



MEMBER COMPLAINT FORM

Your details

1. Please provide us with your name and contact details:

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

Your address and contact details will not be released. However we will notify others, including the member(s) you are complaining about, that you have made this complaint. This notification will include your name and a summary of your complaint. If you have serious concerns about your name and a summary of your complaint being released please complete 'Section 5: Request for anonymity' at the end of this form.

2. Please indicate which complainant type best describes you:

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the Standards Committee
- Leader
- Opposition Leader
- Member of Parliament
- Monitoring Officer
- Other council officer or authority employee
- Other (_____)

Making your Complaint

Please see attached document “Complaints Process’ and ‘Additional Information’ paragraphs at the end of this document.

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

Title	First name	Last name	Council or authority 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 clearly explain what each individual person has done that you believe breaches the 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 or not 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 example, instead of just 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

Please note that all documentation supplied will be scanned and saved within a database.

Please provide us with the details of your complaint:
(Please use an additional A4 sheet of paper if necessary)

YOUR SIGNATURE.....DATE.....

Only complete this next section if you are requesting anonymity

5. In the interests of fairness and natural justice we believe members who are complained about have a right to know who has made the complaint and that they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you have good reason.

Please note that requests for anonymity or requests for suppression of complaint details will not automatically be granted. The Assessment Sub-Committee will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for anonymity is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important that you understand that in certain exceptional circumstances, where the matter complained about is very serious, we are able to 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:

ADDITIONAL INFORMATION

- Your complaint must concern conduct that occurred while the person(s) complained about were in office. Conduct of an individual before they were elected, co-opted or appointed to the authority, or after they have resigned or otherwise ceased to be a member, cannot be considered by the Standards Committee.
- The Code of Conduct came into effect on 5 May 2002, although some authorities adopted the Code earlier. If your complaint concerns matters that occurred before 5 May 2002 you should contact the Member Complaint Monitoring Officer before making your complaint to check whether it is within the jurisdiction of the Standards Committee to consider.
- Your complaint must be about one or more named members of the following authorities –St Albans City and District Council, Harpenden Town Council, Colney Heath Parish Council, Harpenden Rural Parish Council, London Colney Parish Council, Redbourn Parish Council, Sandridge Parish Council, St Stephen Parish Council, St Michael's Parish Council and Wheathampstead Parish Council.
- Your complaint must be that this person(s) has, or may have, breached the Code of Conduct. A copy of the Code of Conduct and

frequently asked questions about the Code of Conduct are available at

<http://www.stalbans.gov.uk/council-and-democracy/your-council/code-of-conduct/>

<http://www.standardsboard.gov.uk/TheCodeofConduct/Factsheetsandfrequentlyaskedquestions>

and you may also contact the Member Complaint Monitoring Officer if you require further information.

- Your complaint must be in writing. If a disability prevents you from making your complaint in writing you may contact the Member Complaint Monitoring Officer for assistance.

It is important to note that not every complaint that falls within the jurisdiction of the Standards Committee will be referred for investigation or other action. The Standards Committee must decide whether this is appropriate. They will make this decision using an Assessment Sub-Committee. If the Assessment Sub-Committee decides not to refer your complaint for investigation or other action they will give you the reasons for this decision and explain any right that you may have to ask for the decision to be reviewed.

What happens once you submit your complaint?

When you submit your complaint we will write to you to let you know we have received it. We will also notify the person(s) you are complaining about that we have received your complaint. This notification will include your name.

The Assessment Sub-Committee of the Standards Committee will then meet to consider your complaint and decide whether it should be referred for investigation or other action. We will aim to ensure this happens within 20 days of the date we receive your complaint. Meetings of the Assessment Sub-Committee are 'closed', which means that you will not be able to attend. It is therefore very important that you set your complaint out clearly and provide at the outset all the information you wish the Sub-Committee to consider.

In conducting the initial assessment the Assessment Sub-Committee will use a set of criteria which normally apply in conducting the initial assessment of allegations of failure by members to observe the Code of Conduct.

When the Sub-Committee has reached its decision we will notify you in writing whether your complaint has been referred for investigation or other action. At the same time we write to you, we will also write to the person(s) you have complained about with a summary of your complaint and notification of the Sub-Committee's decision.

What is meant by 'other action'?

The Assessment Sub-Committee may decide to refer your complaint for 'other action' instead of referring it for investigation. 'Other action' is a deliberately broad term that may include options such as requiring the person you have complained about to apologise or undergo training or mediation. The Sub-Committee will carefully consider the circumstances surrounding your

complaint when deciding whether or not 'other action' is appropriate. If the Sub-Committee decides to refer your complaint for other action we will explain exactly what this involves in your case.

How should I set out my complaint?

Meetings of the Assessment Sub-Committee are 'closed', which means that you will not be able to attend. It is therefore very important that you set your complaint out clearly and provide at the outset all the information you wish the Sub-Committee to consider.

We recommend that you use our complaint form or provide a covering note summarising the matter(s) you are complaining about, especially if your complaint includes a lot of supporting documentation. In the summary you should tell us exactly what each person you are complaining about said or did that has caused you to complain. If you are sending supporting documentation please cross-reference it against the summary of your complaint.

You should be as detailed as possible and substantiate your complaint wherever possible. Although you are not required to prove your complaint at this stage of proceedings you do have to demonstrate that you have reasonable grounds for believing that the person(s) complained about has breached the Code of Conduct. To illustrate this point, we have set out below two example complaints, with suggestions as to the types of supporting information that it may be appropriate to include:

Example 1: A planning applicant alleges that a member who lives nearby voted to reject their application.

- The complainant should include information to indicate how close the member lives to their property and how the member's property is likely to be affected by the application in question. For example, does the member's house overlook the application site? Do the properties share an access way? Is the value of the member's property likely to suffer as a result of the application being approved? If possible, it is helpful to provide maps to support allegations of this nature.
- The complainant should also provide the date(s) of the meeting(s) in question and indicate whether the member declared any interest in their application.

Example 2: A member is alleged to have taken part in a decision that would directly benefit one of their close associates.

- The member should provide information to indicate why they believe the member is a close associate (rather than just an acquaintance) of the alleged beneficiary. For example, if the close association is by way of a friendship, do the member and this person socialise together? Have they taken holidays together?
- The complainant should also provide the date(s) of the meeting(s) in question and indicate whether the member declared any interest.