

COMPLAINT FORM

Code of Conduct for Members

Please read the Guidance Notes for Potential Complainants before completing this form.

To the Monitoring Officer, Law and Democracy, Stockton-on-Tees Borough Council.

A. Your details

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

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	
Signature:	
Date of Complaint:	

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

However, the following people will see this form:

- The Monitoring Officer of the Borough Council or authorised representative.
- The Parish or Town Clerk (if applicable).
- An Independent Person appointed by the Council under section 28(7) of the Localism Act 2011.

The form may also be seen by the Council's Standards Panel (a panel of three elected members of the Council) and by the Member(s) you have complained about, who will be advised of the identity of the complainant and the nature of the complaint.

If you have serious concerns about your name and/or a summary, or details of your complaint being released, please complete section 6 of this form and also discuss your reasons or concerns with the Monitoring Officer, or authorised representative.

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

- Member of the public
- An elected or co-opted member of an authority
- Member of Parliament
- Local authority monitoring officer
- Other council officer, authority employee, contractor or agent of the Council
- Other

3. Equality monitoring questions - please fill in and return the attached form with your complaint form.

B. Making your complaint

When received, and if considered valid, your complaint will be considered by the Council's Monitoring Officer or authorised representative, in consultation with an Independent Person.

The Monitoring Officer, or authorised representative, will decide whether or not to take any action in relation to the complaint. This will take place within 20 working days of the receipt of the complaint, unless there are exceptional circumstances where it might be necessary to exceed this timescale. If this should prove to be necessary you will be advised of this fact, explaining the reasons why and when your complaint will be considered.

The Monitoring Officer, or authorised representative, may decide to refer your complaint to the Council's Standards Panel (a panel of three elected Members of the Council). If so, you will be informed and provided with details of when the Standards Panel is going to meet in order to consider your complaint.

The Monitoring Officer, or authorised representative, or the Standards Panel may: -

- Ask for additional information, with reasons;
- Refer the complaint for investigation or for some other form of action; or
- Take no action regarding the matter and explain why.

The criteria upon which such decisions will be based, can be seen at <http://www.stockton.gov.uk/resources/council/stanprob/generaldocs/assescriteria.doc> or by request to the Monitoring Officer.

Written details of each decision will be provided. This written information will be made available for public inspection for a period of six years beginning with the date of the decision. It will also be given to any parish council of which any person who is the subject of the allegation is a member.

If you are unsure about any aspect of the arrangements for considering your complaint, please contact the Monitoring Officer on telephone 01642 527060 or by email to beccy.brown@stockton.gov.uk.

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

Title	First name	Last name	Council or authority name

5. 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 that you believe breaches the Code of Conduct, with dates, witnesses etc to substantiate the alleged breach.

It is also important that you provide all the information you wish to have taken into account by the decision maker when it is decided 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 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 relate to alleged behaviour or conduct which occurred 28 days or more ago, please explain clearly why the complaint was not made earlier.

Please provide us with the details of your complaint. Continue on a separate sheet or sheets 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

6. 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. We also believe they have a right to be provided with details of the complaint and to be advised of the substance of the allegation made against him/her. We are therefore unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that you have justifiable grounds that, for example:
- You will be at risk of physical harm from, or that you may be victimised or harassed by the Member(s) against whom you are submitting the complaint (or from or by a person associated with the Member(s)); or that
 - Because you work closely with the subject Member, you are afraid of the consequences to your employment or of losing your job; or that
 - You may receive less favourable treatment from the Council because of identity and/or seniority of the Member(s) against whom you are submitting a complaint, whether in terms of any existing Council service provision or any tender/contract that you may have or are about to submit to the Council; or that
 - You suffer from a serious health condition and there are medical risks associated with your personal details being disclosed. Please note that relevant officer(s) and/or member(s) may wish to be provided with medical evidence of your health condition and the associated medical risks eg from your GP.

Please note that requests for confidentiality or requests for suppression of your personal and complaint details will not automatically be granted. The Monitoring Officer, or authorised representative, or the Standards Panel will consider the request alongside the substance of your complaint and the Monitoring Officer will contact you with details of the decision. If your request for confidentiality is not granted, we will usually allow you the option, if you so wish, of withdrawing your complaint.

However, it is important to understand that in certain 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 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

7. Please indicate the remedy or remedies you are looking for, or hoping to achieve by submitting this complaint. Please see the details of the sanctions available at <http://www.stockton.gov.uk/resources/council/stanprob/hearingdocs/codeconductdetersanct.doc>. Alternatively, please request the details from the Monitoring Officer. Please note that this is not intended to be prescriptive or an exhaustive list.

(Continue on separate sheet(s) as necessary)

E. Additional Information

8. Complaints must be submitted in writing. This includes fax and electronic submissions. Malicious, politically motivated, relatively minor or tit for tat complaints are likely to be rejected. In line with the requirements of the Disability Discrimination Act 2000, we can however 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 contact the Monitoring Officer as soon as possible.

Address/contact details for submitting a complaint and for enquiries:-

The Monitoring Officer
Law and Democracy
Stockton-on-Tees Borough Council
PO Box 11
Municipal Buildings
Church Road
Stockton-on-Tees
TS18 1LD

Telephone: 01642 527003
Email: beccy.brown@stockton.gov.uk

Monitoring Form

Stockton-on-Tees Borough Council is committed to making sure everyone has equal access to our services. We would like to ask you some questions to help us make sure that this happens.

Answering the questions is voluntary and if there are any questions you are uncomfortable answering, please tell us that you prefer not to say.

How old are you?

- Under 18 18-24 25-34 35-44 45-54
 55-64 65-74 75-84 85-94 95+ Prefer not to say

Are you?

- Male Female Prefer not to say

Do you have a disability or long term health problem?

- No Hearing impairment Visual impairment
 Physical disability Learning disability Mental illness
 Long term illness Other long term health problem Prefer not to say

Would you describe yourself as:

- | | | |
|--|--|--|
| <input type="checkbox"/> White: British | <input type="checkbox"/> White: Irish | <input type="checkbox"/> White: Other |
| <input type="checkbox"/> Mixed: White and Black Caribbean | <input type="checkbox"/> Mixed: White and Black African | <input type="checkbox"/> Mixed: White and Asian |
| <input type="checkbox"/> Mixed: Other | <input type="checkbox"/> Asian or Asian British: Indian | <input type="checkbox"/> Asian or Asian British: Pakistani |
| <input type="checkbox"/> Asian or Asian British: Bangladeshi | <input type="checkbox"/> Asian or Asian British: other | |
| <input type="checkbox"/> Black or Black British: Caribbean | <input type="checkbox"/> Black or Black British: African | <input type="checkbox"/> Chinese |
| <input type="checkbox"/> Other ethnic background | <input type="checkbox"/> Prefer not to say | |

What is your faith?

- Christian Buddhist Hindu Jewish Muslim
 Sikh Any other religion None Prefer not to say

Thanks very much for taking the time to complete these questions. The information you provide will help us to monitor whether we are providing fair and effective services for all of our residents and will help to change policy and practice where needed.

SBC is the data controller for the purposes of the Data Protection Act of 1998. You are entitled to obtain details of the data, the purposes for which it is held and a description of those to whom it may be disclosed, by contacting the Customer First Team on 527313 or email customerfirst@stockton.gov.uk.