

# **ARRANGEMENTS FOR DEALING WITH ALLEGATIONS OF BREACH OF THE CODE OF CONDUCT FOR COUNCILLORS**

## **1. INTRODUCTION**

- 1.1. The Council is required to adopt arrangements to deal with complaints that Councillors have breached the Code of Conduct.

## **2. PROCESS**

- Complaint received by Monitoring Officer.
- Upon receipt of a complaint under the Code of Conduct the Monitoring Officer (or their nominee) should, where considered appropriate, enter into an early preliminary and informal dialogue with the complainant and the Councillor complained of with a view to providing early mediation which, with agreement of both parties, can promote a speedy resolution of the complaint.
- Types of informal resolution following mediation might include:
  - (a) An explanation by the subject Councillor of the circumstances surrounding the complaint;
  - (b) An apology from the subject Councillor;
  - (c) Agreement from the subject Councillor to attend relevant training or to take part in a mentoring process or, where the complainant is also a Councillor, an agreement to participate in mediation involving the appropriate Political Group Leaders;
  - (d) Offering to engage in a process of mediation or conciliation between the subject Councillor and the complainant;
  - (e) Correcting an entry in a register;
  - (f) Any other action capable of resolving the complaint.

Where, in the opinion of the Monitoring Officer, the subject Councillor has appropriately addressed the matters raised there will be no further action taken in respect of the complaint and the Monitoring Officer will notify both the complainant and the subject Councillor of this decision.

- If mediation is unsuccessful, the Monitoring Officer will provide details of the complaint formally to the Councillor and seek an initial response. The Councillor will be advised of the right to speak to the Independent Person (IP).

- The Councillor, within five working days or longer at the discretion of the Monitoring Officer, should then provide an initial response to the complaint.
- The Chair of the Standards Committee in consultation with Councillors of the Standards Committee and the Monitoring Officer will then decide whether:
  - There is no breach of the Code and no further action should be taken; or
  - There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
  - There is a potential breach of the Code and the Monitoring Officer should undertake or commission an investigation into the complaint with a view to a report then being considered by the Standards Committee.
- The Councillor and complainant will be kept informed and will be notified of the outcome of the initial consideration by the Chair and members of the Committee.
- Where there is no further action to be taken, or the matter is dealt with by informal resolution, the Monitoring Officer shall report on such outcomes by way of an update report to the Standards Committee which will retain oversight of the arrangements.
- Where the matter is considered at a meeting of the Standards Committee further to an investigation, this will be at a formal meeting of the Committee subject to the relevant Procedure Rules contained in Part 4 of this Constitution.