

PART 5.1.2 ANNEX 6

ARRANGEMENTS FOR DEALING WITH STANDARDS COMPLAINTS

Principles for the introduction of “Arrangements” for dealing with Standards Complaints

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. In exceptional cases where there is a history of previous complaints by complainant(s) or complaints against any particular councillor(s), the Monitoring Officer is empowered to determine that no further action or appropriate “other action” should be taken without notifying the councillor subject to a complaint that a complaint has been received and/or not consulting the independent person in reaching the initial assessment decision.
2. The Monitoring Officer is instructed to seek resolution of complaints without formal investigation wherever practicable, and
 - has full discretion to refer decisions on investigation to the Governance Committee where it is inappropriate for her to take the decision, and
 - will report quarterly to the Governance Committee on the discharge of this function.
3. Where the investigation finds no evidence of a failure to comply with the Code of Conduct, the Monitoring Officer is instructed to close the matter, provided a copy of the report and findings of any investigation has been sent to
 - the complainant
 - the member concerned
4. Where the investigation finds evidence of a failure to comply with the Code of Conduct -
 - the Monitoring Officer, in consultation with the Independent Person, is authorised to seek a resolution in appropriate cases provided a summary report is made to the Governance Committee for information; or
 - where such resolution is not appropriate or not possible, she is to report the investigation findings to the Governance Committee for a hearing.
5. The Council shall delegate to the 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:
 - Reporting its findings to Council (*or to the Parish tier Council*) for information;
 - Recommending to Council that the member be issued with a formal censure or reprimand (*or to the Parish tier Council*);

- Recommending to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that they be removed from any or all Committees or Sub-Committees of the Council;
- Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- Instructing the Monitoring Officer to (*or recommend that the Parish tier Council*) arrange training for the member;
- Recommending to the Council that they be removed (*or recommend to the Parish tier Council that the member be removed*) from all outside appointments to which they have been appointed or nominated by the authority (*or by the Parish tier Council*);
- Withdrawing (*or recommend to the Parish tier Council that it withdraws*) facilities provided to the member by the Council, such as a computer, website and/or email and internet access; or
- Excluding (*or recommend that the Parish tier 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.