

WYCHAVON DISTRICT COUNCIL
COMPLAINTS AGAINST MEMBERS
ALLEGED BREACHES OF CODE OF CONDUCT
INFORMATION FOR POTENTIAL COMPLAINANTS

1. Changes to the complaints regime

With effect from 8 May 2008 the responsibility for considering complaints that a Member may have breached the Code of Conduct of the Council has been transferred to the Standards Committees of local authorities. The Wychavon District Council Standards Committee exercises this responsibility in relation to Members of the District Council and of all Town and Parish Councils in the District.

2. What complaints can be made?

Only complaints about the behaviour of a Council Member (which means an elected or co-opted Councillor) in breach of their Council's Code of Conduct. Complaints about decisions taken or services provided by a Council cannot be dealt with under Code of Conduct complaints procedures.

Examples of Code of Conduct breaches include:

- failing to declare a personal or prejudicial interest in a matter under consideration at a Council meeting
- using the position of Council Member improperly to confer or secure an advantage or disadvantage
- failing, when acting as a Councillor, to treat other people with respect
- bringing a Council or the office of Council Member into disrepute
- mis-using Council resources
- bullying

Fuller information on Code of Conduct contents, including answers to frequently asked questions, is available on the internet at www.standardsboard.gov.uk: or alternatively please get in touch with the Monitoring Officer at Wychavon District Council (contact details at section 3 below).

3. Making a complaint

Complaints should be submitted in writing although in line with the Disability Discrimination Act 2000 we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. Help can also be provided if English is not your first language.

A form, headed "COMPLAINT FORM: CODE OF CONDUCT FOR MEMBERS", is available from:

Mr Ian Marshall
Monitoring Officer
Wychavon District Council
Civic Centre
Queen Elizabeth Drive
Persnore
Worcs WR10 1PT

Tel: 01386 565470
Fax: 01386 561089

Email: ian.marshall@wychavon.gov.uk

Complaints must be submitted to the Monitoring Officer. Information on the limited circumstances in which you may be able to ask for information about your complaint not to be given to the Council Member you are complaining about is given in the Complaint Form.

If you need any support in completing the Complaint Form or are unsure about any aspect of the complaint process, please contact the Monitoring Officer as soon as possible.

4. What happens after a complaint has been made?

Once a valid complaint has been received by the Monitoring Officer, it will be presented, normally within about 20 working days, to a meeting of the Assessment Sub-Committee of the Standards Committee. You and the Council Member against whom the complaint has been made will not be allowed to attend the Sub-Committee as, at this stage, the matter will be considered in private.

The Sub-Committee may resolve:-

- (a) that no further action will be taken on the complaint;
- (b) to ask you for additional information;
- (c) to refer your complaint to the Monitoring Officer for investigation by an appropriate person;
- (d) to refer the matter to the Monitoring Officer for steps to be taken other than investigation; or
- (e) exceptionally, to refer your complaint to the Standards Board for England.

You will be notified of the Sub-Committee's decision, shortly afterwards, and will be given information on any further stage(s) in the process, including any right you may have to a review of the decision, at that time.