Decision notice to be published on Council’s website as soon as is practicable after notification.