Arrangements for dealing with complaints against Councillors

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1. Introduction

1. These arrangements set out how a complaint can be made against an elected or co-opted member of the Borough, Town or Parish Council who is believed to have breached the code of conduct. The arrangements are adopted in accordance with section 28(6) and (7) Localism Act 2011 and have taken account of the guidance on Member Model Code of Conduct Complaints Handling published by the Local Government Association (LGA) September 2021.

2. Under section 28 Localism Act 2011 the Council is required to appoint at least one Independent Person, whose views must be taken before a decision is taken on an allegation which is to be investigated and whose views can be sought by the council at any other stage or by a member against whom an allegation has been made (“the subject member”).

3. The Code of Conduct is the ethical standards framework that governs the conduct that is expected of councillors. The Borough Council has adopted a Code of Conduct (https://www.basingstoke.gov.uk/councillor-code-of-conduct) in line with the Model Code of Conduct published by the LGA in 2020 which is available on the Borough Council’s website.

4. Each Parish/Town Council may adopt their own Code of Conduct although the Best Practice Recommendation by the Committee on Standards in Public Life in 2019 is that they adopt the

same Code of Conduct as Basingstoke and Deane Borough Council or the LGA Model Code of Conduct. A copy of their Code should be found on the relevant Parish/Town Council website.

5. Where reference is made in these arrangements to “the parties”, this includes the complainant, the councillor whom the complaint has been made against (“the subject member”) and where the matter relates to a Parish Council matter, the parish clerk.

2. Making a complaint

It should be noted that under these arrangements steps may be taken, whenever possible to resolve complaints by way of an informal settlement.

If you wish to make a complaint please write to:

monitoring.officer@basingstoke.gov.uk (mailto:monitoring.officer@basingstoke.gov.uk)

Monitoring Officer Basingstoke and Deane Borough Council
Civic Offices
London Road
Basingstoke
Hampshire
G21 4AH

All complaints must be made in writing either using the **online form (https://www.basingstoke.gov.uk/councillor-complaint),** or by other written means, for example by email and including the required information:

- your name, address and contact details
- who you are, for example, a member of the public, a councillor or officer
- who is the complaint about and which authority or authorities the councillor belongs to
- details of the alleged misconduct including, where possible, dates witness details and other supporting information
- any relevant background information

A hard copy of the complaints form can be obtained by calling us on 01256 844475 or by e-mailing monitoring.officer@basingstoke.gov.uk (mailto:monitoring.officer@basingstoke.gov.uk)

We can assist you if you have a disability that makes it difficult for you to put your complaint in writing or if English is not your first language.

Where a complaint is made against more than one Councillor, a separate complaint form must be completed for each Councillor.

The authority will not normally investigate anonymous complaints unless there is a clear public interest in doing so.

3. People involved in the complaints process

Monitoring Officer

A statutory appointed officer of the borough council who is responsible for maintaining the register of councillors' interests and for administering the arrangements in respect of complaints relating to the conduct of councillors. The Monitoring Officer appoints a Deputy Monitoring Officer, who will also have conduct of complaints. References to the Monitoring Officer in these arrangements will also include the Deputy Monitoring Officer.

Independent Standards Assessors

Are the individuals who are independent lay members of the Standards Committee (https://www.basingstoke.gov.uk/rte.aspx?id=481). Their role is to provide advice to the Monitoring Officer about alleged breaches of the Code of Conduct by Councillors.

Independent Person

Individual appointed under section 28 (7) (https://www.basingstoke.gov.uk/rte.aspx?id=481) of the Localism Act 2011. Their view is sought and taken into consideration before any decision is taken on whether a Councillor has failed to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct. The Independent Person's view and advice may also be sought by a subject member.

Parish/Town Councillor representative

Person appointed at the annual general meeting (https://www.basingstoke.gov.uk/rte.aspx?id=481) of the Basingstoke and District Association of Parish and Town Councils. Their view is sought before any decision is taken on whether a Parish/Town councillor has failed to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

Investigating Officer

Where the complaint merits a formal investigation, the Monitoring Officer will appoint an Investigating Officer. They may be a senior officer of the authority, a senior officer of another authority or an external investigator with a recognised qualification.

4. Stage 1 of the complaints process - initial assessment

1. A flow chart detailing the complaint process can be found at Annex 2.

2. The Monitoring Officer will acknowledge receipt of the complaint within 5 working days.

3. The Monitoring Officer will aim to complete the initial assessment of an allegation within 15 working days of receiving a complaint.

4. The Monitoring Officer will normally inform the member against whom a complaint has been made that a complaint has been received and will give details of the complaint to them. The Parish or Town Clerk will also be informed if the complaint relates to one of their councillors. The

Monitoring Officer has the discretion, which will only be exercised in exceptional circumstances, not to inform the member of the complaint at this stage if the Monitoring Officer is of the view that there is a risk that an investigation could be frustrated or a case prejudiced by the member knowing the details.

5. The complaint must be:

- against one or more named members of the authority or of a parish or town council the Borough Council is responsible for
- where the named councillor was in office at the time of the alleged conduct; and
- where the complaint relates to a matter where the councillor was acting as a councillor or representative of the authority, and it is not a private matter
- where the complaint, if proven, would be a breach of the Code of Conduct under which the councillor was operating at the time of the alleged misconduct

6. The Monitoring Officer will consult the Independent Standards Assessor and if the complaint does not fall within 4.5 above the matter will not be considered and the complainant will be informed that there will be no further action. There is no right to seek a review of this decision.
7. Where the complaint satisfies the criteria in 4. above the Monitoring Officer may consult or meet with such persons as she/he sees fit in order to establish a preliminary view of the circumstances of the complaint. Such consultations will include fact gathering to establish whether there may be a course of action which could be taken to resolve the issues promptly without the need for formal action.

8. The Monitoring Officer will then consult with the Independent Standards Assessor, Parish/Town Council representative, if appropriate, and Independent Person to decide whether the complaint merits formal investigation.

9. In assessing whether a complaint should be investigated the following factors will be taken into consideration:

Public Interest

The decision whether to investigate will be a proportionate response to the issues raised and expected outcomes will take into account the wider public interest and the costs of undertaking an investigation. Complaints will only be investigated where the allegations are reasonably considered to be serious and if proven, likely to warrant a sanction.

Alternative course of action

A complaint will only be investigated where there is no other action which could be taken which would achieve an appropriate outcome in the circumstances of the case.

Robust debate

Public Interest

Where the complaint is by one councillor against another or where the debate involves criticism of a senior officer of the council whether in a public forum or in social media channels, a greater allowance for robust political debate may be given, bearing in mind the right to freedom of expression.

Vexatious or Repeated complaints

A matter will not be referred for investigation where the same or a substantially similar issue has been the subject of a previous allegation and there is no new material evidence submitted or there is nothing further to be gained.

Ulterior Motive

No further action is likely to be taken if the complaint is considered to be motivated by malice, political motivation or retaliation.

Timing of the alleged conduct

Where the alleged conduct took place more than 6 months ago, no further action will be taken unless there are very good reasons for the delay.

Council decision/action

No further action will be taken where the complaint is essentially against the decision of the council as a whole and cannot properly be directed against individual councillor(s).

10. At the end of Stage 1, the Monitoring Officer will write to the complainant and the subject member and inform them that one of the following decisions has been taken:

- no further action will be taken on the allegation
- the matter will be dealt with through a process of informal resolution in the first instance or
- the matter will be referred for a formal investigation

11. In cases where no further action will be taken, the decision notice will set out clearly the reasons for the decision, including the views of the Independent Standards Assessor and Independent Person.

12. A decision notice will be issued within one working day of the decision being made.

13. Unless the Monitoring Officer forms the view that it would be disproportionate, a summary of the outcome will be published on the council's website setting out the conclusions on the complaint and the reasons for the conclusion. There will be no identifying information published. The Monitoring Officer may decide to report a complaint to the Standards Committee as exempt information if it would be disproportionate to publish the outcome on the council's website.

14. There is no right of appeal against a decision to take no further action.

15. Where the matter will be dealt with through informal resolution or the matter is to be referred for a formal investigation, the complainant and subject member will be informed. If the subject member is a parish or town councillor, their parish or town council should be notified via the clerk.

16. The Monitoring Officer reserves the right in exceptional circumstances, to refer a complaint to the Standards Committee to determine if an investigation is the appropriate course of action.

17. If the complaint identifies criminal conduct at any time during this procedure, the Monitoring Officer will notify the police or other regulatory authority. Where such a notification is made the Monitoring Officer will only confirm the notification to the complainant or subject member when it is appropriate to do so.

18. No further action will be taken in relation to such complaints until any related criminal/regulatory investigation, proceedings or processes have been concluded.

5. Informal resolution

1. At any point in this procedure the Monitoring Officer in consultation with the Independent Standards Assessor and Independent Person, where appropriate, may elect to try and deal with the complaint by way of informal resolution.
2. Informal resolution is a means of resolving complaints informally in appropriate cases without the need for a formal investigation. Dealing with a matter by way of informal resolution at the initial assessment stage is not a formal determination that the councillor has failed to comply with the Code of Conduct. This can only be determined by way of a formal investigation.

3. The matter may be appropriate for informal resolution in the following circumstances:

- Where there is a misunderstanding of procedures or protocols
- Where there has been misleading, unclear or misunderstood advice from officers
- Where there is a lack of experience or training
- Where there is a general breakdown of relationships, including those between members and officers, as evidenced by a pattern of negative behaviour to such an extent that it becomes difficult to conduct the business of the authority.
- Where there are allegations that that may be symptomatic of governance problems within the authority which are more significant than the allegations themselves

4. Informal resolution will not be appropriate when investigation is in the public interest due to the seriousness of the allegations.

5. Informal resolution may take a wide range of forms. It may involve:

- The member accepting that his/her conduct was unacceptable and offering an apology or other remedial action
- Referring the matter to group leaders
- The member being required to attend training

- Training for all councillors where there are wider procedure or cultural issues within the authority
- The review and/or development of local authority protocols and procedures where the allegation highlights an authority procedural failing

6. Where the Monitoring Officer in consultation with the Independent Standards Assessor believe the complaint can be dealt with through informal resolution, they will inform the subject member and complainant of the intention and give them the opportunity to comment before a final decision is made. It is desirable that any informal resolution is agreed by the complainant and the subject member, but the Monitoring Officer can decide to proceed with it without agreement if considered appropriate to do so.

7. If this action does not resolve the complaint, the Monitoring Officer, in consultation with the Independent Standards Assessor, Parish/Town Council representative (if appropriate) and Independent Person, will reconsider whether the complaint merits formal investigation. An investigation will only be conducted where the Monitoring Officer and Independent Person agree that this is the appropriate course of action.

8. When informal resolution has been completed, the Monitoring Officer will notify the subject member, the complainant, the Independent Standards Assessor/Independent Person and the relevant town or parish council if appropriate.

9. A summary of the outcome will be published on the council's website setting out the conclusions on the complaint and the reasons for the conclusion. There will be no identifying information published.

10. There is no right of appeal against a decision to proceed with informal resolution or where the informal resolution does not resolve the complaint, to take no further action.

Stage 2 of the complaints process - formal investigation

1. A formal investigation will be carried out in circumstances where a decision has been made either at the initial assessment stage or following an attempt at informal resolution which has not resolved the complaint.

2. The Monitoring Officer will appoint an investigating officer and agree a timescale in which to undertake the investigation. This will normally take no more than 6 months from the appointment.

3. The investigating officer will establish the scope of the investigation and inform the subject member, the complainant, the Independent Person and the relevant town or parish council if the subject member is a town or parish councillor. The investigating officer will explain the investigation process and will advise the subject member that they have the right to seek the views of the Independent Person and be represented at any interviews with the investigating officer.

4. At the end of his/her investigation, the investigating officer will produce a draft report. If the investigating officer is not the Monitoring Officer, they will send the draft report to the Monitoring Officer and the Independent Person to ensure that the investigation has met the scope of the complaint. The investigating officer will then send copies of the draft report, in confidence, to the

complainant and the subject member and provide an opportunity for them to comment. Comments are to be supplied within 10 working days of the draft report being sent.

5. If at any time the investigation is frustrated, for example, if significant witnesses are not available for interview, the Monitoring Officer can decide what action to take, including in consultation with the Independent Person, terminating the investigation. If the subject member fails to respond to correspondence from the investigating officer, the complaint will be determined. If the complainant fails to respond, the complaint will be treated as withdrawn. All parties are encouraged to respond promptly to any correspondence in relation to the complaint.

6. If during the investigation, the investigating officer is of the view that the decision to investigate should be reviewed, he/she can refer the matter back to the Monitoring Officer. This may be because:

- Evidence is uncovered suggesting a case is less serious than may have seemed apparent to the authority originally and that a different decision might therefore have been made about whether to investigate or not.
- After examining the matter in detail, the investigating officer concludes that matters under investigation were not done by the subject member in their role as councillor or as a representative of the authority but rather in a private capacity
- The investigating officer uncovers something which is potentially more serious, and the authority may want to consider referring it to the police, for example.
- The subject member has died, is seriously ill or has resigned from the authority and the investigating officer is of the opinion that it is no longer appropriate to continue with the investigation.
- The subject member has indicated that they wish to make a formal apology which the investigating officer considers should draw a line under the matter.

In such circumstances, the Monitoring Officer, in consultation with the Independent Person, will decide whether it is appropriate to defer or end the investigation.

7. Having received and taken account of the comments made on the draft report, the investigating officer will send his/her final report to the Monitoring Officer and Independent Person, the complainant, subject member and the relevant parish/town council. The report must make one of the following findings on the balance of probabilities:

- That there have been one or more failures to comply with the Code of Conduct or
- That there has not been a failure to comply with the Code of Conduct.

The report concludes there has not been a failure to comply with the Code of Conduct

8. If the report concludes that there has not been a failure to comply with the Code of Conduct and this is supported by the Monitoring Officer, in consultation with the Independent Person, the

Monitoring Officer will inform the complainant and the subject member that he/she is satisfied no further action is required.

9. A summary of the outcome will be published on the council's website setting out the conclusions on the complaint and the reasons for the conclusion. There will be no identifying information published.

The report concludes that there has been a failure to comply with the Code of Conduct

10. If the report finds a breach of the Code and this conclusion is supported by the Monitoring Officer and Independent Person, the Monitoring Officer will decide what action to take. This may be to seek informal resolution, to take no further action as the breach is unlikely to lead to any sanction or to refer the matter to a hearing by the Standards Hearing Panel.

11. The Monitoring Officer reserves the right to refer the matter to the Standards Committee to determine if a matter should proceed to a hearing taking into account the views of the Independent Person.

12. The meeting of the Standards Committee will be open to the press and public unless confidential or exempt information under Part VA Local Government 1972 is likely to be disclosed. The Committee will go into private session if it resolves to do so.

13. Where a referral is made to the Hearing Panel the Monitoring Officer will notify the subject member, the Independent Person and the complainant of the referral, the outcome of the investigation report, and that a formal decision notice will not be issued until after the Hearing Panel meeting.

Stage 3 - Referral of the Complaint to the Standards Hearing Panel

Convening the Hearing Panel

If in accordance with paragraph 10 or 11 (Stage 2 of the complaints process - formal investigation) the complaint is referred to a Hearing Panel then the Monitoring Officer will have delegated authority to organise the hearing. Wherever possible this will take place within three months of the date on which the investigating officer's report was completed. Once a date has been set for a hearing the Monitoring Officer will inform the subject member, the Investigating Officer, the Independent Person, the complainant and the clerk of any relevant town or parish council.

The Hearing Panel will be a sub-committee of the Standards Committee composed of three Borough Councillors with parish or town council representation if the complaint is in relation to a parish or town councillor.

The Monitoring Officer or a legal advisor to the Hearing Panel will be appointed to advise at the hearing. This advisor will advise on procedural matters, will ensure the subject member understands the procedures, will provide advice to the panel during the hearing and their deliberations and assist the Panel to produce a written decision and a summary of that decision. They will have no involvement in the decision-making process.

Pre Hearing Process

As soon as the date has been set for a hearing the Hearing Panel will hold a private pre-hearing which will decide:
• Who will chair the Panel
• Whether any of the findings of fact are in dispute and if so, whether they are relevant to the alleged breach.
• Whether any additional evidence is required at the hearing.
• Witnesses it would wish to hear from.
• Whether witnesses the subject member or investigating officer would wish to call are relevant and proportionate.
• Whether there are parts of the hearing which are likely to be held in private or whether any parts of the investigation report or other documents should be withheld from the public prior to the meeting, on the grounds that it contains “exempt” material although the final decision will be made on the day of the hearing.
• Whether there are any potential conflicts of interest and agreement on how these will be managed.
• The allocated time for the hearing.
• Any reasonable adjustments that be required to enable full participation of witnesses.

The pre hearing panel will not debate the merits of the case.

Prior to the pre hearing the Legal Advisor to the Hearing Panel will arrange for the hearing forms to be sent to the subject member, who will have 10 working days to complete the forms.

Prior to the hearing the Monitoring Officer will prepare a report for the Hearing Panel which will:
• Summarise the allegation
• Outline the main facts of the case which are agreed
• Outline the main facts which are not agreed
• Indicate whether the subject member and Investigating Officer will be present at the hearing
• Indicate the witnesses, if any, who will be asked to give evidence
• Outline the proposed procedure for the hearing
• Include the Investigating Officer’s report
• Include the views of the Independent Person

The Hearing

The procedure for the hearing is set out in Annex 1.

The Hearing Panel will be open to the press and public unless confidential or exempt information under Part VA Local Government Act 1972 is likely to be disclosed. The Hearing Panel will go into private session if it resolves to do so.

If the Hearing Panel concludes that the subject member did not fail to comply with the Code of Conduct, it will dismiss the complaint.

If the Hearing Panel concludes that the subject member did fail to comply with the Code of Conduct, the Panel will then consider what action, if any, the Panel should take. In doing this, the Hearing Panel will give the subject member the opportunity to make representations and will consult the Independent Person.

The Hearing

A decision notice will be published within 5 working days following the hearing and published on the council's website.

Appeals

If the Hearing Panel finds that the subject member has failed to comply with the Code of Conduct, the subject member may appeal against that finding by requesting an appeal in writing to the Monitoring Officer within 10 working days of the formal notification of the Panel's decision.

A request for an appeal must set out the basis for the appeal by identifying the aspect(s) of the decision being challenged and the reasons for this. Any supporting information should be provided at this time.

The Investigation and Disciplinary and Standards Appeals Committee with be convened within two months of the date of receipt of the appeal.

At the appeal the subject member will have the opportunity to make representations to the Committee as to why they consider that the finding of the Hearing Panel is incorrect.

The complainant will also be asked to attend the meeting and make representations, as will the Monitoring Officer and any Investigating Officer.

The Committee, with advice from an Independent Person, will review the earlier decision and may conclude that the subject member did not fail to comply with the Code of Conduct and dismiss the complaint. If the Committee concludes that the subject member did fail to comply with the Code of Conduct, the Committee will inform the subject member that the decision of the Hearing Panel will be upheld. If the Committee upholds the decision in part, the Committee will consider what actions, if any it should take. This may include reconsideration of any sanction which was imposed by the Hearing Panel.

The decision of the Committee will be the final determination of the matter.

If the complainant believes that the authority has failed to deal with the complaint properly, they may wish to make a complaint to the Local Government and Social Care Ombudsman.

Modifications of procedures

If the parties are in agreement, the Monitoring Officer may agree to vary this procedure in any particular case where he/she is of the opinion that such a variation is necessary in order to secure the effective and fair consideration of any matter.

The Monitoring Officer may extend any time limits in these arrangements where it is in the public interest to do so or in order to be fair to both parties.

Annex 1 - Standards Hearing Panel Procedure

Introduction

The Chair may agree to vary this procedure in any particular instance where he/she is of the opinion that such a variation is necessary in the interests of fairness.

The expectation is that the hearing will be in public, unless the Hearing Panel determines that it is necessary for part or all of the hearing to be in private session.

The hearing will be webcast except for any part of the hearing that will be held in private session.

In accordance with other Council Committee meetings, minutes of the meeting will be taken.

Neither party will be able to produce further documents at the hearing without the consent of the Hearing Panel.

Either party may choose to be represented at the hearing.

Quorum

The Hearing Panel shall consist of 3 Borough Councillors. All members of the Hearing Panel must be present throughout the hearing.

An Independent Person will be present at the Hearing Panel.

Where the matter relates to a Parish/Town Councillor, a Parish/Town Council representative from the Standards Committee will be invited to attend.

The Hearing Panel shall nominate a Chair for the hearing.

Hearing Procedure

The Chair will introduce the Hearing Panel and identify any parties not present. If a party is not present the Hearing Panel will determine whether the hearing should be adjourned or heard in the absence of a party.

All other parties introduce themselves.

The Chair will then ask if any of the Hearing Panel members have any declarations of interest.

The Chair will advise that:
1. All representations and procedural questions go through Chair.
2. Generally, no evidence may be submitted for the first time at the hearing unless all parties and the Hearing Panel agree.
3. The Hearing Panel will make its decision after hearing representations; and
4. The hearing will be conducted in public except when:
(i) exempt information about the complainant or subject member is disclosed and
(ii) members of the Hearing Panel agree after considering the matter following hearing representations.

Hearing Procedure

The Investigating Officer will be invited to present their report including any documentary evidence and may call witnesses which the Hearing Panel has agreed can attend. The report and documentary evidence must be based on the complaint.

The subject member (or their representative) may question the Investigating Officer upon the content of the report and any witnesses called. (This is not the subject member's opportunity to state their case.)

The Independent Person will have the opportunity to ask questions of the Investigating Officer and any witnesses.

Where appropriate, the Parish/Town Councillor representative will have the opportunity to ask questions of the Investigating Officer and any witnesses.

Members of the Hearing Panel will have the opportunity to ask questions of the Investigating Officer and any witnesses.

The Subject Member's case

The subject member (or their representative) may present their case and call any witnesses that the Panel has agreed may attend.

The Investigating Officer may question the subject member and/or any witnesses.

The Independent Person may question the subject member and/or any witnesses.

Where appropriate the Parish/Town Councillor representative will have the opportunity to ask questions of the subject member and/or any witnesses.

Members of the Hearing Panel may question the subject member and/or any witnesses.

Summing up

The Investigating Officer may sum up their case if they wish.

The subject member (or their representative) may sum up their case if they so wish.

The summaries of cases must not include any new evidence.

Where appropriate, the Parish/Town Councillor representative will be asked for their views.

The Independent Person will be asked for their views.

Decision

Decision

Members of the Hearing Panel will suspend the hearing and deliberate, with the benefit of advice from the Legal Advisor, in private to consider the complaint. All other parties shall withdraw from the meeting room, leaving only the members of the Hearing Panel and the Legal Advisor.

In the event of uncertainty concerning any evidence or advice already given, all parties will be recalled, regardless of the fact that the point in question relates only to the evidence/advice of one of the parties.

The decisions of the Hearing Panel shall be announced by the Chair to both parties at the conclusion of the hearing in the following terms:
1. The Hearing Panel has found that the subject member has failed to comply with the Code of Conduct or
2. The Hearing Panel has found that the subject member has not failed to comply with the Code of Conduct

The substance of any legal advice given to the Hearing Panel in private will be shared with the meeting as a whole.

The Hearing Panel will give reasons for their findings.

If the Hearing Panel finds that the subject member has failed to comply with the Code of Conduct, they may consider representations from the Investigating Officer, the subject member, and the Independent Person as to whether the Panel should apply a sanction and what form any sanction should take.

The Hearing Panel will then, if necessary, deliberate in private as per paragraph 6.1 to consider what action (If any) should be taken. The Hearing Panel will discuss any decision with the Independent Person.

On the Hearing Panel’s return, the Chair will announce their decision.

The Council has delegated to the Monitoring Officer such of its powers to take action in respect of individual Councillors as may be necessary to promote and maintain high standards of conduct.

Decision

No sanction can prevent subject member functioning as a Councillor. The Hearing Panel can recommend one or more of the following sanctions, where appropriate to the breach in respect of the subject member.
a) Censure or reprimand (or recommend to the parish/town council to issue a censure or reprimand) of the subject member.
b) Publish the findings in respect of the subject member's conduct.
c) Report the findings to Full council or Parish/Town council.
d) Instruct the Monitoring Officer to (or recommend that the parish/town council) recommend training for the subject member.
e) Withdraw facilities (or recommend to the parish/town council to withdraw facilities) that have been provided to the subject member for a specified time, such as limiting access to available IT tools.
f) Exclude the subject member (or recommend to the parish/town council that the subject member be excluded) from council premises or part of for a specified period.
g) Make a recommendation to the leader of the political group that the subject member should be removed from any Committee(s) or Committees or Sub-Committee(s) of the Council or from any positions of responsibility (or recommend such action to the parish/town council);
h) Recommend to Council (or to the parish/town council) that the subject member be replaced on appointments made by the Council; and/or
i) Recommend to Council (or recommend to the parish/town council) to remove the councillor from all outside appointments to which he/she has been appointed or nominated by the authority or by the Parish/Town Council.

The Hearing Panel will consider whether it should make any recommendations to the Borough or Parish/Town Council with a view to promoting high standards of conduct among Councillors.

The Legal Advisor will issue a decision notice to the Parties within 5 working days following the hearing.

The Hearing Panel's finding will be published on the Borough Council's website, unless an appeal is submitted by the subject member within 10 working days, in which case the decision will be published following the appeal.

Annex 2 - Procedure for complaints against councillors

Councillor complaints procedure flowchart (/content/doclib/4630.pdf)

Version	**5**
Owner	Monitoring Officer
Issue Date	21 July 2023
Next Revision Date	One year from the date of issue or sooner if required to comply with legislation.

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