

Complaint Form



Please Note:

- Complaints must be submitted in writing. If you are unable to submit a complaint in writing we can make reasonable adjustments to assist you in line with the Equality Act 2010. Please contact the Monitoring Officer directly.
- the Monitoring Officer may contact you for further information regarding the complaint.
- we are unlikely to be able to keep your identity confidential if you make a complaint.

Your complaint or allegation should be addressed to the Monitoring Officer at Castle Point Borough Council.

The Code of Conduct for Members and complaints procedure can be found at;
www.castlepoint.gov.uk/making-a-complaint-against-a-member

The Monitoring Officer will usually acknowledge receipt of your complaint within ten working days and will keep you informed of progress. If sufficient supporting evidence is not provided, the Monitoring Officer will require the complainant to provide such evidence.

Usually, within ten working days of receiving a valid Code of Conduct complaint and supporting evidence the Monitoring Officer shall:-

- (i) contact the subject Member with a copy of the complaint and evidence; and
- (ii) ask the subject Member to provide a written response to the allegation(s) and supporting evidence.

The Monitoring Officer will review every complaint received and may consult with the Independent Person, take a decision as to whether it merits formal investigation. Where the Monitoring Officer has taken a decision, they will inform you of their decision and the reasons for that decision.

Section 1: Your details

Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Other ☐

First Name: Surname:

Address and Postcode:

.....

Daytime phone number: Evening phone number:

E-mail address:

The complaint will be shared with the Councillor(s) complained about and the Independent Person (who is not a council employee, but performs a statutory function whose role is to advise the council on complaints made against Councillors).

If you want to keep your name and address confidential, you should indicate this on the complaint form in section 8. In this case we would not disclose your name and address to the Councillor without your prior consent. However, the Council does not normally investigate anonymous complaints or complaints where the complainant wishes to remain confidential, unless there is a clear public interest in doing so.

As the complainant, please indicate the categories which best describe you:

- ☐ Member of the public
- ☐ Elected/Co-opted Member of an authority
- ☐ Independent Member of the Standards Committee
- ☐ Member of Parliament
- ☐ Council employee
- ☐ Town Council employee
- ☐ Other (Please specify)

Section 2: Who are you complaining about?

Please give the name of the Councillor(s) that you believe have breached the Code of Conduct:

| Title | First name | Last name | Council or Town Council name |
|-------|------------|-----------|------------------------------|
| | | | |
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| | | | |
| | | | |

Section 3: please indicate which sections of the Members' Code of Conduct have been breached?

| Behaviour (Chapter 3, Item 19 of the Council's Constitution) | |
|--|--|
| Selflessness | |
| Integrity | |
| Objectivity | |
| Accountability | |
| Openness | |
| Honesty | |
| Leadership | |

| General Obligations (Chapter 3, Item 19.1 of the Council's Constitution) | |
|---|--|
| Respect for others | |
| Not to bully or harass any person | |
| Impartiality | |
| Confidential information and access to information | |
| Improper use of knowledge | |
| Disrepute | |
| Improper use of position or council resources | |
| Registering and declaring interests | |

Section 4: What are you complaining about?

Please provide us with as much information as you can about your complaint to help us decide whether or not it should be investigated. Include the date and details of the alleged misconduct, and any information that supports the allegation.

It is important that you provide all the information you wish to have taken into account by the Monitoring Officer to help them decide whether to take any action on your complaint.

| | |
|---|--|
| WHY are you complaining about them? - say what went on, how you felt about it and why you think it is unacceptable or inappropriate. | |
| WHAT did they do? If it relates to their language or behaviour write down what they actually said/did as you need to say what they did that was unacceptable to you. | |
| WHEN did this take place? Be specific on the dates and times. | |

| | |
|---|--|
| WHERE? - be specific where it all took place - give the address and also the details of the venue - was it in a meeting room/corridor/ in the street/in the pub etc | |
| WITNESS - who else was there and heard what went on - you need to name the persons who can potentially be asked questions about the incident(s) | |
| OTHER - | |
| You can continue on a separate sheet if there is not enough space on this form. | |

Section 5: Evidence (if this applies)

It is essential that you give evidence to support your complaint, otherwise the Monitoring Officer may not be able to decide if what you say should be investigated.

Please attach copies of any correspondence, documents, names and contact details of witnesses, and any other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please list the documents you have enclosed:

| | |
|----|--|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |

Section 6: Previous complaint

To your knowledge has a Code of Conduct complaint about this issue previously been submitted?

| | |
|-----|----|
| YES | NO |
|-----|----|

Section 7: Possible remedy

Whilst not acknowledging that your complaint is justified and without prejudice, it would help with the assessment of your complaint to know what your desired outcome might be. If you feel able to provide this information please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

Section 8: Confidential information (only complete this section if you are requesting that your identity is kept anonymous)

In the interests of fairness and natural justice, we believe councilors' who are complained about have a right to know who has made the complaint. We also believe that they have a right to be provided with a copy of that complaint.

If your complaint is being dealt with by the Standards Committee at a formal public meeting you may be asked to attend. All committee meetings are held in public unless it is deemed to be exempt under Schedule 12A of the Local Government Act 1972.

Your identity will normally be disclosed to the councillor concerned unless you have good reason to request the withholding of this information. Such reasons, in exceptional circumstances, might involve one or more of the following:

| Please tick the appropriate box if you consider there are grounds for keeping your complaint anonymous | |
|--|--|
| <input type="checkbox"/> | Clear risk of physical harm if identity is disclosed |
| <input type="checkbox"/> | Possible consequence to employment status |
| <input type="checkbox"/> | Reasonable fear of intimidation or victimisation |
| <input type="checkbox"/> | Medical condition |

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

The Monitoring Officer will consider the request for identity to be withheld 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.

Signature: Date:

Please send this form to:-

The Monitoring Officer
Castle Point Borough Council
Council Offices Kiln Road
Thundersley Benfleet
Essex SS7 1TF

Monitoringofficer@castlepoint.gov.uk

Telephone Number: 01268 882200

www.castlepoint.gov.uk