



## COMPLAINT FORM - CONDUCT OF MEMBERS

NB - to be used only for complaints that a County Councillor or a voting co-opted or independent member of one of the Council's committees has breached the Council's Code of Conduct for Members

1. Please provide us with your name and contact details

NB Anonymous complaints will not be considered under this procedure

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

**Your address and contact details will not usually be published unless necessary to deal with your complaint. However, we will normally tell the following people that you have made this complaint:**

the Member(s) complained about  
the Monitoring Officer of the Council, and other officers with a need to know  
the Chairman and Vice-Chairman and other members of the Standards and Ethics Committee as necessary

We will provide your name and give them either a summary or full details of your complaint where necessary or appropriate, and do this as soon as is practicable to the relevant member. If you have serious concerns about your name and a summary/details of your complaint being released to the member/s you are complaining about, please complete section 5 of this form to request confidentiality.

2. Please tell us which category best describes you:

<input type="checkbox"/>	Member of the public
<input type="checkbox"/>	An elected or co-opted member of an authority
<input type="checkbox"/>	An independent member of the standards committee
<input type="checkbox"/>	Member of Parliament
<input type="checkbox"/>	Local authority Monitoring Officer
<input type="checkbox"/>	Other council officer or authority employee
<input type="checkbox"/>	Other

3. Please provide us with the name of the member(s) of Worcestershire County Council you believe has or have breached the County Council's Code of Conduct :

Title	First name	Last name

4. 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 explain clearly what each individual person has done that you believe breaches that Code of Conduct. It is important that you provide all the information you wish to have taken into account by the assessment sub-committee when it decides whether to take any action on your complaint.*

*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 exactly what it was they said. You should provide that 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. If insufficient information is provided, you may be asked for more before the complaint can be processed.

Please provide us with the details of your complaint:

Please continue on a separate sheet if there is not enough space on this form.

Please indicate if you have made, or intend to make, a similar complaint to another authority or body in respect of this matter, and if so, which:

**5. [Only complete section 5 if you are requesting that your identity or complaint is kept confidential]**

In the interest of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint and what it contains. We also believe they have a right to be provided with this and full details or a summary of the complaint at the outset. We are very unlikely to withhold your identity or the details of your complaint unless we have good reason to believe that if your identity is disclosed:

You have reasonable grounds to believe you will be at risk of physical harm or  
You are an officer working closely with the Member in question and you fear the employment consequences or  
It would create medical risks associated with a serious health condition

***Please note that requests for confidentiality or suppression of complaint details will not automatically be granted. The Monitoring Officer will make the initial decision should there be such a request. If necessary, the assessment sub-committee will consider any request alongside the substance of your complaint and we will then contact you with the decision. If your request for confidentiality is not granted, you may have the option of withdrawing your complaint at that stage. However, it is important to understand that in 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 withdrawn your complaint – the sub-committee will weigh up the public interest.***

***Even if details are withheld during the assessment phase, then should there be an investigation, only in truly exceptional circumstances will the member in question not be given full details of the complaint. Some complaints (eg bullying) may not be possible to investigate without disclosure of identity in any event.***

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint.

Additional Help

6. Complaints must be submitted in writing, but this includes fax and electronic submissions. However, in line with the requirement 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. This document can be made available in other languages (including British Sign Language) and alternative formats (large print, audio tape, computer disk and Braille) on request from Committee and Appellate Team on telephone number (01905) 728713 or by emailing [ebutcher@worcestershires.gov.uk](mailto:ebutcher@worcestershires.gov.uk)

If you need any support in completing this form, or wish to discuss a potential complaint, please let us know as soon as possible.

WHAT NOW?

Send this form to, or contact:  
Simon Mallinson  
Head of Legal and Democratic Services and Monitoring Officer  
Worcestershire County Council  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

Telephone: 01905 766670  
Fax 01905 766677  
Or by email [Smallinson@worcestershires.gov.uk](mailto:Smallinson@worcestershires.gov.uk).

#### WHAT HAPPENS NEXT?

If it falls within this procedure, your complaint will be considered by an assessment sub-committee, chaired by an independent person. It is not an investigation or hearing of the complaint and neither you nor the member complained about will be present at this stage.

This sub-committee will not decide whether there has been a breach at this assessment stage but will have regard to the threshold guidance of the national Standards Board in deciding to:

- Arrange for your complaint to be investigated or
- Refer it to the national standards Board or
- Send it to the Standards Committee of another authority if it relates to membership of that authority or
- Take some other action eg mediation or training or
- Take no further action on the complaint (in which case you can ask a review sub-committee to reconsider the decision).

You will be then be informed of the outcome.

If you have any questions, then do not hesitate to contact me.

Simon Mallinson  
Head of Legal and Democratic Services  
Worcestershire County Council