



Members' Conduct 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:	
E-mail 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
- the Parish or Town Clerk (if applicable)
- the Independent Person(s)* *Please see explanatory note-page 6*

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 5 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 ()

YOUR COMPLAINT

3. Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their Council or Authority:

Title	First name	Last name	Council or authority name

4. Please explain in this section (or on 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 be taken into account by the Monitoring Officer when he/she considers (in consultation with the Independent Person) what action to take 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 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.

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

5. Please provide us with your desired outcome from your complaint.

The Council's 'Procedure For Considering Complaints That Members Have Breached The Code Of Conduct' on the Council's website, sets out the potential outcomes from complaints.

Please note there are no powers in Legislation and therefore under this complaints process for the suspension or dismissal of an elected Councillor. In the event of a Councillor being found in breach of the Code of Conduct only the sanctions as set out in Paragraph 13 of the 'Procedure' apply.

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 to believe that:

- **You may be at risk of physical harm should your identity be disclosed**
- **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)**
- **You work closely with the member and are concerned about the consequences of your employment**

Please note that requests for confidential 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 a 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 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:



7. Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Equalities 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.

8. Return of form

Please return your completed form, together with any supporting documentation to:

Sian Roxborough
Chesterfield Borough Council, Town
Hall, Rose Hill, Chesterfield
S40 1LP
Email: sian.roxborough@chesterfield.gov.uk

Signed..... Dated.....

Explanatory note

In summary, an Independent Person (IP) in relation to complaints against councillors, is a statutory role created under Section 28 of the **Localism Act 2011, which requires local authorities in England to promote and maintain high standards of conduct among elected members and co-opted members.*

They act as an impartial, external advisor in the local government standards regime, ensuring that allegations of misconduct against councillors are handled with objectivity and transparency.

The views of the Independent Person must be sought, and taken into account, by the Council before it makes a decision on a complaint that it has decided to investigate.

A councillor who is the subject of a standards complaint is also entitled to seek the views of the Independent Person.

The role was introduced to provide an external, non-political perspective to the ethical standards process, replacing the previous Standards Board for England framework, and is considered essential to maintaining public confidence in local democracy.

