

**Making a complaint against an Elected Borough or Town/Parish Councillor**

1. If you wish to make a complaint against an elected Councillor on the basis that they have breached the Members' Code of Conduct (and not for any other reason) you should address your complaint in writing to the Borough Council's Monitoring Officer who will discuss your complaint with the independent persons on the Standards Committee.
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 who is the subject of the complaint with their written comments requested within 14 days.
3. An Assessment Sub-Committee will be set-up comprising three members of the Standards Committee to include at least one Borough Council Member and one Town/Parish Council 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 it will form the basis of that decision.
5. The Assessment Sub-Committee can either decide:
  - i. to refer your complaint for investigation locally,
  - ii. that the matter should be considered in some other way, or
  - iii. that no action should be taken.
6. You will be advised of the outcome of the Assessment Sub-Committee Hearing.

**Decision to refer the complaint for investigation locally:**

If the matter is investigated, a report will be 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 on the Standards Committee. The report will then go to a Hearings Sub-Committee, once again comprised 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 whilst further information is obtained. The Hearings Sub Committee may decide it 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 witnesses with them.

If the Sub Committee decide there has been a breach of the Code of Conduct it will look at the appropriate sanctions which are now restricted to a public statement of the breach.

**Decision to take no further action:**

In the event that the Assessment Sub-Committee determine to take no further action and you disagree with that decision, you have a right of appeal to a separately constituted Review Sub-Committee comprising three members of the Standards Committee 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. The Review Sub-Committee will make its own decision on the complaint but there is no further right of appeal (save for a judicial review at the High Court) against the Sub-Committee decision.