

HYNDBURN BOROUGH COUNCIL

COMPLAINT FORM:

**CODE OF CONDUCT FOR MEMBERS
 (HYNDBURN BOROUGH COUNCIL AND ALTHAM PARISH COUNCIL)**

(Please read the “Guidance Note For Potential Complainants” before completing this 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 usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the members of the Council’s Assessment Sub-Committee
- the member(s) you are complaining about
- the monitoring officer for the Council/Parish Council
- the clerk of Altham Parish Council (if applicable)

We will tell them your name and give them a summary of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 6 of this form.

2. Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted member of the Council or Altham Parish Council
- An independent member of the Standards Committee
- Member of Parliament
- Local authority monitoring officer
- Other council employee
- Other

3. Equality monitoring questions

Your Racial origin:							
0 – White	British		Irish		Other		
1 – Black or Black British	Caribbean		African		Other		
2 – Asian or Asian British	Indian		Pakistani		Kashmiri		Bangladeshi
3 – Mixed Race	White/Black Caribbean		White/ Black African		White/ Indian		White/ Pakistani
4 - Chinese/ other group	Chinese		Other				
5 – Prefer not to answer							

Making your complaint

4. Please provide us with the name of the member(s) you believe have breached the code of conduct and the name of the Council or authority they belong to:-

Title	First name	Last name	Council or authority name

5. 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 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 date 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 and any documentary evidence you have to support your complaint

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

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

6. In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made a complaint about them. We also believe 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 to believe that:

- you will be at risk of physical harm if your identity is revealed
- you are an officer of the Council who fears for the consequences for your employment if your identity is revealed
- there is a medical risk to your health if your identity is revealed and is this supported by medical evidence

Please note that requests for confidentiality 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 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.

For further information please refer to the Standards Committee Policy For Dealing With Complainant's Requests For Confidentiality which is available on the Council's website (www.hyndburnbc.gov.uk, following the link "Comments, Compliments and Complaints") or from the Council's Monitoring Officer at the address given at the end of this form.

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

7. 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.

If you need any support in completing this form, please contact the Council's Monitoring Officer as soon as possible:

Jane Ellis
Monitoring Officer
Hyndburn Borough Council
Scaitcliffe House
Ormerod Street
Accrington
BB5 0PF

Tel: 01254 388111.

What happens next?

Once a valid complaint relating to an alleged breach of the Code of Conduct for members has been received by the Monitoring Officer, it will be presented to a meeting of the Council's Assessment Sub-Committee for consideration. You and the member against whom the complaint has been made will not be allowed to attend the meeting as the matter will be considered in private.

The Sub-Committee will decide to do one of the following:-

- (a) dismiss your complaint, with reasons;
- (b) ask you for additional information, with reasons;
- (c) refer your complaint to the Monitoring Officer for investigation (or some other action); or
- (d) refer your complaint to the Standards Board for England if the complaint does not fall within the jurisdiction of the Standards Committee.

We will contact you after the meeting to tell you what has been decided and to let you know what happens next.

What you should do if you wish to make a complaint

- Talk to/raise the matter with the Council's Monitoring Officer for general advice.
- Fully complete this complaint form (or ensure your letter of complaint addresses, in full, all of the issues covered in the complaint form).
- Submit the written complaint by post, e-mail or fax to the address below.

Jane Ellis
Monitoring Officer
Hyndburn Borough Council
Scaitcliffe House
Ormerod Street
Accrington
BB5 0PF

Tel: 01254 380146
Fax: 01254 392597
e-mail: Jane.Ellis@hyndburnbc.gov.uk

If you require this form in a different format, for example large print, audio or in a different language, please let us know.