

# COMPLAINT FORM

## 1. Your details

Please provide us with your name and contact details

<b>Title:</b>	
<b>First name:</b>	
<b>Last name:</b>	
<b>Address:</b>	
<b>Daytime telephone:</b>	
<b>Evening telephone:</b>	
<b>Mobile telephone:</b>	
<b>Email address:</b>	

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 you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details 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.

Please note the Member will not normally have been informed of the complaint until the Council has decided whether it should be investigated.

Please tell us 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
- Member of Parliament
- Local authority monitoring officer
- Other council officer or authority employee
- Other ( )

## 2. Making your complaint

A complaint is clearly a serious matter both for you and the member concerned. It is a complicated process and council staff can explain how it works in detail.

A simple summary of what will happen is:

1. Your complaint will be considered by a small committee (called the Assessment Sub-Committee) made up of councillors and independent people trained to deal with these complaints. They will decide whether the complaint should be investigated. This is a private meeting and neither you nor the member may attend.
2. If the committee decides there should not be an investigation, you can appeal within 30 days of receiving notification.
3. If there is an investigation the council will appoint an officer to do this and s/he will interview you, the member and other witnesses. The investigation may take several months.
4. When the investigation is finished, you'll be sent a draft report for comment.
5. A consideration meeting will then be set up, which will discuss the report and decide if a formal hearing is needed. A hearing is unlikely to happen if the report says there has been no breach of the Code.
6. If there is a hearing you will be told of the date and may need to attend as a witness. If you're not at the meeting, you'll be contacted soon after with the decision.
7. A more detailed version of this summary is available from the council.

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

Title	First name	Last name	Council or authority name

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 the Code of Conduct.

It is important 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 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 time frame.
- 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 provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

**3. Confidentiality** – *only complete this section if you want your identity to be kept confidential*

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. 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:

- Strongly believe you are at risk of some form of reprisal, intimidation or physical harm if your identity is disclosed;
- Are an officer who works closely with the Member and is concerned about the possible consequences to your employment if your identity is disclosed;
- Suffer from a serious health condition and there are medical risks associated with your identity being disclosed.

Please note that requests for confidentiality or requests for suppression of complaint details will not be granted automatically. 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.

Please understand 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.

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

#### **4. Additional Help**

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 let us know as soon as possible.

#### **5. Contact**

You should address your complaint to the council's Monitoring Officer, Paul Entwistle, marking it CONFIDENTIAL. His contact details are:

Acting Borough Solicitor

Oldham Council

Level 4

West Street

Oldham OL1 1UJ

Tel: 0161 770 4822

[paul.entwistle@oldham.gov.uk](mailto:paul.entwistle@oldham.gov.uk)