



CODE OF CONDUCT – COMPLAINTS FORM

1. Your details

Please provide us with your name and contact details –

Title:	
First Name:	
Last Name:	
Address:	
Daytime or Mobile Tel No:	
Evening Tel No:	
E-mail Address:	

The following people will be informed that you have made this complaint:

- the Member(s) you are complaining about; and
- the relevant parish or town clerk (if applicable)

If you want to keep your name and address confidential, you should indicate this on the Standard Complaint Form. In this case we would not disclose your name and address to the Councillor without your prior consent. However, the Council does not normally investigate anonymous Complaints or complaints where the Complainant wishes to remain confidential, unless there is a clear public interest in doing so.

If you have serious concerns about your name or details of your complaint being released, please complete Section 5 of this form.

Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted Member of an authority
- Local authority monitoring officer
- Other council officer or authority employee
- Other (.....)

2. Process

Your complaint or allegation should be addressed to the Monitoring Officer at South Cambridgeshire District Council, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA/e-mail monitoring.officer@scambs.gov.uk

The Code of Conduct Complaints procedure can be found at;

<http://scambs.moderngov.co.uk/documents/s101233/P%20Code%20of%20Conduct%20Complaints%20Proceudre.pdf>

The Monitoring Officer will usually acknowledge receipt of your complaint within five working days and will keep you informed of progress. If sufficient supporting evidence is not provided, the Monitoring Officer will require the complainant to provide such evidence.

Where your complaint relates to a parish councillor, the Monitoring Officer may also inform the Parish Council of your complaint and seek the views of the Parish Council before deciding whether the complaint merits formal investigation. (The complaint will only be pursued if resolution locally has not been possible or the Town and Parish Council can demonstrate to the satisfaction of the Monitoring Officer that such a course of action is not practicable.)

Usually, within five working days of receiving a valid Code of Conduct complaint and supporting evidence the Monitoring Officer shall:-

- (i) contact the subject Member with a copy of the complaint and evidence; and
- (ii) ask the subject Member to provide a written response to the allegation(s) and supporting evidence usually within five working days.

The Monitoring Officer will review every complaint received and after consultation with the Independent Person, take a decision as to whether it merits formal investigation. This decision will normally be taken within twenty working days of receipt of your complaint and the subject Member's response. Where the Monitoring Officer has taken a decision, he/she will inform you of his/her decision and the reasons for that decision.

3. Criteria for Assessment

In determining whether or not the complaint should be referred for investigation or not, or whether alternative resolution is appropriate, The Monitoring Officer and Independent Person will have regard to a range of factors including the following:

- i) Whether there is sufficient evidence upon which to base a decision
- ii) Whether the alleged action relates to a breach of the code of conduct
- iii) Whether the alleged action is considered to be serious or minor/trivial
- iv) Whether the complaint appears to be politically motivated, vexatious or tit for tat;
- v) When the action complained about occurred (was it more than 3 months ago)
- vi) Whether the allegations relate to actions occurring whilst the councillor was acting in their official capacity or in their private capacity
- vii) Whether it is in the public interest to investigate
- viii) Whether the matter is considered suitable for alternative resolution and if so whether the councillor and the complainant are prepared to consider this alternative
- ix) If the complaint relates to a parish council issue whether a complaint has been made first to the parish council using the parish complaints procedure
- x) If a complaint has been made to a parish council and they have taken action whether the action taken would be considered reasonable in all the circumstances

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

Title	First Name	Last Name	Council or Authority Name

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.

Whilst not essential, it would be helpful if you are able to identify the parts of the Code which you consider have been breached. The District Council's Code of Conduct can be viewed in full at <https://www.scambbs.gov.uk/>. Whilst the majority of Parish Councils have adopted the same Code as the District Council, several have chosen one provided by the National Association of Local Councils. It is important to check which Code may have been adopted by the authority of which the subject is a Member.

South Cambridgeshire District Council
South Cambridgeshire Hall, Cambourne Business Park,
Cambourne, Cambridge, CB23 6EA

It is important that you provide all the information you wish to have taken into account by the Monitoring Officer to help him decide 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.*
- *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.*

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

In the interests of fairness and natural justice, Members who are complained about are provided with a copy of the complaint. However, if you want to keep your name and address confidential, please indicate this in the space provided on the complaints form, in which case we will not disclose your name and address to the Member against whom you have made the complaint without your prior consent. The authority would not normally investigate anonymous complaints unless there is a clear public interest in doing so.

Please note that requests for confidentiality or a request 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 the 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 about 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.

Reasons for non-disclosure might be risk from physical harm if your identity was disclosed, if you fear that the consequences of your action might affect your employment or if there are serious health grounds or medical risks associated with your disclosure.

South Cambridgeshire District Council
South Cambridgeshire Hall, Cambourne Business Park,
Cambourne, Cambridge, CB23 6EA

7. Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, 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.

Should you require any procedural help or guidance in completing this form please contact –

Rory McKenna, Monitoring Officer
☎ 07872 116 523 or
e-mail: monitoring.officer@scambs.gov.uk.

Correspondence should be directed towards –

Monitoring Officer
South Cambridgeshire District Council
South Cambridgeshire Hall,
Cambourne Business Park,
Cambourne,
Cambridge,
CB23 6EA

Email: monitoring.officer@scambs.gov.uk