

Terms of Reference for the investigation in respect of Conduct Complaints made about Councillor Lumley of Melton Borough Council.

The investigator is instructed to:-

1. Provide to the Monitoring Officer an initial investigation plan showing persons to be interviewed, evidence to be obtained and actions to be taken
2. Conduct an investigation in accordance with the Council's arrangements and the investigation plan, such investigation to seek to determine:-
 - a) the facts in relation to the complaints;
 - b) whether the subject members actions fall within the ambit of the Code of Conduct;
 - c) whether the subject members conduct amounts to a breach of the code of conduct.
3. Obtain evidence in the investigation in the form as the investigator sees fit;
4. Provide an Investigation Report providing commentary on the following;
 - a) **The Scope and Focus of the Investigation** (Statement of complaint and outline of investigator recommendations as to whether the member was acting in member capacity and, if so, whether he breached the Code)
 - b) **Relevant Legislation and Protocols** (Relevant parts of the Localism Act 2011 and the Council's Code of Conduct for members)
 - c) **The Investigation** (An outline of the sources of evidence obtained and the conduct of the investigation)
 - d) **The Evidence** (Factual reasoning on key disputed areas and findings of fact)
 - e) **Have there been failures to comply with the Code of Conduct** (Investigator's suggestions as to whether the elected member failed to comply with the Code)
 - f) **Recommendations** (Investigator's suggestions as to recommendations)