

Guidance Notes

Complaint Form: Councillors Code of Conduct

These Guidance Notes are to be used when completing the Complaint Form in respect of the Councillors Code of Conduct.

Contact Details

- Your contact details will not usually be released unless deemed necessary to deal with your complaint.
- However the following people will usually be told that you have made a complaint:-
 - o The Member(s) you are complaining about
 - o The Monitoring Officer of the Authority
 - o The Whitworth Town Council Clerk (if applicable)
 - o The Independent Person of the Standards Panel
- The above people will be given your name and a summary of the complaint. If you have serious concerns about this, please complete Section 6 of the complaint form and refer to Section 6 of these guidance notes.

Complainant Type

- Please tick the relevant box and complete the section 'Other' if applicable.

Names of those you wish to complain about

- Please ensure you clearly state the name of the member and whether they are a member of Rossendale Borough Council or Whitworth Town Council.

Part of the Code which you consider has been breached

- You may find it useful to read the Code of Conduct for Members to assist you with completion of this form. This can be found on our website at [Code of conduct | Rossendale Borough Council](#)
- Please tick which paragraph/s of the Code of Conduct you consider the member has breached. You may tick more than one box.

Details of your complaint

- In this section you should explain in as much detail as possible what the member has done that you believe breaches the Code of Conduct.
- If you are complaining about more than one member, please state clearly how you feel each member has breached the Code of Conduct.
- When completing this section, please try to include the following:-
 - o Be specific with regard to allegations, e.g. instead of stating that a member was rude to you, state exactly what they said.
 - o Provide the exact dates of alleged incidents where possible.

- Confirm if there are any witnesses to the alleged incidents and provide their contact details if possible.
- Provide any relevant background information and supporting documentation.
- When providing supporting documentation, please provide copies, not the originals. The investigating officer will contact you if they feel they need to see the original documents.
- Please state on the form if you have attached any additional sheets.
- Please state on the form if you have attached any supporting evidence.

Confidentiality

- In the interests of fairness and natural justice, members who are complained about have a right to know who has made the complaint. It is also their right to be provided with a summary of the complaint. The Council is unlikely to withhold your identity or the details of your complaint unless you have a good reason to believe that:-
 - You or any witness involved will be at risk of physical harm or your employment will be jeopardised if your identity is disclosed, or where there are medical risks (supported by medical evidence) associated with your identity being disclosed.
- To allow the council to give full consideration of a request for confidentiality, you must provide in Section 6 of the form an explanation of the reason why you think your details should be kept confidential. The Council cannot consider any request for confidentiality unless this section is fully completed.
- Requests for confidentiality will not automatically be granted. The Council's Monitoring Officer, in consultation with the Independent Person of the Standards Panel will consider the request alongside the substance of your complaint. You will be contacted with this decision and if your request for confidentiality is not granted, you will usually be offered the option of withdrawing your complaint.
- In certain exceptional circumstances, where the matter complained about is very serious, the Council can proceed with an investigation or other action and disclose your name, even if you have expressly asked us not to. The Monitoring Officer and the Independent Person will balance whether the public interest in taking action on a complaint may outweigh your wish to have your identity withheld from the subject member.

Signature and Date

- Please ensure that you sign and date the complaint form. Forms which are not signed or dated will be returned to you to complete.

Additional Notes and Information

- You may find the following documents useful:-
 - The Code of Conduct for Members
 - Standards Complaints Procedure – in Part 4 of the Council's Constitution:
[Constitution | Rossendale Borough Council](#)
- Please note complaints regarding Council Officers or services are subject to a separate procedure, please contact the Council on 01706 217777 for more information.