

COMPLAINT FORM

Your details

1. Please provide us with your name and contact details

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 or to deal with your complaint.

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

- § the member(s) you are complaining about
- § the monitoring officer of the authority

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 to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 6 of this form.

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

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- Local authority monitoring officer

- Other council officer or authority employee
 Other (Please explain: _____)

3. Making your complaint

- As a first step a copy of your complaint will be referred to the **Standards Referrals Sub-Committee** consisting of three members of the Standards Committee and chaired by an independent member.
- The Sub-Committee will meet within 20 working days of receiving your complaint and will be asked to decide whether or not the complaint **appears** to show a breach of the Code of Conduct for Elected Members.
- In considering complaints, the Sub-Committee can:
 - (a) refer the allegation to the Monitoring Officer for investigation;
 - (b) refer the matter to the Standards Board for England;
 - (c) refer the allegation to the Monitoring Officer for action short of formal investigation. (The Monitoring Officer must be consulted about this); or
 - (d) decide that no action should be taken in respect of the allegation.
- A matter should be investigated in the following circumstances:
 - ∇ It is serious enough, if proven, to justify the range of sanctions available to the Adjudication Panel for England or the Standards Committee.
 - ∇ It is part of a continuing pattern of less serious misconduct that is unreasonably disrupting the business of the Authority and there is no other avenue left to deal with it, short of investigation.
 - ∇ In considering this, the Sub-Committee will take into account the time that has passed since the alleged conduct occurred.
- A matter need not be investigated if it falls within one or more of the following categories:-
 - ∇ It is considered to be malicious, relatively minor, politically motivated or tit-for-tat;

- ∇ The same, or substantially similar, complaint has already been the subject of an investigation or inquiry and there is nothing further to be gained by seeking the sanctions available to the Adjudication Panel or the Standards Committee;
 - ∇ The complaint concerns acts carried out in the members' private life, when they are not carrying out the work of the Authority or have not misused their position as a member;
 - ∇ It appears that the complaint is really about dissatisfaction with a Council decision;
 - ∇ There is not enough information currently available to justify a decision to refer the matter for investigation.
- Following the meeting, the complainant and the Member(s) against whom the complaint is made will be sent a copy of the Decision Notice.
 - Where the Sub-Committee determines that an allegation does not merit investigation, you will be informed of the reasons. You have the right to ask that this decision is re-considered but you must let us know within 30 days.
 - If you ask for such a review following a decision that the allegation does not merit investigation, then the complaint will be considered by the **Standards Review Sub-Committee**.
 - The Standards Review Sub-Committee will consist of three members of the Standards Committee and will be chaired by an independent member. None of the three members will have been involved in considering your original complaint.
 - The remit of the Standards Review Sub-Committee is the same as the Standards Referrals Sub-Committee and again, Decision Notices will be issued to yourself and the Member(s) against whom the complaint is made.
 - Should the Sub-Committee decide that an allegation does not merit investigation, the matter then comes to an end.

4. Please provide us with the name of the member(s) you believe has (have) breached the Code of Conduct:

Title	First name	Last name	Council or authority name

5. Please explain in this section (or in separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member 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 wish to have taken into account by the Standards Review Sub-Committee when it decides whether to take any action on your complaint. For example:

- § You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what was 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.

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

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 members 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, for example:
- (a) you believe you will be at risk of physical harm if your identity is disclosed
 - (b) You are an officer who works closely with the member and are afraid of the consequences to your employment

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Standards Referral Sub-Committee 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 the details of why you believe we should withhold your name and/or the details of your complaint:

Additional Help

7. Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, 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 let us know as soon as possible. Contact Chris Shillitto in Democratic Services, Telephone: 0161 253 5041, Email: c.shillitto@bury.gov.uk

Confidential monitoring

You do not have to fill in this part of the form. We ask for this information to help us make sure we are providing a fair and equal service to everyone.

What age group are you in?

Under 16	
16 to 19	20 to 24
25 to 34	35 to 49
50 to 64	65 or over

Are you: male? female?

Do you consider yourself to have a disability that has a long-term effect on your ability to carry out normal day to day activities?

Yes No

Which religion or belief do you follow?

Buddhism	Judaism
Christianity	Sikhism
Hinduism	No religion
Islam	Other, please state

If English is not your main language, which language would you like us to:

speak to you in?

write to you in?

Confidential monitoring (continued)

What is your ethnic group (Tick on box only.)

White

- British
- Irish
- traveller
- gypsy

Mixed

- White and black Caribbean
- White and black African
- White and Asian
- Other mixed background

Asian or Asian British

- Indian
- Pakistani
- Bangladeshi
- Other Asian background

Black or Black British

- Caribbean
- African
- Other black background

Chinese or other ethnic group

- Chinese
- Other ethnic group

If you ticked any 'Other' box, please give details.

Is there anyone who relies on you for care and attention because of long-term physical or mental ill-health or disability, or problems relating to old age?
(Do not count anything you do as part of your paid work.)

Yes

No