

# CODE OF CONDUCT FOR COUNCILLORS COMPLAINT FORM

(Before completing this form please read the attached Guidance Notes)

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## A. Your details

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1. Please provide us with your name and contact details. Anonymous complaints will only be considered [in exceptional circumstances if there is independent evidence to substantiate the complaint.](#)

<b>Title:</b>	
<b>First name:</b>	
<b>Last name:</b>	
<b>Address:</b>	
<b>Daytime telephone:</b>	
<b><del>Evening telephone:</del></b>	
<b>Mobile telephone:</b>	
<b>Email address:</b>	

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

The following people **may** see this form:

- Members of the [Constitution](#) Standards Committee
- Monitoring Officer of [Somerset Council](#) or their deputy/legal team
- The Council's Independent or ~~Reserve Independent~~ Persons

A copy or brief summary of your complaint will also be shared with the councillor(s) you are complaining against. If we release a copy of the complaint form and any attachments, we will ensure that your contact details (address, telephone number, e mail address) are removed. If you have serious concerns about your name and/or details of your complaint being released, please complete **Section C** of this Form and

also discuss your reasons or concerns with the Council's Monitoring Officer.

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

- Member of the public
- An elected or co-opted councillor of ~~an authority~~ a council in Somerset
- An independent member of the Standards Committee
- Member of Parliament
- Local authority monitoring officer
- Other council officer ~~or authority employee~~
- Other ( )

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## B. Making your complaint

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The sanctions available to a Standards Committee are governed by ~~law and were significantly reduced by~~ the Localism Act 2011. For a brief summary of sanctions available and other information about the process and time scales ~~for dealing with Code of Conduct complaints~~, please refer to the attached Guidance Note.

3. Please provide us with the name of the councillor(s) you believe have breached the Code of Conduct and the name of their ~~council~~ authority:

Title	First name	Last name	Council <del>or authority</del> name	Email address if known

4. Please explain in this section (or on separate sheets) what the councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one councillor you should clearly explain what each individual person has done (with dates / witnesses) that you believe breaches the Code of Conduct. As a result of the Localism Act 2011 local authorities were given the power to adopt their own form of code of conduct so the content particularly amongst town and parish councils may vary significantly. This means that you do need to know what is in the code of conduct for the relevant council/~~authority~~ and how it relates to the subject matter of your complaint. It is important that you provide all the information you wish to have taken into account by the Monitoring Officer or Standards

Committee when they decide whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the councillor said or did. For instance, instead of writing that the councillor 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 or other relevant documentary evidence to support your allegation(s).

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

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**C. Confidentiality of complainant and the complaint details**

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

5. In the interests of fairness and natural justice, we believe councillors 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 or copy of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you have justifiable grounds:-

- to believe you **or somebody closely connected to you** may be at risk of physical harm from the councillor(s) against whom you are submitting a written complaint (~~or by a person associated with the same~~); or
- to believe your employment **or that of someone closely connected to you** may be jeopardised if your identity is disclosed; or
- where there are medical risks (supported by medical evidence) associated with your identity being disclosed:

Please note that requests for confidentiality or requests for suppression of complaint details will only be granted in exceptional circumstances. **We will take into account whether the specifics of your complaint will disclose who has made the complaint even without confirming your identity.** The Monitoring Officer or Standards 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 allow you the option of withdrawing your complaint.

However, it is important to understand that in certain very exceptional circumstances where the matter complained about is very serious, we may proceed with an investigation or other action and disclose your name even if you have expressly asked us not to. We will contact you where this situation arises to discuss the matter first.

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)**

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**D. Remedy sought**

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Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint. Please first read the guidance notes for details of the sanctions available to the Standards Committee.

**(Continue on separate sheet(s), as necessary)**

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**E. Additional information**

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6. Complaints must be submitted in writing. This includes ~~fax~~ and electronic submissions. Frivolous, trivial, vexatious and politically or personality motivated tit-for-tat complaints are likely to be rejected by the Monitoring Officer.
7. 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.
8. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible:

Monitoring Officer  
Somerset Council  
Address

Tel:  
E-mail:

Please sign and date this Complaint Form (an electronic signature will suffice) and return it to the Monitoring Officer by e mail or by post to at the above address.

**Signed** ..... **Date** .....