

Code of Conduct for Councillors Complaint form

YOUR DETAILS

1. Please give us your name and contact details

Title	<input type="text"/>
First name	<input type="text"/>
Last name	<input type="text"/>
Address	<input type="text"/>
Best phone no. to contact you	<input type="text"/>
Email address	<input type="text"/>

Signature _____

Date _____

We will not usually release your address and contact details unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- *the councillor(s) you are complaining about*
- *our Monitoring Officer*

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate so they can deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 5 of this form.

2. Please tell us which of these best describes you: (Please tick one box)

- Member of the public An elected or co-opted member of an authority
- An independent member of the Standards and Audit Committee Member of Parliament
- Local authority monitoring officer Other council officer or authority employee
- Other (Please state) _____

MAKING YOUR COMPLAINT

3. Please give us the name of the councillor(s) you believe has breached Rushmoor Borough Council's Code of Conduct.

First name

Last name

4. Please explain in this section (or on separate sheets) what the councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one councillor, you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you want the Monitoring Officer to take into account when they decide whether to take any action on your complaint. For example:

- *You should be specific, wherever possible, about exactly what you are alleging the councillor said or did. For instance, instead of writing that the councillor insulted you, you should state what it was he or she said.*
- *You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates, it is important to give a general timeframe.*
- *You should confirm if there are any witnesses to the alleged conduct and provide their names and contact details if possible.*
- *You should provide any relevant background information or other relevant documentary evidence to support your allegations.*

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

CONFIDENTIALITY OF PERSONAL AND COMPLAINANT DETAILS

Only complete this next section if you are requesting that your identity is kept confidential.

5. In the interests of fairness and natural justice, we believe councillors, who are complained about, have a right to know who has made the complaint and the substance of the allegations made against them. We are therefore unlikely to withhold your personal details or the details of your complaint unless you have good reason to believe that you have justifiable grounds. For example:

- *You believe you may be victimised or harassed by the member(s) against whom you are submitting a written complaint (or by a person associated with the same); or*
- *You may receive less favourable treatment from the council because of the seniority of the member against whom you are submitting a written complaint in terms of any existing council service provision or any tender/contract that you may have or are about to submit to the council.*

Please note that we will not automatically grant requests for confidentiality or requests for suppression of personal and complaint details. The Monitoring Officer will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option, if you want, of withdrawing your complaint.

However, it is important to understand that in certain, exceptional circumstances, where the matter complained about is very serious, we can proceed with an investigation (or other action) and disclose your personal and complaint details, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

REMEDY SOUGHT

Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint:

ADDITIONAL INFORMATION

Complaints must be submitted in writing. This includes fax and electronic submissions. In line with the Disability Discrimination Act 2000, we can make reasonable adjustments to help you if your disability prevents you from making your complaint in writing. This form is available to complete online.

We can also help if English is not your first language. If you need any support in completing this form, please let us know. It is possible to provide the contents of this leaflet in your language, larger print, Braille or audio tape, although we will need ten days' notice. We also use a language translation service to help callers.

For more information or help with this form, please call our customer services team on **01252 398 399** or email **customerservices@rushmoor.gov.uk**

Please send your complaint to the Monitoring Officer at the address below.

THE PROCESS FROM RECEIVING YOUR COMPLAINT

The Council's Monitoring Officer will consider your complaint and decide to:

- *Take no action; or*
- *Arrange for the monitoring team to make an initial assessment of the complaint; or*
- *Refer the complaint to the police.*

Normally, the Monitoring Officer will not take any action on a complaint if it is considered that one or more of the following applies:

- *It is about someone who is no longer a councillor;*
- *The matter being complained about came to your notice more than six months before we received the complaint;*
- *The matter being complained about happened more than 12 months before we received the complaint;*
- *The monitoring officer considers that the complaint does not relate to behaviour in the councillor's official capacity as an elected member.*

Where the matter is referred to the monitoring team, the team may decide:

- *To take no action; or*
- *To try and resolve the matter informally; or*
- *To arrange a hearing before a panel of councillors from the Standards and Audit Committee; or*
- *In more complex cases, ask for a formal investigation into whether there has been a breach of the code of conduct, followed by a hearing if the investigation indicates a breach of the code; or a formal finding of no breach by the Monitoring Officer.*

The monitoring team's decision on the initial assessment, with reasons (and views of the independent person if involved), will be given to the complainant and member within five days of the initial assessment meeting. This will be available for public inspection.

If a hearing before the Standards and Audit Committee is arranged, the procedure will follow the council's adopted Procedure for Hearings, which will be supplied to the complainant and member concerned.

Footnote: *Rushmoor Borough Council's monitoring team consists of the Monitoring Officer, Chief Executive, and on occasions, the Independent Person.*



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