

FAQ for individuals considering filing an ethics complaint

What conduct constitutes unethical behavior?

1. The Dunbarton Code of Ethics outlines eight requirements for ethical behavior by public officials and town employees. These are:
 - A. No conflicts of interest
 - B. A duty to recuse
 - C. A duty to disclose
 - D. No unfair personal use of town property
 - E. No misuse of confidential information
 - F. No improper gifts
 - G. A duty to cooperate
 - H. Fair and equal treatment

The Committee can only review potential violations of these eight provisions of the Code of Ethics.

You can download a copy of Dunbarton's Code of Ethics from the town web site:

<http://dunbartonnh.org/committees/EthicsCommittee>

2. What measures should be taken to resolve an issue before filing an ethics complaint?

"Correct" behavior is sometimes a matter of perspective. Miscommunication between public officials and a citizen is sometimes the root cause of an ethics concern rather than actual behavior. That's why the town's ethics code requires that an attempt must be made to resolve an issue before an ethics complaint is filed with the Ethics Committee.

Examples of ways this might be accomplished include, but are not limited to:

- Bringing the subject of the complaint directly to the attention of the individual(s) involved
- Bringing the subject of the complaint formally before the board or committee involved by sending a letter to the committee and/or asking to be included on a meeting agenda
- Bringing the subject of the complaint to the attention of the Board of Selectmen by sending a letter to the board and/or asking to be included on a meeting agenda
- If you are a town employee, bringing the subject of the complaint to the attention of your supervisor or the Board of Selectmen

Town officials, employees and volunteers have a right to know if a citizen has a concern about their conduct and should be given an appropriate amount of time to respond.

3. What should a citizen do if they have brought an ethics issue to the attention of the board or committee and the Board of Selectman, but have not been able to resolve it?

If, after trying to resolve the situation, a citizen still believes there has been a violation of the Town's ethics code, the citizen should file a complaint with the Ethics Committee.

Similarly, if a citizen has made a good faith effort to formally resolve the ethics issue and has been ignored, the citizen should file a complaint with the Ethics Committee.

Keep in mind that just because a citizen is unhappy with a board or committee's decision does not mean the committee violated the Town's ethics code. Unless there has been a specific violation of one or more of the eight provisions of the code outlined in #1 above, no violation of the ethics code has occurred.

4. What other factors should be considered when filing an ethics complaint?

- The complaint must state the specific facts on which it is based.
- Personal dissatisfaction with an individual or a group should not be the basis of an ethics complaint.
- A complaint should not rely on second-hand information, gossip or other information that may not be true.
- You should document (as much as is possible) the date and time of events, the names of individuals who are witnesses and the events exactly as they occurred.

5. Can the Dunbarton Ethics Committee overturn the decision of any other town body?

- No. The Committee's responsibility is to determine if a violation of the Dunbarton Code of Ethics has occurred. For example, the committee can not overturn a zoning or planning decision.

6. What other things does the Ethics Committee Do?

- The Committee has an educational role within Dunbarton Town Government.
- The Ethics Committee offers training to town employees to help them to understand their responsibilities as they relate to ethical behavior.
- The Committee can act in an advisory capacity to town officials, board members and employees and to assist them in analyzing ethical issues.
- The Committee's goal is to help town employees and board members avoid situations which may even give the appearance of impropriety.