

Appendix 2

Procedure for Member Code of Conduct Complaints Review Changes

Procedure for Member Code of Conduct Complaints

Original Reference	New Reference	Officer	Reason for Change	Previous wording	New wording
Whole Document	N/A	Lauren Smith	Formatting changes to the whole document have been made. The contents page has been updated, the definitions page has been edited to so that definitions are in bold and are more visible to the reader and paragraphs and numbering	N/A	N/A

			have been updated.		
Whole Document	Instances of 's/he', 'his/her', and 'he/she' have been replaced with 'they' and 'their'. Alterations have been made to the surrounding sentences in order to correct grammar where appropriate.	Chris Metters	Gender-neutral pronouns are more suitable in these positions than phrases such as 's/he' and 'his/her'. They will be easier for narrator programs to read. Additionally, this makes the text more consistent (at present, 'their' and 's/he' are used in the same sentences to refer to the same individual).	's/he' 'his/her'	'They/ their'
Whole Document	Minor Amendme	Lauren Smith	For consistency	'Member'	'Subject Member/(s)'

	nts to Subject Member/ Member		the use of Subject Member/(s) has replaced Member where appropriate.		
New para/ Considerations	5.2	Helen Bradley	The reasons listed are discretionary examples that the Monitoring Officer has available to them, they are not new but are intended to assist Subject Member(s)/ Complainants as to why local resolution may be deemed inappropriate.	N/A	In some circumstances, it may be inappropriate to pursue informal resolution of a complaint. The Monitoring Officer has the discretion to determine (where appropriate in consultation with the Independent Person) to determine whether it would be inappropriate to pursue informal resolution. Listed below are examples of circumstances where informal resolution may be deemed inappropriate: <ul style="list-style-type: none"> (a) The Subject Member(s) maintains that they have not engaged in wrongdoing; (b) The allegations levied against the Subject Member(s) are serious, such as accusations of bullying or fraud;

					<p>(c) The allegations levied against the Subject Member(s) are extensive and complex;</p> <p>(d) Either the Complainant or the Subject Member do not wish to engage in informal resolution.</p>
5.3 (Page 9)	6.3 (Page 10)	Helen Bradley	<p>Added 'and will consider all matters on the balance of probabilities'.</p> <p>This sets the standard which the Investigating Officer operates at.</p>	<p>The Investigating Officer will follow any guidance issued by the Monitoring Officer on the investigation of complaints. The Investigating Officer should aim to complete the investigation within 3 months of being appointed.</p>	<p>The Investigating Officer will follow any guidance issued by the Monitoring Officer on the investigation of complaints. The Investigating Officer should aim to complete the investigation within 3 months of being appointed and will consider all matters on the balance of probabilities.</p>
6.2 (Page 11)	7.2 (Page 12)	Lauren Smith	<p>Amended 'Monitoring Officer' to 'Investigating Officers' – Minor amendment</p>	<p>The Hearing Panel will usually be convened within three months beginning on the date on which the Monitoring Officer receives the Investigator's Monitoring Officer report or the date of the decision</p>	<p>The Hearing Panel will usually be convened within three months beginning on the date on which the Monitoring Officer receives the Investigating Officers report or the date of the decision notice</p>

			from error in Procedure.	notice recommending that the complaint be referred to hearing.	recommending that the complaint be referred to hearing.
3.3 (Page 6)	4.3 (Page 6)	Lauren Smith	Added a further provision in relation to whether a complaint warrants further consideration . Where a complaint can be dealt with by an alternative and more appropriate remedy.	N/A	<p>The Monitoring Officer will also take into account the following considerations before deciding if a complaint warrants further consideration under the procedure:</p> <ul style="list-style-type: none"> • Where there are alternative and more appropriate remedies that could be explored first

6.24 (Page 18)	7.35 (Page 20)	Lauren Smith	Added wording 'the Code of Conduct' to correct an error.	Where the Hearing Panel determines that there has been a failure to comply with 6.12 the notice will:	Where the Hearing Panel determines that there has been a failure to comply with the Code of Conduct the notice will:
6.28 (b)	7.39 (b)	Lauren Smith	Removed reference to Appendix 2. Appendix 2 no longer applicable.	The law also gives the Hearing Panel the power to hold a private meeting to prevent 'exempt information' being revealed to the public. The categories of 'exempt information' are those set out in Schedule 12A to the Local Government Act 1972 (see Appendix 2). However, regulations also provide for three additional categories of 'exempt information' in relation to the Hearing Panel.	The law also gives the Hearing Panel the power to hold a private meeting to prevent 'exempt information' being revealed to the public. The categories of 'exempt information' are those set out in Schedule 12A to the Local Government Act 1972. However, regulations also provide for three additional categories of 'exempt information' in relation to the Hearing Panel.

6.28 (b)	7.39 (b)	Lauren Smith	Added wording. The original wording noted three additional categories but only listed two of them.	<p>(a) However, regulations also provide for three additional categories of 'exempt information' in relation to the Hearing Panel:</p> <ul style="list-style-type: none"> (i) Information which is subject to any obligation of confidentiality (ii) Information which relates in any way to matters concerning national security 	<p>(b) However, regulations also provide for three additional categories of 'exempt information' in relation to the Hearing Panel:</p> <ul style="list-style-type: none"> (i) Information which is subject to any obligation of confidentiality (ii) Information which relates in any way to matters concerning national security. (iii) The deliberations of an Audit & Governance Committee or
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					<p>of a Sub-Committee of an Audit & Governance Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of Section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.</p>
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