

SHEFFIELD PARISH/TOWN COUNCILS JOINT PROCEDURE FOR DEALING WITH STANDARDS COMPLAINTS

Complaints

- 1 Allegations of breaches of the Code of Conduct should be made in writing to the Clerk to the Council.
- 2 The Clerk will refer the complaint to the Monitoring Officer (MO) who will decide if this allegation is a potential breach of the code. If the matter complained of does not constitute a potential breach of the code the MO will inform the complainant.
- 3 If the MO believes there may be a potential breach of the Code they will refer it back to the relevant Clerk to mediate and try to effect a satisfactory resolution of the matter.
- 4 The relevant Clerk to offer such steps as they think appropriate to prevent a future breach of the Code including recommending training, guidance, introducing or amending policies/protocols.
- 5 If the matter remains unresolved the Joint Parish Standards Panel (see below) is convened.
- 6 The Joint Parish Standards Panel to comprise of 2 member representatives from each Parish/Town Council advised by the Clerks to each Parish/Town Council plus an Independent Person and the MO, both of whom can be called if required.

For the purposes of hearing a complaint the Panel will consist of 4 members who are not members of the Council receiving the complaint; advised by a Clerk, again who is not from the Parish/Town Council of the member being complained about.

Procedure for Investigations

7. If the matter is to be investigated, the complainant and subject of the complaint will be informed by the Clerk. The Elected Member will be given full details of the allegation and have 14 days to submit a response, witness statements and any relevant information. The Member will be asked to express a preference for a written or oral hearing should the matter be referred to the Joint Parish Standards Panel.
8. The Clerk will supply the complainant with copies of any relevant documents.
9. The Joint Parish Standards Panel will consider the complaint and responses to decide if any further information should be obtained by the Clerk.

10. The Joint Parish Standards Panel, in consultation with the Independent Person, shall decide when the investigation process set out in 7 to 9 above is complete and if evidence of a breach is found. If no evidence is found no further action will be taken and the Clerk will inform the complainant.
11. Where the investigation finds evidence of failure to comply with the Code of Conduct, the Joint Parish Standards Panel, in consultation with the Independent Person, may attempt a local resolution.
12. The Clerk may seek the guidance of the Monitoring Officer of Sheffield City Council at any time. The Joint Parish Standards Panel reserves the right to request the Monitoring Officer to refer the matter to the Sheffield City Council Standards Committee.

Remedies

13. If the Joint Parish Standards Panel finds a breach of the Code has occurred they may make one or more of the following recommendations and may specify to whom they wish them to be directed:
 - Recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council.
 - Instructing the Clerk to arrange training for the member;
 - That policies/procedures are amended;
 - That a briefing/information note be issued;
 - That an apology be given;
 - That the member is censured in writing and a copy of the letter is published on the Council's website.

Appeals

14. It is not intended that an Appeal procedure would be used as a matter of course. If, however, the Standards Committee Chair and MO agree that the nature of the decision may have a significant impact on the member against whom findings are made or has important implications for the Council as a whole, they may allow an appeal to the Standards Committee of another authority with whom a reciprocal agreement exists.