

# Complaints about a Member's Conduct

## How to make a complaint about a member of Northumberland National Park Authority

Members appointed to Northumberland National Park Authority are required to comply to a [Code of Conduct](#).

If you believe a member of this Authority has breached this Code of Conduct your complaint will be addressed in a serious and impartial manner. We have a separate committee of members, called the [Standards and Appeals Committee](#) and a Monitoring Officer who deal with such complaints.

The four possible stages to a complaint about a member of Northumberland National Park Authority have been set to ensure impartiality of decision making and are in-line with government advice.

### Step 1 - Complaint in Writing

Send your complaint in writing to the National Park Authority's Monitoring Officer either via email: [monitoringofficers@nnpa.org.uk](mailto:monitoringofficers@nnpa.org.uk) or to the Monitoring Officer, Eastburn, South Park, Hexham, NE46 1BS. If you would like to discuss the matter, please call the Monitoring Officer on 01434 605555.

**The Monitoring Officer** will determine whether a complaint needs looking into based the following criteria:

**(a) Has the complainant submitted enough information to satisfy the Monitoring Officer that the complaint should be referred for investigation or other action?**

If not: the information provided is insufficient to make a decision. So unless, or until, further information is received, no further action will be taken on the complaint.

**(b) Is the complaint about someone who is no longer a member of the National Park Authority, but is a member of another authority? If so, should the complaint be referred to the monitoring officer of that other authority?**

If yes: the complaint will be referred to the Monitoring Officer of that other authority to consider.

**(c) Has the complaint already been the subject of an investigation or other action relating to the Member Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?**

If yes: There may be nothing more to be gained by further action being taken.

**(d) Is the complaint about something which happened so long ago that there would be little benefit in taking action now?**

If yes: further action may not be warranted.

**(e) Does the complaint appear too trivial to justify the cost or inconvenience of further action?**

If yes: further action will not be warranted.

**(f) Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?**

If yes: further action will not normally be warranted.

**(g) Is the complaint anonymous?**

If yes: no action will normally be taken unless there are compelling reasons to suggest otherwise, e.g. if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter.

The Monitoring Officer will determine whether to investigate, in consultation with the **Independent Person**. All decisions taken by the Monitoring Officer will be reported to the members of the Standards and Appeals Committee for information.

**There is no right of appeal against the decision to investigate, or not investigate, a complaint.**

## **Stage 2 – Informal resolution of issues and implementing other action**

The Monitoring Officer with the assistance of the **Independent Person** will aim to resolve less significant matters in an informal way before an investigation is commissioned. The complaint can only be resolved informally if both sides agree.

If an amicable resolution cannot be achieved within 6 weeks, the complaint will automatically move to the formal stage and an investigation (assuming the Monitoring Officer is satisfied the complaint was serious enough to warrant this).

All actions taken at Stage 2 would be reported to members of the Standards and Appeals Committee for information.

## **Stage 3 – Investigation finds no breach of code of conduct**

All investigation reports will be commented upon by the **Independent Person**. Where the investigation report, having taken on board the Independent Person's comments, finds there has been no breach of the Code and no action to be taken, then the complaint will be dismissed.

The only exception to this will be where the Monitoring Officer (after taking account of the view of the **Independent Person**) seriously doubts the soundness of the investigating officer's conclusion, in which case the Monitoring Officer will refer the matter to the Standards and Appeals Committee for a hearing.

The investigation report and the **Independent Person's** comments will be communicated for information to the Authority's Standards and Appeals Committee, the complainant and, the

member subject to the complaint. In these cases the innocent member will be asked if they wish the decision to be communicated to all members of the Authority and the public.

**There is no right of appeal (against the decision to dismiss) by the complainant and also no right for appeal by the subject member against any decision to hold a hearing.**

#### **Stage 4 – Breach of code of conduct finding**

Where a formal investigation concludes, having taken on board the **Independent Person's** comments, that there has been a failure to comply with the code of conduct, there will be a hearing at the Standards and Appeals Committee. The member against whom the allegation has been made is able to see the investigation report, attend the Committee and make representations to it and respond to their questions. Likewise, to ensure natural justice, the complainant will be informed of the report and have the opportunity to explain and be questioned by the Committee.

The Standards and Appeals Committee will determine whether the member did fail to comply with the code of conduct and what action is appropriate. The **Independent Person** can attend the Committee meeting as an observer.

**There is no appeal mechanism against decisions of the Committee. Any unreasonable decision which the Committee takes can be challenged via judicial review through the High Court.**