

# **Code of conduct complaint form**



Before completing this form please note the following:

- The Monitoring Officer is unlikely to consider any complaint where there has been no attempt at resolving matters informally.
- There is a high bar of demonstrating code of conduct breach between councillors and other people who are politically active. The code of conduct should not be misused to resolve personal or political grievances between councillors and other political activists. This is likely to be a waste of public money.

## Completing this form

### Please note:

- We can only accept written complaints. However, if you are unable to make your complaint in writing for any reason including disability or limited English, please call 01235 422520 or email [monitoring.officer@southandvale.gov.uk](mailto:monitoring.officer@southandvale.gov.uk)

Please send your complaint, typed, via email. If you are not able to do this, please contact us for further advice.

- An officer from the council may contact you personally to go through the details of your complaint.
- The council is unlikely to be able to keep your identity confidential or the information you have provided. If you have serious concerns about disclosure of your name and a summary of your complaint, please complete section 3 on confidential information.
- You should read *the fact sheet on code of conduct complaints* prior to completing this form. The council's full procedure on the way it deals with complaints is on the council's [website](#). If you require a paper copy please call 01235 422520.

## Section 1: Your details

First name and surname

Address and postcode

Telephone/mobile

E-mail address<sup>1</sup>

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<sup>1</sup> Please note that, wherever possible, we will contact you via email if you have provided an email address.

Please tick the box which best describes you:

- Member of the public
- Elected/co-opted member of the council
- Member of Parliament
- Local authority monitoring officer
- Other local authority officer/employee
- Other (please specify)

## Section 2: Your complaint

Please give the name of the councillor or co-opted member you consider has broken the code of conduct.

Provide as much information as you can about your complaint to help us decide what action to take. You can use additional or separate sheets if you wish but you should use the headings below to explain your complaint.

If you are complaining about more than one councillor please include additional pages using the headings in this section to set out your complaint.

### **Name of individual that you are complaining about**

(include both first and last names)

### **Which council is he or she a member of?**

**Do you believe that the councillor was acting in their official role when the incident(s) that is/are the subject of your complaint took place and if so what are your reasons?**

### **What happened and when?**

**What do you feel has been the effect of the councillor's action?**

**Which paragraphs of the code of conduct are relevant to your complaint and why do you think the councillor may have breached them?**

### What evidence are you providing?

Please attach copies of correspondence, documents, or other evidence that you feel are relevant to your complaint. **Do avoid sending large amounts of background information that only relates indirectly to your complaint.**

### Witnesses (if applicable)

Please tell us the names and details of any witnesses. We may contact them directly without further reference to you. We may also decide that it is not necessary to contact them.

	First name	Last name	Address/ telephone number
1			
2			
3			

### Resolving your complaint informally

Where the monitoring officer believes there is a case to answer, or other unresolved issue, they may seek to resolve a complaint informally, without the need for a formal investigation. We term this “local resolution”. For example, this may involve the councillor accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the council, or some form of mediation. Where the councillor or the council makes a reasonable offer of local resolution, but you are not willing to accept that offer, the monitoring officer will take account of this in deciding whether the complaint merits formal investigation.

Please use the box below to tell us what steps you have taken to achieve an informal resolution. Please note that the Monitoring Officer may choose not to consider a complaint where there is little evidence to resolve matters informally without good cause.

### Section 3: Confidential information

This section only applies if you are asking for your identity to be kept confidential

In the interests of fairness and natural justice councillors who are the subject of a complaint have a right to know who has made the complaint. We believe that they have a right to receive details of your complaint.

We are unlikely to withhold your identity or the details of your complaint unless there is a good reason. For example, where the disclosure of personal details may result in compromise or destruction of the evidence by the subject of the complaint or if there is a real possibility of intimidation of the complainant or witnesses by the subject of the complaint.

We are unlikely to automatically grant requests for confidentiality or requests for suppression of complaint details. If we do not grant your request for confidentiality we will allow you the option of withdrawing the complaint.

If the matter complained of is very serious we may proceed with an investigation or other action and disclose your name even if you have asked us not to.

**Please provide details of why you believe we should withhold your name/details of your complaint below:**

Please consider the complaint I have described above and the evidence attached.

I understand and accept that the details may be disclosed to the councillor/co-optee and any parties involved in the complaints procedure or outside authorities required to monitor the council's complaints procedure by law.

It may also be shared with the police in the prevention or detection of crime.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please send this form together with any attachments to:

Margaret Reed, Monitoring Officer

135 Eastern Avenue

Milton Park

Milton

Abingdon

OX14 4SB

Email: [monitoring.officer@southandvale.gov.uk](mailto:monitoring.officer@southandvale.gov.uk)

*Joint Code of Conduct complaint form May 2018*

**If you have any questions or difficulties filling in this form or you are in need of any support in completing this form, if for example English is not your first language, or you have a disability that prevents you from making your complaint in writing, please contact the office of the monitoring officer via telephone: 01235 422520 or email [monitoring.officer@southandvale.gov.uk](mailto:monitoring.officer@southandvale.gov.uk)**

### **General Data Protection Regulations**

You are being asked for your name, address, telephone number and email address so that we can process your Code of Conduct complaint. South Oxfordshire and Vale of White Horse District Councils have a statutory duty to process these complaints under the Localism Act 2011. We will retain these records for no longer than 18 months after the expiration of the term of office of the councillor being complained about.

If you believe that we have not handled your personal data as we have described here, please either call 01235 422485 or email [data.protection@southandvale.gov.uk](mailto:data.protection@southandvale.gov.uk) . For further information about your rights under General Data Protection Regulations please visit the website of the Information Commissioner's Office: <https://ico.org.uk/>