

Complaint form for Codes of Conduct of Councillors and Voting Co-opted Members in Kirklees

To the Monitoring Officer

Section A. Your details

1. Please provide us with your name and contact details. Your complaint may not be considered if you do not give this information.

For information about how we use your information please see the privacy notice www.kirklees.gov.uk/privacy.

Title:	
First name:	
Last name:	
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	

The following people may see this form:

- The Monitoring Officer and members of her staff
- The Independent Person
- The Chair of the Standards Committee and other members of the Standards Committee
- The Leader of the Political Group of the Councillor subject to complaint and potentially others in their group
- The Group Business Managers, who are senior Councillors consulted, as to the most appropriate course of action for dealing with the complaint. If you complain about one of the Group Business Managers they will have no part in that process
- The Parish Clerk (if applicable)
- The Councillor about whom you are making a complaint. If you have serious concerns about your name and a summary, or details of your

complaint being released to the Council, please complete [Section C](#) of this form and also discuss your reasons or concerns with the Monitoring Officer

- Police (as applicable)
- Other Council officers (as applicable)
- Independent investigator (as applicable)

For a brief summary of the options available if your complaint is upheld, see [Section 10](#).

2. Which of the following best describes you (please tick):

- A member of the public
- An elected or co-opted Member of the Council
- An elected or co-opted Member of a Parish or Town Council
- A Member of Parliament
- A Monitoring Officer
- Other Council employee, contractor or agent of the Council
- Other ()

Section B. Making your complaint

3. Please provide us with the name of the member(s) you believe have breached the [Council's Code of Conduct for Members](#)

Title	First name	Last name	Council

4. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have done that you believe breaches the Council's Code of Conduct of their Council. Please note that now the adoption of codes of conduct is a matter for individual councils, Kirklees Council and the local town and parish councils do not all have the same code.

The various codes of conduct are available via the websites of the individual councils and if you are having difficulty in obtaining the relevant code of conduct, please contact the Monitoring Officer. If you are complaining about more than one member you should clearly explain what each individual person has done, with dates / witnesses to substantiate the alleged breach. If you are complaining about a councillor who is on more than one council it would assist if you could confirm to which role the complaint relates.

It is also important that you provide all the evidence you wish to have taken into account by the Monitoring Officer when she decides what is the most appropriate action to take in relation to 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 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 if possible
- You should provide any relevant background information or other relevant documentary evidence to support your allegation(s)
- If the alleged conduct or behaviour occurred over 28 days ago, clearly explain why the complaint was not made during that period of time

Details of complaint

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

Continue on separate a sheet(s), as necessary

Section C: Confidentiality of complainant and the complaint details

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

5. In the interests of fairness and in compliance with the rules of natural justice, we believe members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:

- to believe 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 same); or
- to believe you 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 requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint and will then contact you with the decision on confidentiality. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

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

Continue on a separate sheet(s), as necessary

Section D Additional information

6. Complaints must be submitted in writing, by post or email. (Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected).

7. In line with the requirements of the Equalities Act 2010, 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.
8. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

Section E: Process from here

9. Once a complaint relating to an alleged breach of the applicable Code of Conduct has been received by the Monitoring Officer, she and the Independent Person will then decide the next step for dealing with the alleged breach. This may involve taking the matter for consultation with Group Business Managers and a decision being made by the Monitoring Officer, the Independent Person and the Chair of Standards about appropriate next steps.
10. The options available include:
 - An attempt at conciliation;
 - Seeking an apology from the subject Member;
 - No further action;
 - Information investigation;
 - Formal investigation the outcome of which would be reported to Standards Sub-Committee and may be reported to Council
 - A Standards Sub-Committee hearing
11. You will be notified once a decision has been made as to how your complaint is to be progressed or provided with an explanation if no further action is to be taken.

Return to:

Julie Muscroft
Monitoring Officer
PO Box 1720
HUDDERSFIELD
HD1 9EL
Email: monitoring.officer@kirklees.gov.uk