**The Process**

**The complaint**

All complaints would need to be sent to the Clerk/Proper Officer of the Council

Clerk /Proper Officer to determine if the complaint falls under the local resolution or should it be referred to the Ombudsman.

If appropriate, the Clerk/Proper Officer will firstly seek an early resolution of any such dispute by liaising informally with the individual members concerned prior to the resolution process described below.

The ‘accused’ member is to be given full details of the complaint against them so that in the interests of natural justice they are in a position to prepare their response to the accusation.

Upon notification by the County Council that it is dealing with a complaint that Councillor or non-councillor with voting

rights have breached the Council’s code of conduct, the Proper Officer shall, report this to Council.

**Resolution Process**

The involvement of the Chair/Vice Chair of the Council in the following process is not to adjudicate on the complaint, but to attempt to get the members/officers involved to come to an agreement as to how the issue(s) could be resolved on an amicable basis.

The Clerk/Proper Officer will act as a facilitator for the resolution process below.

If the complaint is between Members other than the Chair of the Council, the Clerk/Proper Officer and the Chair will meet individually with the complainant and Member subject of the complaint to seek an agreed resolution.

If the complaint is between Members, one of whom is the Chair of Council, but not the Vice Chair, the Clerk/Proper Officer and the Vice Chair will meet with the complainant and Member subject of the complaint to seek an agreed resolution.

 If the complaint has been made by an officer/employee, but not the Clerk/Proper Officer, against a member other than the Chair of Council, the Clerk/Proper Officer and the Chair of Council will meet with the officer and the Member subject of the complaint to seek an agreed resolution.

 If the complaint has been made by an officer/employee, but not the Clerk/Proper Officer, against the Chair of Council, the Clerk/Proper Officer and the Vice Chair of Council will meet with the officer and the Chair to seek an agreed resolution.

If the complaint has been made by the Clerk/Proper Officer, then it is likely to be best practice that this complaint is forwarded by way of a complaint to the Ombudsman.

**Results of the process**

 If an agreement is reached by Members and/or officers during this Stage, then no further action is required.

If agreement cannot be reached the aggrieved Member/officer would always have the opportunity of referring the matter to the Ombudsman.

Code of Conduct Complaints will be forwarded to the PSOW

Any complaints showing a lack of cooperation by the member concerned or a breakdown occurring during the operation of the process will also be forwarded to the PSOW

Any meetings held with a view to discussing issues of complaints and/or resolving matters will be minuted and recorded.

Examples of agreements might include issue of a letter of apology, a written undertaking or commitment not to breach the Code of Conduct in the future, a commitment to undertake training or an agreement that on the basis of the evidence that no further action should be taken, and the matter be closed.

**Time for the process** It is the intention that all of the processes can be completed as quickly as possible to resolve the issue. However exact timing will depend on the availability of individuals to attend the meetings.

ADPOTED BY FULL COUNCIL

Signature…………………………………………………………..Date……………………………