

Complaint received in writing:
Ethics inbox/Online form/Email
to MO

Assessment Criteria:

- Does the allegation relate to a Disclosable Pecuniary Interest? If so, this is a police matter.
- Is the complaint about someone who is still a Member? If not no further action can be taken.
- Has the matter already been the subject of an investigation – if so, the Monitoring Officer is unlikely to consider further action in the public interest.
- Has a period of 3 months elapsed since the alleged conduct occurred – if so the Monitoring Officer may consider no further action is appropriate.
- Is the complaint sufficiently serious to warrant further action?
- Is the complaint malicious, politically motivated or tit-for-tat – if so the Monitoring Officer is unlikely to take action.
- Is the complaint part of the 'rough and tumble of political debate' and conduct between Members – if so, the Monitoring Officer is unlikely to take action.
- Has insufficient information been provided? If so, unless further information is provided no further action can be taken.
- Is referring complaint the complaint for an investigation the best use of public resources and in the public interest? If not, no further action is likely to be taken particularly as no sanctions are available to the Council.
- Does the complaint demonstrate a lack of understanding of the code or policies/procedures? If so, the complaint will likely be dealt with by recommending/arranging training.
- Does the complaint relate to the manner in which meetings are conducted? If so, this will not be a matter in respect of which an investigation will be instituted.
- Is the complaint one person's word against another? If so, with no independent evidence it is unlikely further action will be taken.
- Can the complaint be resolved informally without the need for an investigation e.g. by the offer of an apology. If so, the Monitoring Officer will take this into account in deciding what further action should be taken on the complaint.

- Acknowledge complaint (usually within 15 working days).
- Undertake initial consideration of complaint to assess if additional information required.
- Request any additional information or clarity from Complainant.
- Additional information not received – not progressed.
- Additional information received – consider and if sufficient clarity around complaint, proceed to assess.

MO to notify Member complaint received and request response within 10 days.

Member complained about may consult IP

MO consult different IP once Member has provided response.

MO assesses complaint against non-exhaustive set of assessment criteria and having regard to provisions of the [Code of Conduct](#), [Guidance](#) on the Code of Conduct, comments from Member and IP and any relevant case

Complainant asked to refer the matter to relevant authority.

Alleges criminality or matter for regulator to determine.

Referral for Investigation.

Informal Resolution (See [Assessment Criteria](#))

No Further Action (See [Assessment Criteria](#))

Hearing Panel (usually on paper) to:

- Arbitrate on facts and conclude whether there was a failure to comply with the Code
- Seek and have regard to views of Independent Person

-Appointment of investigating Officer (IO) who undertakes investigation, interviews parties and prepares investigation report

- Investigation report to include: Agreed facts, Facts not agreed and corresponding conflicting evidence. Conclusion

Informal resolution complied with eg: training or apology.

Decision in consultation with the IP:

- 1.No further Action
- 2.Informal Resolution
- 3.Formal Sanction

IO finds evidence of failure to comply with Code:

- MO satisfied (in consultation with IP) refers report to Hearings Panel for formal hearing or
- In consultation with IP, seeks local resolution

IO finds no breach of Code.

- MO satisfied – notify complainant/Member
- MO dissatisfied (in consultation with IP)