

CODE OF CONDUCT FOR COUNCILLORS COMPLAINT FORM

(Before completing this form please read the attached Guidance Notes)

A. Your details

1. Please provide us with your name and contact details. Anonymous complaints will only generally be considered if there is independent evidence to substantiate the complaint.

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

Your address and contact details will not usually be released unless necessary to deal with your complaint.

The following people will see this form:

- Members of the Standards Committee
- Monitoring Officer of the Mid Devon District Council
- The Town/Parish Clerk (if applicable)
- The Independent Person
- The Group Leader (if applicable)

A brief summary of your complaint will also be shared with the councillor(s) against whom you are complaining. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

2. Please tell us which complainant type best describes you:

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

3. Equality Monitoring Form - please fill in the attached form.

The *Equality Act 2010* requires us to monitor certain characteristics to ensure that we do not inadvertently discriminate against members of a particular group. It would, therefore, be helpful if you would complete the attached form, although this is not compulsory. The answers will be removed and kept entirely separate from your complaint and will be completely confidential. They will be used for statistical purposes only, in which individuals will not be identified.

B. Making your complaint

The sanctions available are governed by the Localism Act 2011. For a brief summary of sanctions available and other information about the process and time scales, please refer to the attached Guidance Notes.

4. Please provide us with the name of the councillor(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name

5. 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 (with dates /witnesses) that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account when a decision is made 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 they 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 whether 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 allegation(s).

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

C. Confidentiality of complainant and the complaint details

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

6. 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. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity 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 councillor(s) against whom you are submitting a written complaint (or by a person associated with the same); or
- you consider that you may receive less favourable treatment from the Council because of the seniority of the councillor 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 requests for confidentiality or requests for suppression of complaint details will not automatically be granted. 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 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 name 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:

(Continue on separate sheet(s), as necessary)

D. Remedy sought

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

(Continue on separate sheet(s), as necessary)

E. Additional information

7. Complaints must be submitted in writing. This includes fax and electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.
8. In line with the requirements of the Disability Discrimination Acts 1995 and 2005 and the Equalities Act 2010, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.

If you need any support in completing this form, please contact the Monitoring Officer, or the Deputy Monitoring Officer, as soon as possible.

Monitoring Officer
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton
Devon
EX16 6PP

Tel: 01884 255255
Fax: 01884 234318
E-mail: Monitoringofficer@middevon.gov.uk

Signed

Date

Mid Devon District Council

Equality Monitoring Form - Information for monitoring purposes only

Ethnic Origin

Choose one section from (A) to (E), and then tick the appropriate box to indicate your cultural background. Please also complete (F) & (G).

A White

- | | | |
|----------------------------------|-------------------------------------|--------------------------------------|
| <input type="checkbox"/> British | <input type="checkbox"/> Polish | <input type="checkbox"/> Romany |
| <input type="checkbox"/> Irish | <input type="checkbox"/> Portuguese | <input type="checkbox"/> White Other |

Any other White background please write here:

B Mixed

- | | |
|--|--|
| <input type="checkbox"/> White and Black - Caribbean | <input type="checkbox"/> Asian and Black |
| <input type="checkbox"/> White and Black – African | <input type="checkbox"/> White and Asian |

Any other Mixed background please write here:

C Asian or Asian British

- | | |
|------------------------------------|--------------------------------------|
| <input type="checkbox"/> Indian | <input type="checkbox"/> Kashmiri |
| <input type="checkbox"/> Pakistani | <input type="checkbox"/> Bangladeshi |

Other Asian background please write here:

D Black or Black British

- | | |
|------------------------------------|----------------------------------|
| <input type="checkbox"/> Caribbean | <input type="checkbox"/> African |
|------------------------------------|----------------------------------|

Any other Black background please write here:

E Chinese or other ethnic group

- | | | |
|-------------------------------------|----------------------------------|---------------------------------|
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Arab | <input type="checkbox"/> Afghan |
| <input type="checkbox"/> Vietnamese | <input type="checkbox"/> Kurdish | |

Any other please write here:

F Your age

- | | | |
|--|--|------------------------------------|
| <input type="checkbox"/> 19 years or under | <input type="checkbox"/> 35 – 49 years | <input type="checkbox"/> 65+ years |
| <input type="checkbox"/> 20 – 34 years | <input type="checkbox"/> 50 – 64 years | |

G Your sex

- Male Female