



COMPLAINT FORM – ALLEGATIONS OF BREACH OF MEMBER CODE OF CONDUCT

Your details

1. Are you using the correct form?

The points listed below will help you decide whether this is the correct form to use when making your complaint. If you're not clear if we can consider your complaint, you should speak to our Monitoring Officer Patricia Narebor on 01622 602182 or by emailing Patricia.Narebor@MidKent.gov.uk.

- Your complaint must be about conduct that occurred while the member(s) complained about were in office. Conduct of an individual before they were elected, co-opted or appointed to the authority, or after they have resigned or otherwise ceased to be a member, cannot be considered.
- The latest Code of Conduct was adopted by Maidstone Borough Council on July 5 2012, although some Parish Councils adopted the Code of Conduct earlier or later. If your complaint concerns matters that occurred before 5 July 2012 you should contact Patricia Narebor before making your complaint to check whether it is within the jurisdiction of the Council.
- Your complaint must be about one or more named members of the following authorities: Maidstone Borough Council, Barming Parish Council, Bearsted Parish Council, Boughton Monchelsea Parish Council, Boxley Parish Council, Bredhurst Parish Council, Broomfield and Kingswood Parish Council, Chart Sutton Parish Council, Collier Street Parish Council, Coxheath Parish Council, Detling Parish Council, Downswood Parish Council, East Farleigh Parish Council, East Sutton Parish Council, Harrietsham Parish Council, Headcorn Parish Council, Hollingbourne Parish Council, Hunton Parish Council, Langley Parish Council, Leeds Parish Council, Lenham Parish Council, Linton Parish Council, Loose Parish Council, Marden Parish Council, Nettlestead Parish Council, Otham Parish Council, Staplehurst Parish Council, Stockbury Parish Council, Sutton

Valence Parish Council, Teston Parish Council, Thurnham Parish Council, Tovil Parish Council, Ulcombe Parish Council, West Farleigh Parish Council, Yalding Parish Council.

- Your complaint must be that the member(s) has, or may have, breached the Code of Conduct. A copy of the Borough Council's Code of Conduct is available at www.maidstone.gov.uk . You may also contact Patricia Narebor if you require further information.
- If your complaint is about a Parish Councillor, you should contact the Parish Clerk to obtain a copy of the Code adopted by that Council.
- Complaints about dissatisfaction with a decision or action of the authority or one of its committees, a service provided by the authority or the authority's procedures do not fall within the jurisdiction of the standards committee. Complaints about the actions of people employed by the authority also do not fall within the jurisdiction of the standards committee.
- Your complaint must be in writing. If a disability prevents you from making your complaint in writing you may contact Patricia Narebor for assistance.

It is important to note that not every complaint will be referred for investigation or other action. The Monitoring Officer must decide whether this is appropriate. He will make this decision using referral criteria adopted by the Council. If he decides not to refer your complaint for investigation or other action he will give you the reasons for this decision.

2. What happens once you submit your complaint?

When you submit your complaint we will write to you to let you know we have received it. We will also tell the member that you are complaining about that we have received your complaint, who made the complaint and the relevant paragraphs of the Code of Conduct that it is alleged may have been breached.

The Monitoring Officer will then consider your complaint in consultation with an Independent Person and decide whether it should be referred for investigation or other action. This will happen within, on average, 10 working days of the date we receive your complaint. It is very important that you set your complaint out clearly and provide at the outset all the information you wish the Monitoring Officer to consider.

3. What is meant by 'other action'?

The Monitoring Officer may decide to refer your complaint for 'other action' instead of referring it for investigation. Other action is a deliberately broad term that may include options such as requiring the person you have complained about to apologise or undergo training or mediation. The Monitoring Officer will

carefully consider the circumstances surrounding your complaint when deciding whether other action is appropriate. If the Monitoring Officer decides to refer your complaint for other action we will explain what this involves.

4. How should I set out my complaint?

It is very important that you set your complaint out fully and clearly, and provide all the information at the outset. You should also provide any documents or other material that you wish the Monitoring Officer to consider, where possible.

We recommend that you use our complaint form. You should tell us exactly what each person you are complaining about said or did that has caused you to complain. If you are sending supporting documentation please cross-reference it against the summary of your complaint.

You should be as detailed as possible and substantiate your complaint where you can. Although you are not required to prove your complaint at this stage of proceedings, you do have to demonstrate that you have reasonable grounds for believing that the member(s) complained about has breached the Code of Conduct.

5. Your details

Please provide 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 member(s) you are complaining about
- The monitoring officer of the authority
- The parish clerk (if applicable)
- The Independent Person

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 a serious concerns about your name and a summary, or details of your complaint being released, please complete section 9 of this form.

6. 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 ()

Making your complaint

7. 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

8. 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 Monitoring Officer when he 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 dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should specify what sections of the Code has been breached.
- 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.

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

9. 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 the Monitoring Officer is of the opinion that it is in the public interest to do so.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Monitoring Officer will consider the request. We will then contact you with a 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.

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

Additional Help

- 10.** Complaints must be submitted in writing. This includes fax and electronic submission. 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.

Signature.....

Date.....