

## **Appendix 1**

### **Making a Complaint against an Elected District or Parish/Town Councillor**

1. If you wish to make a complaint against an elected Councillor on the basis that they have breached the Member Code of Conduct (and not for any other reason) you should address your complaint in writing to the District Council's Monitoring Officer, Kevin Toogood who will discuss your complaint with one of the independent persons.
2. Assuming the written complaint indicates some prospect that the Members Code of Conduct has been breached a copy will be sent to the Member the subject of the complaint. Their written comments will be requested in 14 days.
3. An Assessment Sub Committee will be set up composed of three members of the Standards Committee and include at least one District and one Town/Parish Member.
4. That Sub Committee will consider the complaint and any member response to the complaint and decide whether there is a potential breach of the members Code of Conduct and if so whether that potential breach requires investigation taking into account the cost to the public purse. The written material you give with your complaint should be as detailed as possible given that is what the decision will be based upon.
5. The Assessment Sub Committee can either decide to refer your complaint for investigation locally or decide that the matter should be considered in some other way or no action should be taken.
6. You will be advised of the outcome of the Assessment Sub Committee Hearing. If you disagree with their decision to take no further action you do have a right of appeal to a separately constituted Review Sub Committee of three Standards Committee Members who will consider your original complaint , any response from the member in receipt of the complaint and any further written information you may wish to provide. That Review Sub Committee of three Members can make the same decisions as the Assessment Sub Committee, but there is no appeal (save for a judicial review at the High Court) against the Appeal Sub Committee decision.

7. If the matter is investigated a report is prepared following a series of interviews by the investigating officer. You will normally see the draft report and be given an opportunity to comment on it factually and you will then receive a copy of the final report. This report will be discussed with one of the independent persons. The report will go to a Hearings Sub Committee, once again composed of three Members of the Standards Committee. That Sub Committee must decide whether or not there has been a breach of the Members' Code of Conduct or can decide to adjourn the matter while further information is obtained. The Hearings Sub- Committee may decide they would like you to attend the hearing to clarify an evidential uncertainty but there is no obligation for you to attend. The Member who is in receipt of the complaint can make a case in their favour and bring some witnesses with them.
  
8. If the Sub Committee decide there has been a breach of the Code of Conduct they will then look at the appropriate sanctions which are now restricted to a public statement of the breach.