

CODE OF CONDUCT FOR MEMBERS: INFORMATION ABOUT THE INITIAL ASSESSMENT STAGE

Background

The complaints process changed on 8 May 2008 and the responsibility for considering written complaints against a Member of the District Council or any town or parish council within the District of Braintree for breach of the Code of Conduct for Members now rests with the District Council's Standards Committee. The Standards Committee has established a sub-committee known as the Allegations Panel to deal with the complaints stage.

In the event of it being a serious complaint, it may be referred by the Standards Committee to the Standards Board for England for investigation and, for less serious matters, it may be referred to the Council's Monitoring Officer for investigation or other appropriate action (e.g. training / conciliation).

What this means to you

If you want to submit a written complaint about the conduct of a Member of the District Council or any town or parish council within the District of Braintree, you must submit your complaint to the address shown below.

Please note that the Allegations Panel can only deal with complaints about the alleged behaviour and conduct of a member. It will not deal with complaints about any of the Council's departments or matters not covered by the Code of Conduct such as dissatisfaction with meeting procedures or decisions made at meetings.

If you want to make a complaint against any member, you should complete the complaint form and provide relevant evidence to substantiate your allegation(s). The form is available from the Monitoring Officer.

If you are unsure about any aspect of the process, please contact the Monitoring Officer before submitting any complaint(s).

What you should do if you wish to submit a written complaint

- Talk to / raise the matter with the Council's Monitoring Officer for general advice.
- Fully complete the attached Complaints Form (or ensure your letter of complaint addresses, in full, all of the issues covered in the Complaint Form).

- Submit the written complaint by post, e-mail or fax to the address below, preferably, within 28 days of alleged breach or explain sufficiently, in the Complaint Form (or letter), as to why the complaint is being submitted outside of this period of time.

Address for submission of a written complaint

The Chairman of the Allegations Panel
c/o Sharon Lowe, Monitoring Officer
Braintree District Council
Causeway House, Bocking End,
Braintree, Essex CM7 9HB

Tel: 01376 551414

Fax: 01376 557736

E-mail: sharon.lowe@braintree.gov.uk

What happens next

The Allegations Panel aims to make decisions about complaints within an average of 20 working days from the date that the complaint is received. At its meeting, it will assess the complaint against criteria to decide what action, if any, to take. The Allegations Panel is only able to consider information that has been provided by the complainant and other information that is publicly available such as minutes, registers of interests, etc. It is therefore important that the complainant includes as much information as possible in their complaint.

The Allegations Panel will consider the complaint and take a view as to whether the complaint, if proven, would result in a breach of the Code. If they consider that there may be a breach, then they can decide to refer the complaint to the Monitoring Officer for local investigation or some other action or if it is serious, then it may be referred to the Standards Board. If they take the view that the complaint would not result in a breach, then they can decide to take no action.

Once the decision has been made, the complainant and the Member will receive details of the decision made by the Allegations Panel. There is a right of appeal available to the complainant in cases where the Allegations Panel has decided that no action should be taken.