



COMPLAINING ABOUT A COUNCILLOR

**Complaining about the behaviour of a member of
South Holland District Council or a member of a
Parish Council.**

Making a complaint: Complaining about the behaviour of a Council Member

If you want to complain about the conduct of a member of South Holland District Council or a member of one of the parish council's within South Holland you can.

Responsibility for considering complaints about elected members (ie Councillors) now rests with the Council's Standards Committee.

What is the Standards Committee?

The Standards Committee is a group of people appointed by the authority to help maintain and promote high ethical standards. The Standards Committee is made up of councillors, or members of the authority, and independent people (who are not councillors or employees of the Council). Members of the parish councils are also part of the Standards Committee.

What complaints does a Standards Committee deal with?

The Standards Committee can only deal with complaints about the behaviour of a member of the council or authority. It will not deal with complaints about things that are not covered by the members' Code of Conduct.

If you make a complaint to the Standards Committee it must be in writing. You should say who it is about and why you think they have not followed the Code of Conduct.

The Standards Committees will not look at complaints that are about:

- People employed by the council or authority.
- Incidents that happened before a member was elected or chose to serve.
- Incidents that happened before the Council adopted the Code of Conduct in 2002.
- The way an authority conducts or records its meetings.
- The way an authority has or has not done something. This may be a matter for the Local Government Ombudsman if the authority has not dealt with the matter properly and it has not been resolved locally. Parish Councils are not covered by the Ombudsman.
- Decisions of the authority or one of the services it provides. In this case, you should ask how to complain using the authority's own complaints system.

What will happen to your complaint?

Once you have made a complaint, you will be told in writing what will happen to it. If it is an appropriate complaint the Standards Committee will deal with it and it will set up a meeting of no less than three members of the Committee to decide what should happen next. The meeting will be chaired by one of the independent people on the Standards Committee. This should happen within 20 working days.

The Committee can decide to:

- Investigate your complaint.
- Take some other action.
- Send it to the Standards Board for England to investigate.
- Send it to the Standards Committee of another authority if the member belongs to that authority, or one of the parish or town councils that come under that other authority.
- Take no further action.

What is “other action”?

“Other action” is usually some form of conflict resolution, mediation or training. The decision is reached where the Standards Committee decides that it is likely to resolve the situation more effectively than an investigation and possible sanction.

What if the Standards Committee decides to take no further action and you don't agree?

The law says that the Standards Committee should take reasonable steps to tell you the reason for its decision. You may not agree with the reasons, or think that it did not make the decision properly, or you may have new information that you think might affect its decision. If so, you can ask the Committee to review its decision. You have to ask it to do this in writing within 30 calendar days of receiving its decision.

The Standards Committee must consider your request within three months, although in practice it should happen within 20 working days.

The decision will be reviewed by at least three members of the Standards Committee. None of the people who made the original decision are allowed to take part in the review. This meeting will be chaired by one of the independent people on the Standards Committee. They can uphold the original decision or overturn it, and will tell you in writing what they have decided.

What is the Standards Board for England's role?

The Standards Board provides the national, independent oversight that is needed for there to be confidence in this locally based system.

The Standards Board:

- Requires councils to tell it how well we are dealing with complaints about the conduct of our members.
- Works with the Standards Committee to help it improve if it does not deal with complaints about members properly.
- Gives standards committees and councillors guidance on understanding the Code of Conduct and how to deal with complaints about the conduct of members of their council or authority.
- Can take away the power of the Standards Committee to receive complaints about members if it believes it necessary.
- Investigates the most serious cases where the Standards Committee believes it is not best placed to deal with the matter and the Standards Board agrees.
- Publishes information about how councils are dealing with complaints about our members.

How do I make a complaint?

Submit your complaint to:

The Monitoring Officer
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs PE11 2XE

You will need to supply full details of your complaint and a Complaint Form is available for this purpose. It can be obtained from our website at www.sholland.gov.uk or on request (see contact).

You can find out more about the work of the Standards Committee and the Code of Conduct by visiting our website at www.sholland.gov.uk or by contacting us through the details below:

Tel: 01775 761161

Email: info@sholland.gov.uk

Write: The Monitoring Officer
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs PE11 2XE