

Arrangements for Investigating Allegations of Breach of the Code of Conduct

1. The Monitoring Officer shall be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;
2. The Monitoring Officer shall have delegated power to determine whether a complaint merits formal investigation (after consultation with the Independent Person if he feels it necessary). If the Monitoring Officer determines that an investigation is necessary, he is to arrange such investigation; if he does not, he may decide to take no further action and report this to the Standards Committee.
3. The Monitoring Officer shall seek resolution of complaints without formal investigation wherever practicable, and shall have discretion to refer decisions on investigation to the Standards Committee where he feels that it is inappropriate for him to take the decision, and to report quarterly to Standards Committee on the discharge of this function.
4. Where a complaint relates to a breach of the Code which may also be a criminal offence, the Monitoring Officer shall pass this to the Police for investigation and no further action shall be taken until the Police investigation is closed or the Police otherwise agree that the Council can take action without prejudicing any criminal proceedings;
5. Where an investigation is carried out and finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer shall close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person, and reporting the findings to the Standards Committee for information;
6. Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to Standards Committee. Where such local resolution is not appropriate or not possible, he is to report the investigation findings to the Standards Committee for local hearing;
7. That Council delegate to the Standards Committee such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct;
8. The Standards Committee may decide to set up ad hoc or standing Hearings Panels as sub-committees to decide upon matters referred to it or may decide such matters itself. Hearings Panels shall have such terms of reference as a sub-committee to the Standards Committee as the committee may decide;

9. All decisions on complaints taken by the Standards Committee and/ or Hearings Panels must take into account the views of the Independent Person, and members who are the subject of the complaint shall be entitled to consult the Independent Person in accordance with the Localism Act 2011;
10. The following actions are open to the Standards Committee or any Hearings Panel of it as regards members who are found to have been in breach of the code of conduct:
 - Reporting its findings to Council [*or to the Parish Council*] for information;
 - Recommending to the member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Leader of the Council that the member be removed from particular Portfolio responsibilities;
 - Instructing the Monitoring Officer to [*or recommend that the Parish Council*] arrange training for the member;
 - Removing [*or recommend to the Parish Council that the member be removed*] from all outside appointments to which he/she has been appointed or nominated by the authority [*or by the Parish Council*];
 - Withdrawing [*or recommend to the Parish Council that it withdraws*] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
 - Excluding [*or recommend that the Parish Council exclude*] the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.