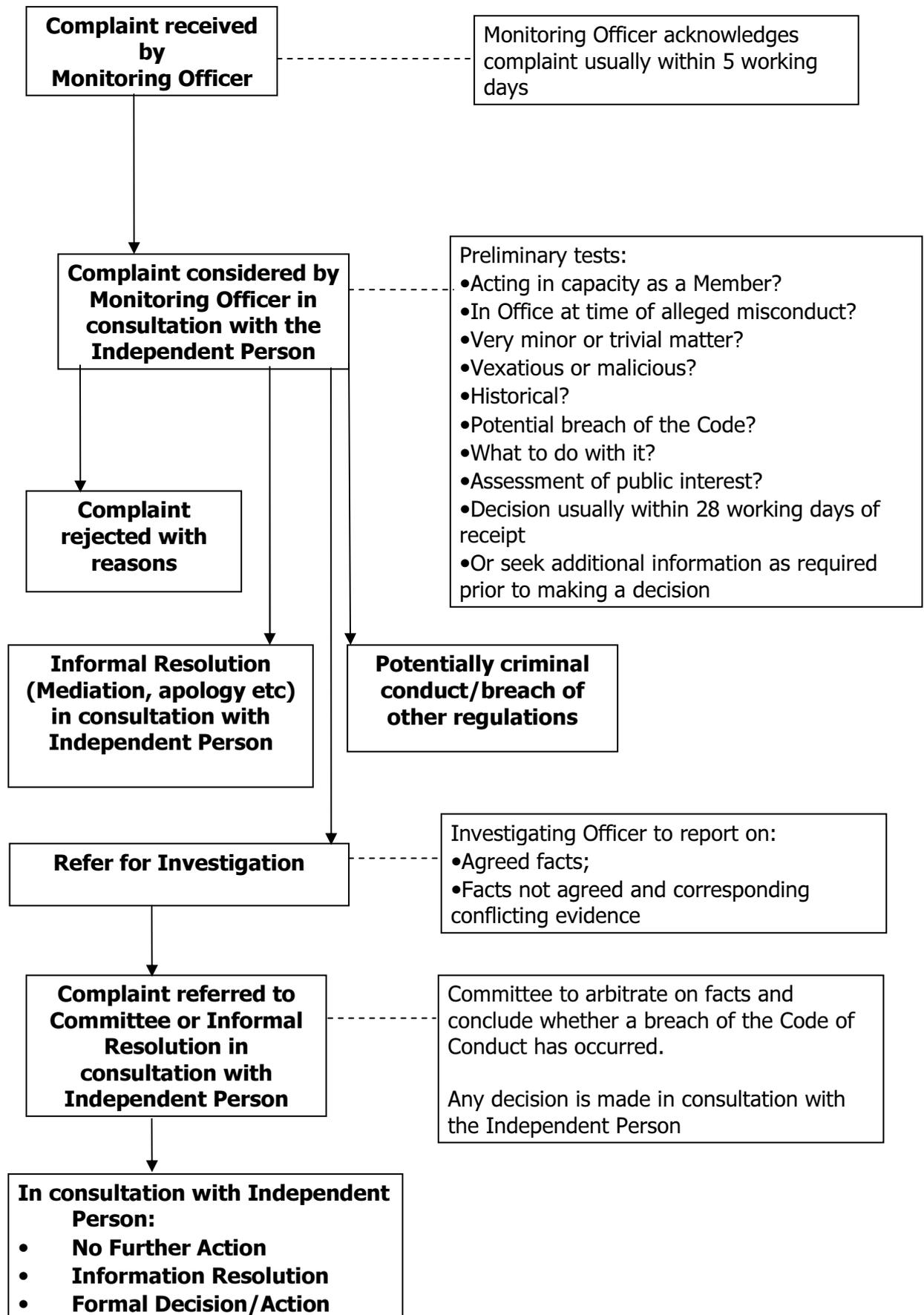


Complaints Procedure Flowchart



## Assessment Criteria

### Step 1

Does the complaint meet the following tests?

- It is a complaint against one or more Member of TBC/Parish
- The named Member was in office at the time of the alleged conduct and the Code of Conduct was in force at the time
- The complaint if proven would be a breach of the Code under which the Member was operating at the time of the alleged misconduct
- Was the named Councillor acting in his/her Office as a Councillor at the time of the allegation

If no to any of above, the complaint cannot be investigated and complainant must be advised that no further action can be taken.

### Step 2

If all above tests met, the complaint must be assessed against the following:

#### 1. Information about the complaint

Consideration will be given to whether the complainant has submitted sufficient information to make a decision as to whether a complaint should be referred for investigation or other action. Where insufficient information has been provided no further action will be taken on the complaint unless or until further information is received.

#### 2. Where a subject Member is no longer a Member of the Authority

Consideration will be given to whether the complaint is about someone who is no longer a Member of the Authority but is a Member of another Authority. If so, the complaint will be referred to the other Authority for consideration.

**3. Previous complaints or investigations**

Consideration will be given to whether the matter of a complaint has already been subject to previous investigation or other action under the Conduct regime or by any other Regulatory authorities. If there has been a previous investigation or other action in relation to this particular matter, which would result in nothing more to be gained, the complainant will be advised that no further action will be taken on this complaint.

**4. When the complaint took place**

Consideration will be given to the period of time that has passed since the alleged conduct occurred and whether there would be any benefit in taking action now. If the time which has elapsed since the alleged conduct has occurred is significant so that there is no benefit in taking action now, the complainant will be advised that in the circumstances further action was not warranted.

**5. The nature of the complaint**

Consideration will be given to whether the complaint is sufficiently serious to warrant further action. If the complaint is not sufficiently serious to warrant further action, the complainant will be advised accordingly.

**6. Reason for making the complaint**

Consideration will be given to whether the complaint is simply malicious, politically motivated or tit-for-tat and in the light of the nature of the complaint, whether further action is warranted. If the matter appears insufficiently serious, following this assessment, the complainant will be advised that no further action is warranted.

**7. Anonymous complaints**

Consideration will only be given to referring anonymous complaints for investigation or some other action where the complaint includes documentary or photographic evidence which indicates an exceptionally serious or significant matter.

**8. Local Resolution**

Is the matter capable of being resolved locally.