

ANNEX 4

Arrangements for dealing with code of conduct complaints against councillors: Glossary of terms

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Complainant(s)	The person/people making the complaint.
Initial tests and assessment stage	A meeting or discussion between the Monitoring Officer and an Independent Person to consider a complaint against the initial tests and assessment criteria.
Local Hearing	A meeting of the Local Hearing Panel of the Standards Committee at which they consider whether the “Subject Councillor” has breached the code of conduct.
Independent person	The Council must appoint at least one Independent Person and seek that person’s views before it takes decision on a complaint that it has decided to investigate. The Independent Person’s views can also be sought by the council on any other issue in the complaints handling process. The Independent Person will also provide, on request, procedural advice to a Subject Councillor.
Investigator	The person appointed by the Monitoring Officer to undertake a formal investigation. This may involve the appointment of an investigating officer, who may be another officer of the council, an officer of another council or an external investigator.
Legal advisor	The officer responsible for providing legal advice to the Local Hearing Panel of the Standards Committee. This may be the Monitoring Officer, another legally qualified officer, or someone appointed for this purpose from outside the council.
Monitoring officer	The Monitoring Officer is a senior officer of the council who has statutory responsibility for maintaining the register of councillors’ interests and who is responsible for administering the system in respect of complaints of councillor misconduct.
Public interest	Public interest ¹ considerations are at the heart of this process. The Monitoring Officer must balance the appropriate use of public resource in dealing with complaints with the extent to which it may be in the public interest to take further action, and what that further action should be (informal resolution of a formal investigation perhaps leading to a finding of a breach of the code and sanctions being imposed).
Subject Councillor	The councillor, co-optee, or parish councillor against whom an allegation has been made.

¹ used when talking about people's rights to know the facts about a particular situation

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