

**London Borough of Barking and Dagenham
Management of Complaints relating to Councillors (2013)**

1. All complaints against Members must take the form of a written complaint in the prescribed form unless special circumstances exist as determined by the Monitoring Officer whose decision is final.
2. Where the complaint is unclear in terms of particulars such that there is no specific breach of the Members' Code of Conduct, the Monitoring Officer shall invite the complainant to clarify:
 - What the breach is that is alleged
 - When it happened
 - Where it happened
 - Names and contact details of witnesses, and
 - To attach evidence relevant to the complaint to support the allegation.
3. The Monitoring Officer may set a time for a response to rule 2 not less than 21 days.
4. The Monitoring Officer will only act where there is sufficient evidence in their opinion to do so.
5. Following a period for clarification, the Monitoring Officer may proceed with the complaint and make a determination as to whether the complaint merits a formal investigation and if not, the matter is dismissed. The Monitoring Officer, when making a determination, may consult with the Council's Independent Person.
6. The Monitoring Officer may dismiss a complaint without resort to further investigation if they are of the opinion that the complaint is (any one of the following or more):
 - a. lacking in evidence
 - b. fails to identify any breach
 - c. politically motivated
 - d. vexatious
 - e. repetitive
 - f. defamatory
 - g. has no reasonable prospect of success
 - h. about a Council service. Such a complaint will be referred to the relevant service area in accordance with the Council's complaints policy.
7. If a matter proceeds to investigation the Monitoring Officer may circulate copies of the complaint form to whoever they consider necessary, including the Member and their representative(s) and outside agencies.
8. During the investigation the Monitoring Officer may require the complainant to furnish further details or co-operate in terms of disclosure of evidence. If the complainant fails to co-operate in a timely manner or do not make themselves available, the Monitoring Officer may continue their investigation in the absence of the complainant's co-operation, including making a determination to dismiss the complaint.