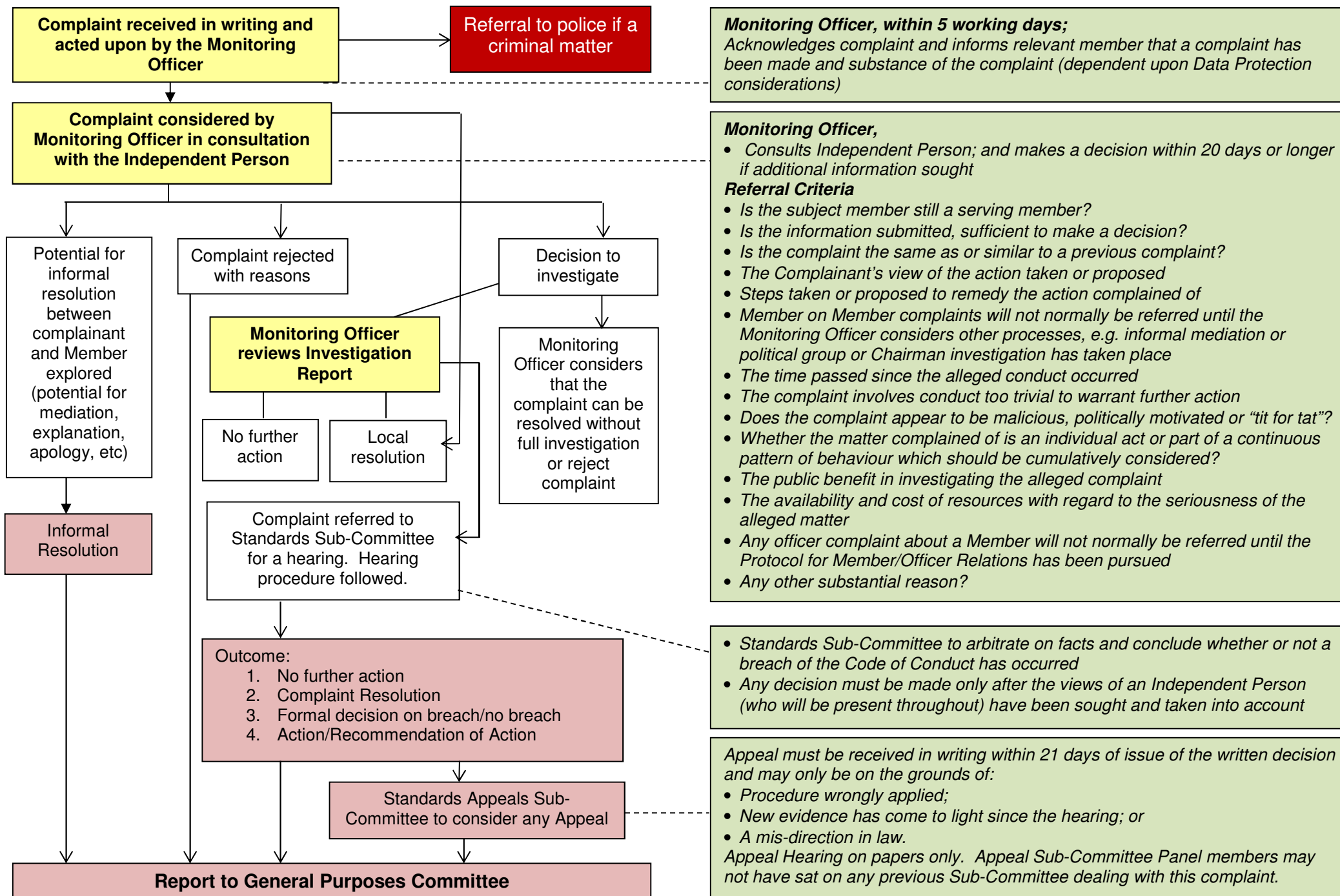


Councillor Code of Conduct Complaint Procedure Flowchart



Monitoring Officer, within 5 working days;
Acknowledges complaint and informs relevant member that a complaint has been made and substance of the complaint (dependent upon Data Protection considerations)

Monitoring Officer,

- Consults Independent Person; and makes a decision within 20 days or longer if additional information sought

Referral Criteria

- Is the subject member still a serving member?
- Is the information submitted, sufficient to make a decision?
- Is the complaint the same as or similar to a previous complaint?
- The Complainant's view of the action taken or proposed
- Steps taken or proposed to remedy the action complained of
- Member on Member complaints will not normally be referred until the Monitoring Officer considers other processes, e.g. informal mediation or political group or Chairman investigation has taken place
- The time passed since the alleged conduct occurred
- The complaint involves conduct too trivial to warrant further action
- Does the complaint appear to be malicious, politically motivated or "tit for tat"?
- Whether the matter complained of is an individual act or part of a continuous pattern of behaviour which should be cumulatively considered?
- The public benefit in investigating the alleged complaint
- The availability and cost of resources with regard to the seriousness of the alleged matter
- Any officer complaint about a Member will not normally be referred until the Protocol for Member/Officer Relations has been pursued
- Any other substantial reason?

- Standards Sub-Committee to arbitrate on facts and conclude whether or not a breach of the Code of Conduct has occurred
- Any decision must be made only after the views of an Independent Person (who will be present throughout) have been sought and taken into account

Appeal must be received in writing within 21 days of issue of the written decision and may only be on the grounds of:

- Procedure wrongly applied;
- New evidence has come to light since the hearing; or
- A mis-direction in law.

Appeal Hearing on papers only. Appeal Sub-Committee Panel members may not have sat on any previous Sub-Committee dealing with this complaint.