

PROTOCOL

relating to making complaints against District Councillors

All District Councillors agree to abide by the Code of Conduct (the Code) which was first adopted by Stratford on Avon District Council (the Council), with effect from 2 May 2002 and a revised Code was adopted by the Council on 23rd July 2007.

This Protocol has been developed, therefore, to deal with situations where a District Councillor is alleged to have breached the Code of Conduct.

- Information concerning the conduct of a Councillor should be referred to the Chief Executive for consideration

- Where the Chief Executive has received information concerning an alleged breach of the Code from a member of the public or another Councillor, he may:

in the case of a member of the public:

- (i) lodge a complaint on that person's behalf and with their consent, or
- (ii) provide information as to how that person may complain to the Standards and Ethics Committee of the Council

in the case of a Councillor:

- (i) remind that Councillor of his/her duties under the Code and/or report the matter to the group leader for consideration as a matter of party discipline.

- The Chief Executive may at any time seek the advice of the Monitoring Officer upon matters concerning the interpretation of the Code
- If the Chief Executive considers that the complaint warrants consideration of investigation by the Standards and Ethics Committee, he may lodge a complaint with them on behalf of the Council. This would take place after consultation with the leaders of each of the political groups, or, if the conduct complained of is that of one of the group leaders, the Chairman of the Council.
- The Chief Executive shall provide the Monitoring Officer with a copy of any complaint which he has lodged with the Standards and Ethics Committee.
- The decision to refer a matter for consideration by the Standards and Ethics Committee shall be a decision of the Chief Executive acting in that capacity only and shall not be interpreted as:
 - an exercise of the powers or responsibilities of the Monitoring Officer
 - an expression of opinion by the Chief Executive that a breach of the Code of Conduct has taken place.