



Craven District Council

COMPLAINT FORM: RELATING TO MEMBERS' CONDUCT

Unless there are exceptional circumstances complaints must relate to an alleged breach of the Council's Code of Conduct and the alleged incident should have happened no more than 3 months ago.

Note: A complaint will not be considered if it has been considered by another regulator, or if it relates to a Code of Conduct that is no longer in force.

To: The Monitoring Officer, Craven District Council, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ.

A. Your details

- Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

<i>Title</i>	
<i>First Name</i>	
<i>Last Name</i>	
<i>Address</i>	
<i>Contact telephone(s)</i>	
<i>email address</i>	
<i>Signature</i>	
<i>Date of Complaint</i>	

The following people will see this form:

- the Council's Monitoring Officer.
- Independent Person
- The Subject Member (subject to Section C) and
- At a hearing Members of the Standards Sub Committee.

A brief summary of your complaint including who has made the complaint, will be provided to the subject Member(s) you are complaining against. If you have serious concerns about your name, a summary or details of your complaint being released, please complete Section C of this Form.

2. Please tell us which complainant type best describes you (tick relevant box):

- | | |
|--|--------------------------|
| A member of the public | <input type="checkbox"/> |
| An elected or co-opted Member of the Council | <input type="checkbox"/> |
| An independent member of a Standards Committee | <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 | <input type="checkbox"/> |
| Other () | <input type="checkbox"/> |

B. Making your complaint

The Localism Act 2011 sets out that the only sanction available to the Standards Committee in relation to allegations of Member misconduct is censure.

- The Monitoring Officer will review your complaint and check that it meets the agreed criteria for the submission of complaints. Details of the complaint will be provided to the subject Member(s) to enable them to provide a written response to the allegation.
- Details of the complaint and any response for the subject Member will be considered by the Monitoring Officer in consultation with the Independent Person. The Monitoring Officer will consult the Independent Person and will make a decision on what action should be taken in relation to the complaint. You will then be notified in writing of the decision.
- The types of behaviour covered by the Code of Conduct which you can complain about and those that are unlikely to be investigated further are set out at paragraph 6 of this form.
- The Monitoring Officer, in consultation with the Independent Person, can decide:
 - that no further action should be taken regarding the allegation; or
 - to forward the complaint to the relevant Political Group for informal resolution (or Parish Council if applicable); or
 - to request that the complaint is investigated.

- The decision of the Monitoring Officer will be communicated to the person(s) making the complaint, the Member who is the subject of the allegation and the Clerk of the Parish Council if the complaint is about the behaviour of a Parish Councillor.

Any queries relating to how a complaint is being handled should be directed to the Monitoring Officer, 1 Belle Vue Square, Broughton Road, Skipton, North Yorkshire BD23 1FJ: tel. (01756) 706249 or email standards@cravenc.gov.uk.

3. Please provide us with name of the Member(s) you believe has breached the Council's Code of Conduct

Title	First Name	Last Name

If your complaint has been complaint by someone else, please give details of who they are and any outcome:

4. Please explain in this section, or on separate sheet(s), what the Members 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 date/witnesses to substantiate the alleged breach.

It is important that you provide all the evidence you wish to have taken into account by the Standards Committee when it decides 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, write instead what it is (s)he 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, in possible.
- You should provide any relevant background information or other relevant documentary evidence to support your allegation(s).

- If the alleged incident occurred more than 28 days ago, clearly explain in the box below why the complaint was not made during that period of time.

- Please note that complaints relating to an alleged incident more than 3 months ago, will not be considered unless there exception circumstances. If this applies to your complaint, complete the box below.

Please provide us with the details of your complaint.

[Note: Continue on a separate sheet if necessary.]

C. Confidentiality of Complainant and Complaint Details

Only complete this Section if you want your identity to be kept confidential.

5. The Member(s) you are complaining about will be informed of the allegation made against them, which will usually include the disclosure of the name and address of the person making the complainant.

We are, therefore, unlikely to withhold your personal details unless you have good reason to believe that you have justifiable grounds, for example:

- If you believe that you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint, or by a person associated with the Member(s); or
- May receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint, in terms of any existing Council service provision or any tender/contract that you may have or are about to submit to the Council.

Please note that your requests for confidentiality, or requests for suppression of the personal and complaint details will not be granted automatically. The Monitoring Officer will consider your request alongside the substance of your complaint and will then contact you with the decision. If your request for confidentiality is not granted, we will allow you the opportunity, if you so wish, to withdraw the complaint.

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

[Note: Continue on a separate sheet if necessary.]

D. Additional Information

6. Complaints **must** be submitted in writing preferably by e mail. Frivolous, vexatious and politically motivated tit-for-tat complaints are unlikely to be investigated further. The Council has agreed assessment criteria which may be accessed by clicking on the [link here](#). *Local assessment criteria*
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. In addition, we can help if English is not your first language.
8. If you need any support in completing this form, please contact the Monitoring Officer who may be able to assist you in the formation of a valid complaint.

E. Process from this Point

9. Once a valid complaint relating to an alleged breach of the Code of Conduct for a Member(s) has been received, the Monitoring Officer, after taking advice from the Independent Person, may decide to:
 - (a) Dismiss your complaint, with reasons;
 - (b) Ask you for additional information;
 - (c) Refer your complaint to the Political Group/Parish Council for informal resolution; or
 - (d) Request an investigation.
10. You will be notified after the meeting and given information on any further stage(s) in the process.

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