

Swindon Borough Council

COMPLAINT FORM – CODE OF CONDUCT FOR MEMBERS

Please read 'Arrangements for dealing with Member Code of Conduct Complaints' before completing this form.

A. Your details

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

Title:	
First name:	
Last name:	
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	

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

The following people will see this form:

- Chief Legal Officer of the Borough Council (Monitoring Officer)
- Members of a Standards Panel (Initial Assessment)
- Independent Person
- The Parish Clerk (if applicable)
- Committee Officer at Swindon Borough Council

Your complaint form (with your contact details removed) and any accompanying evidence will also be shared by the Monitoring Officer with the Member(s) you are complaining against. If you have serious concerns about the details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Chief Legal Officer.

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

- A member of the public
- An elected or co-opted Member of the Council
- An independent member of a Standards Committee
- A Member of Parliament
- A Monitoring Officer
- Other council employee, contractor or agent of the Council
- Other ()

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

B. Making your complaint

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

Title	First name	Last name	Specify Relevant Borough, Town or Parish Council

5. Please specify the paragraph(s) of the Members' Code of Conduct that you think have been breached:

6. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have 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, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account in any decision as to whether to take any action on your complaint or not. 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 or did to insult you.
- 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).
- If the allegation(s) being made occurred over 28 days of the alleged behaviour or conduct, clearly explain why the complaint was not made during that period of time.

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

(Continue on separate sheet(s) as necessary)

C. Confidentiality of complainant and the complaint details

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

7. In the interests of fairness and in compliance with the rules of natural justice, we believe members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:

- To 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); or
- May receive less favourable treatment from the Council because of the seniority of the Member 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 the personal and complaint details will not automatically be granted. The Standards Sub-Committee (Initial Assessment) will consider the request alongside the substance of your complaint and the Monitoring Officer will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that – in exceptional circumstances, where the matter complained about is very serious – we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, 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

8. Often, an acknowledgement of the problem and an apology from the Councillor concerned is all that a Complainant seeks. Please state whether an apology would be an acceptable outcome for you.

(Continue on separate sheet(s) as necessary)

9. If an apology from the Councillor would not satisfy your complaint, 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

10. Complaints must be submitted in writing. This includes electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.
11. 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.
12. If you need any support in completing this form, please contact the Committee Officer (contact details are set out below) as soon as possible.

F. Process from here

Please complete this form and send it to:
Vicki Yull - Committee Officer
Swindon Borough Council - Wat Tyler West 2nd Floor
Beckhampton Street
Swindon
SN1 2JG
Tel: 07980 752 043
Email: vyull@swindon.gov.uk