

LOCAL DISPUTE RESOLUTION PROCEDURE PROCEDURE FOR DEALING WITH PAPERWORK AND TIMESCALES

The Local Dispute Resolution Procedure ('the Procedure') applies to Vale of Glamorgan Council Member complaints against a fellow Member.

1. Complaint Form to be submitted to the Monitoring Officer.
2. Upon receipt of the Complaint Form, the Monitoring Officer or the Deputy Monitoring Officer will indicate whether the complaint may be dealt with under the Procedure or whether it should be referred to the Ombudsman.
3. The Complainant must indicate by ticking a box on the form whether he/she wishes the complaint to be dealt with at Stage 2 of the Procedure (Conciliation Meeting) reserving the right to proceed to Stage 3 of the Procedure at a later stage or proceed directly to Stage 3 (Hearing) of the Procedure.
4. The Complaint Form will be forwarded to the Member who is the subject of the complaint within **seven working days** of submission of the Complaint Form to the Monitoring Officer and to such other individuals as referred to in the Procedure.
5. Stage 2 Conciliation Meeting – If the Complainant has elected to proceed with Stage 2 of the Procedure the Managing Director or nominated Director will make their own arrangements to co-ordinate the Conciliation Meeting to be held within **15 working days** of the Complaint Form being sent to the Member who is the subject of the complaint.
6. Stage 3 Hearing - A Democratic and Scrutiny Services Officer will make all the necessary arrangements between the Independent Member, the relevant Members and Officers to convene a mutually convenient date for the Hearing to take place.
7. The Democratic and Scrutiny Services Officer will arrange for the Hearing to take place within **six weeks** following the request by the Complainant to proceed to Stage 3.
8. The Complainant will submit to the Monitoring Officer and the Member who is the subject of the complaint the substance of his/her complaint in writing within **seven working days** of being advised of the nomination of the Independent Member; and the Member who is the subject of the complaint will submit to the Monitoring Officer and the Complainant a written response within **seven working days** of receiving the same. These papers, together with any additional written evidence that is submitted by either side will be provided to the Independent Member (copies of the same are to be exchanged between the Members involved in the complaint in advance of being provided to the Independent Member).

9. Due consideration to be given to allow for the attendance of witnesses. Where witnesses are wished to be called, the parties will be requested to notify the Democratic and Scrutiny Services Officer within **seven calendar days** prior to the hearing. Both parties will need to ensure that their witnesses are in attendance. Witnesses who may have provided statements prior to the Hearing should be advised of the fact that a Hearing may take place and of their being obliged to attend. The Democratic and Scrutiny Services Officer will provide the witness(es) with a copy of the Complaint Form (redacted if considered necessary by the Monitoring Officer or Deputy Monitoring Officer).
10. It will be at the discretion of the Independent Member as to whether they will reach a decision on the day of the Hearing or not and as to how the decision will be communicated whether face-to-face or by telephone. The Complainant and Respondent will both be advised orally of the decision.
11. A written decision will also be issued ideally within **seven working days** of the decision being made. The written decision will set out the decision of the Independent Member and the reasons for the decision. A copy of the decision letter will only be sent to the Respondent.
12. Should the decision be that a Member is censured, then a statement on the Council's website will be issued within **seven working days** of the decision being made, which will detail the name of the Member who is the subject of the complaint, the fact that the Member has been censured pursuant to the Procedure, when the censure decision was made and a summary of the facts as deemed appropriate by the Independent Member presiding at the Hearing. The statement will appear on the Council's website for **28 calendar days**.