

Bridgend County Borough Council Local Resolution Protocol

General Principles

- This Protocol for self-regulation of Member Conduct has been adopted in response to the Public Ombudsman's revised guidance on the Code of Conduct for Members which states that "low level" complaints which are made by a Member against a fellow Member regarding alleged failures of the Code should be dealt with at a local level. The aim is to resolve matters at an early stage so as to avoid the unnecessary escalation of the situation which may damage personal relationships within the Authority and the Authority's reputation.
- This Protocol does not preclude Members from referring any complaint to the Ombudsman if they so wish, however, it should be noted that the Ombudsman is likely to refer the matter back to the Monitoring Officer in the first instance so that the procedures set out in this Protocol are fully exhausted.
- It should be noted that this Protocol does not replace the Code of Conduct rather it is intended to sit alongside it enabling complaints which may not reach the Ombudsman's threshold to be dealt with.
- All Members will work to ensure compliance with this Protocol and will commit to training and development in support of the Protocol and in compliance with Section 7 of the Local Government Measure 2011.

Criteria

For a complaint to fall within the remit of this Protocol it should satisfy the following criteria:

- A Member of the Council has made the complaint and it relates to a breach of the Code by a fellow Member(s)
- The complaint is "low level". The Ombudsman has advised "typically these complaints will be about alleged failures to show respect and consideration for others as required by paragraph 4(b) of the Code or the duty not to make vexatious, malicious or frivolous complaints against other Members under paragraph 6(1)(d) of the Code.
- If the complaint relates to persistent breaches of similar conduct that have previously been dealt with under this Protocol or by the Ombudsman, then the matter shall be referred to the Monitoring Officer who will advise on the appropriate way forward. It is likely that the matter will be referred directly to the Ombudsman.

Procedure

- The Member seeking to make a complaint under this Protocol should in the first instance arrange to discuss the matter with the Monitoring Officer in order to determine whether it should be dealt with under this Protocol.
- The Monitoring Officer will determine whether the complaint can be resolved by mutual resolution and if so will arrange a meeting of the Members concerned with the aim of resolving the matter at an early stage so as to avoid the unnecessary escalation of the situation.
- The Monitoring Officer will adopt such arrangements as he deems necessary in an attempt to resolve the complaint and may require the attendance of any Member or Officer at the meeting as he determines beneficial.
- If the matter cannot be resolved by mutual resolution, the Member bringing the complaint may refer the matter to the Ombudsman.