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Code of Conduct for Members - information for potential complainants

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How to complain about the conduct of an elected or co-opted Member of South Derbyshire District Council or a Member of one of our parish councils

If you have a complaint which is not about a breach of the Code of Conduct for Members, then please visit [Comments, Compliments or Complaints](#)

Changes to the complaints process

From 8 May 2008 the responsibility for considering written complaints against elected or co-opted Members of the Council and Members of one of our parish councils for a breach of the Code of Conduct for Members will move to the Council's [Standards Committee](#).

In the event of it being a serious complaint, it may be referred by the Standards Committee to the [Standards Board for England](#) for investigation and, for less serious matters, it may be referred to the Council's Monitoring Officer for investigation or other appropriate action (e.g. training / conciliation).

What this means to you

After 8 May 2008, if you want to submit a written complaint about the conduct of an elected or co-opted Member of South Derbyshire District Council or a Member of one of our parish councils, you must submit your complaint to the address below.

Please note that the Standards Committee can only deal with complaints about the alleged behaviour and conduct of a Member. It will not deal with complaints about things that are not covered by the Members' Code of Conduct.

http://www.south-derbys.gov.uk/council_and_democracy/standards_and_behaviour/code_of_conduct... 14/07/2009

If you want to make a complaint against any Member of the Council or Member of one of our parish councils, you will have to complete the necessary complaint form and provide relevant evidence to substantiate your allegation(s). The form is available for download below together with the procedures relating to the local assessment of complaints and local determination hearings.

If you are unsure about any aspect of the process, please contact the Monitoring Officer before submitting any complaint(s).

What you should do if you wish to submit a written complaint

- Talk to / raise the matter with the Monitoring Officer for general advice (contact details below).
- Fully complete the complaints form (or make sure that your letter of complaint addresses, in full, all of the issues covered in the complaint form).
- Submit the written complaint by post, email or fax to the below address, preferably within 28 days of alleged breach or explain sufficiently in the complaint form (or letter) why the complaint is being submitted outside of this period.

Address for written complaints

Andrea McCaskie
Monitoring Officer
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Tel: 01283 595831

Fax: 01283 228734

Online: [contact form](#)

email: andrea.mccaskie@south-derbys.gov.uk

What can the Standards Committee do?

Following a hearing, a Standards Committee will decide whether the councillor:

- had not failed to comply with our Code of Conduct
- had breached our Code of Conduct but that no action needs to be taken or
- had breached our Code of Conduct and that action should be taken.

If the Committee decides that action should be taken, it can do one or a combination of the following things:

- censure the councillor
- restrict the councillor's access to council premises or restrict their use of council resources for up to six months, while still allowing them to work as a councillor
- suspend or partially suspend the councillor for up to six months
- ask the councillor to apologise in writing
- ask the councillor to undertake specified training
- ask the councillor to take part in conciliation.

These sanctions can begin immediately or within six months of the hearing.

What can the Adjudication Panel for England do?

If a councillor is found to have breached our Code of Conduct, the Adjudication Panel for England may:

- suspend or partially suspend the councillor for up to a year or, if shorter, the remainder of the person's term of office or
- disqualify the councillor for being or becoming a councillor for up to five years.

We have summarised the information above about available sanctions. You can download the relevant extract from the 2008 regulations below.

Page ref: SDDC 331

Related documents

The following documents are in Portable Document Format (PDF). You can download the PDF software for free from the [Adobe website \(opens in a new window\)](#)

- [Complaint Form - breach of the Code of Conduct for Members \(56kb\)](#)
- [Procedure for Local Assessment of Complaints \(64kb\)](#)
- [Procedure for Local Determination Hearings \(83kb\)](#)
- [Legal Notice \(168kb\)](#)
- [available sanctions - extract from the 2008 regulations \(36kb\)](#)

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