



COTSWOLD
DISTRICT COUNCIL

Members' complaints form

Complaints about the conduct of Councillors and co-opted Members of Cotswold District Council, or Town & Parish Councillors in the Cotswold District

Author: Monitoring Officer

Contact: democratic@cotswold.gov.uk

Version: 1.2

Last updated: May 2024

Please use this form if you wish to complain that a Councillor (or co-opted Member) has breached the appropriate Code of Conduct.

Please do not use this form to complain about Council services generally or to complain about Cotswold District Council, Town or Parish Council employees. More information is on the Council's Website www.cotswold.gov.uk

Introduction

Please note the importance of maintaining confidentiality in dealing with this process and do not copy in third parties when complaining about standards matters.

Always be mindful that a complaint could ultimately lead to an investigation and hearing to which the principals of the rules of natural justice would apply and the right to a fair hearing. This could potentially be prejudiced if other people are aware of the complaint and discuss or share it outside the procedure. You are therefore required to treat any complaints you make with strict confidentiality.

The Monitoring Officer or the Officer investigating any complaint will contact individuals and Councillors, should any information be required from them and/or a person is required as a witness.

When seeking to glean the correct facts and investigate complaints it is very important that the Monitoring Officer and Investigating Officer are able to approach the matter with impartiality and an open mind.

It is for the Monitoring Officer to determine what information if any should be put in the public domain/brought to the attention of other Councillors. Should you ever be approached to comment, you should decline.

Your details

Please provide us with your name and contact details.

Title:

First name:

Surname:

Address:

Postcode:

Mobile number:

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 Councillor(s) you have complained about
- our Monitoring Officer

We'll tell them your name and give them a summary of your complaint. We'll 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 see on page four of this form the section headed "confidentiality".

Please tell us which of the following best describes you (please tick one box only).

- Member of the public
- Elected or co-opted Member, (if applicable, please state which Council)
- Member of Parliament
- Monitoring Officer or Deputy Monitoring Officer
- Chief Executive
- Other Council officer
- Other (please specify below)

Making your complaint

Who your complaint is about

Please provide us with the name(s) of the Councillor(s) you believe has/have breached the Code of Conduct, and which Council they are a member of.

First name	Surname	Name of Council

Your explanation

Please explain in this section (or on separate sheets) what the Councillor has done that you believe breaches the Code of Conduct. If you're complaining about more than one Councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct. Where possible please state the specific section of the Code of Conduct you consider has been breached.

It's important that you provide all the information you wish to have taken into account by the Monitoring Officer when he/she/they decides whether to take any action on your complaint.

- You should be specific, wherever possible, about exactly what you are alleging the Councillor said or did. For instance, instead of writing that the Councillor 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 attach to this form, copies of evidence (if this applies) of any correspondence, documents, or other evidence that you feel is relevant to your complaint. Please avoid

sending us large amounts of background information that do not relate directly to your complaint.

Confidentiality

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

In the interests of fairness and natural justice, we believe Councillors 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're unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that:

- you may be victimised or harassed by the Member you are complaining about or by someone associated with them
- you may receive less favourable treatment from the Council as a result of making your complaint because of the action of the Member you have complained about or someone associated with them
- you believe that the Member you are complaining about may interfere with evidence if your identity is revealed or a summary of the complaint is provided

Please note that requests for confidentiality or for details of the complaint to be withheld will not be automatically granted. The Monitoring Officer will consider the request alongside the substance of

your complaint. We'll then contact you with the decision. If your request for confidentiality is not granted, we'll usually allow you the option of withdrawing your complaint.

However, it's important to understand that in certain exceptional circumstances where the matter complained about is very serious, we may proceed with an investigation or other action and disclose your name and details of the complaint even if you have expressly asked us not to.

Resolution

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. For example, this may involve the member accepting that his/her/their conduct was unacceptable and offering an apology, or other remedial action by the Authority, or some form of mediation. Where the Member or the Authority makes a reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

Please use the space below to tell us whether you feel that there may be a way to resolve your complaint without the need for a formal investigation and, if so, how.

Additional help

Submit your complaint in writing.

Complaints must be submitted in writing. This includes electronic submissions. However, we can 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 by email democratic@cotswold.gov.uk or phone 01285 623000

Where to send your complaint

You should send your complaint by email to democratic@cotswold.gov.uk or post to:

Monitoring Officer
C/O Democratic Services
Cotswold District Council
Trinity Rd, Cirencester GL7 1PX

Sign and date your complaint

Signed:

Date: