

Arrangements for dealing with Code of Conduct complaints
Annex 3**Code of Conduct for Members
Complaint form****Your details**

1. Please provide your name and contact details. Anonymous complaints will not be investigated unless there is clear documentary evidence to support the complaint and it is sufficiently serious to warrant consideration.

Title:	
First name:	
Last name:	
Address:	
Contact telephone no:	
Email address:	
Designation:	<input type="checkbox"/> Member of the public <input type="checkbox"/> An elected or co-opted Member of the Council <input type="checkbox"/> A Member of Parliament <input type="checkbox"/> A Monitoring Officer <input type="checkbox"/> Other Council employee, contractor or agent of the Council
Signature:	
Date of complaint:	

2. The following people will see this form:
- Monitoring Officer/Deputy Monitoring Officer(s)
 - An Independent Person appointed by the Council
 - The Member(s) being complained about
 - Members of the Governance and Ethics Committee
3. The form may also be shared more widely where that is *necessary* to progress the complaint.

4. It is important that you and the Councillor complained about keep the complaint confidential until such time as the complaint is decided on by the Governance and Ethics Committee - Hearings Sub-Committee and a finding of a breach of the Code of Conduct is found, at which point the details of the findings will be made public. This is necessary to ensure that the complaint can be properly investigated and to ensure that you are not subject to any challenge or intimidation for having made the complaint.
5. If you have serious concerns about either your identifying information or details of your complaint being released, please complete the box at paragraph 7 of this form and also discuss your concerns with the Council's Monitoring Officer.
6. A complaint must be made in writing. Once this form has been completed you should send it by post or email to:

David Pattison
Chief Operating Officer & Monitoring Officer
City of Wolverhampton Council
Civic Centre
St Peter's Square
Wolverhampton
WV1 1SH

email: david.pattison@wolverhampton.gov.uk

7. In line with equalities legislation reasonable adjustments can be made to assist you if you have a disability that prevents you from making your complaint in writing. Help is also available if English is not your first language. If you need any other support in completing this form, please contact the Monitoring Officer as soon as possible.
8. **By completing this form and sending it to the Monitoring Officer you agree, subject to paragraph 7, to the information you provide being shared and for your complaint to be processed**

Your complaint

9. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct for Councillors.

Title	First Name	Last Name	Council Name

10. 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.
11. It is also important that you provide all the evidence you wish to have taken into account when a decision is taken 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).

Complaints which are trivial, vexatious, malicious, politically motivated or 'tit for tat' are likely to be rejected.

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

Cont...

Confidentiality

Only complete this section if you are requesting that your identity or details of the complaint are kept confidential.

- 12. In the interests of fairness and in compliance with the rules of natural justice, 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. Therefore, it is unlikely your personal details or the details of your complaint will be withheld unless you have good reasons to believe that you have justifiable grounds, for example: 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 them); or you believe you may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint.
- 13. Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The request will be considered 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, you will usually be given the opportunity, if you so wish, of withdrawing your complaint.
- 14. However, it is important to understand that, in exceptional circumstances, where the matter complained about is very serious, the complaint may lead to an investigation (or other action) and there may be little choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.
- 15. Your complaint will be kept confidential, except where disclosure is *necessary* to progress the complaint or until the complaint is decided upon by the Governance and Ethics Committee - Hearings Sub-Committee and a finding of a breach of the Code of Conduct is found, at which point the details of the findings will be made public.

Please provide details about why you believe your name and/or the details of your complaint should be withheld.
(Continue on a separate sheet if there is not enough space on this form).

Remedies

8. The sanctions available to a Governance and Ethics Committee – Hearings Sub-Committee are governed by law. In accordance with the standards regime introduced by the Localism Act, 2011, these are:-
- Censure the Member
 - Request the Member to submit a written apology in a form specified by the Sub-Committee
 - Request the Member to undertake such training as the Sub-Committee considers to be appropriate
 - Request that the Member participates in such conciliation as the Sub-Committee considers appropriate
 - Report to the relevant Council on the outcome of the hearing with an appropriate recommendation
 - Advise the Leader of the Council and/or Leader of the Political Group to which the Member belongs, of the outcome of the hearing in order that they can consider whether, and if so what appropriate disciplinary or other action should be taken
 - Issue a press release setting out the outcome of the hearing
 - Such other sanction as may be permitted under the law

Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

(Continue on a separate sheet if there is not enough space on this form).

Next steps

9. The Monitoring Officer will confirm receipt of your complaint within 5 working days and make contact with you. Details of the process from that point are explained in the document Arrangements for Dealing with Code of Conduct Complaints.