

Complaint Form – Code of Conduct for members

Important: Please read Walsall Council’s arrangements for dealing with standards allegations under the Localism Act 2011 before completing this form. This document includes the Members’ Code of Conduct and is published on our website and available from the Monitoring Officer (contact details are shown below).

To: **The Monitoring Officer, Walsall MBC**

A. Your details

Please provide us with your name and contact details. The Council will not investigate anonymous complaints, unless there is a clear public interest in doing so.

Title:	
First Name:	
Last Name:	
Address:	
Contact Telephone:	
E-Mail Address	
Signature:	
Date of Complaint:	

There is a presumption that a complainant will not be allowed to claim confidentiality unless there are exceptional circumstances.

If you want to keep your name, address or personal contact details confidential, please indicate this in Section C together with the reasons for doing so.

If you complete Section C of this form, we will not immediately disclose your name and other information to the member against whom you make the complaint, without your prior consent and/or without taking further advice based on the circumstances of the case.

B. Making your complaint

Please provide us with the name of the member(s) you believe has breached the Council’s Code of Conduct:

Title	First name	Last name

Please explain below (or on separate sheet(s)) what the member is alleged to have done that you believe breaches the Code of Conduct. You should identify the specific provision(s) that you feel the member has breached. 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.

It is important that you provide all the evidence you wish to have taken into account when we make a decision as to whether to take any action on your complaint or not.

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 where 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).

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

C. Confidentiality of complaint and the complaint details

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

In the interests of fairness and the rules of natural justice, we believe that members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against them. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reason to believe that you have justifiable grounds. For example, that you 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 name).

If you complete this section, we will not immediately disclose your name and other information without your prior consent. The Monitoring Officer may, however, need to take further advice based on the circumstances of the case before coming to a decision. If your request for confidentiality is not granted, the Monitoring Officer will usually allow you the opportunity of withdrawing your complaint.

However, it is important to understand that, in exceptional circumstances, where the matter complained about is very serious – we may have to 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 of why you believe we should withhold your name, contact information and/or the details of your complaint:

(Continue on separate sheet(s), as necessary)

D. Remedy sought

Please refer to the separate document on Walsall Council’s arrangements for dealing with standards allegations under the Localism Act 2011. This document sets out examples of the action that might be considered in cases where it is found that a member has failed to comply with the Code of Conduct.

It is important that a member **cannot be suspended or disqualified from office and allowances cannot be withdrawn** from members pending or following an investigation under the Council’s Code of Conduct.

Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

(Continue on separate sheet(s), as necessary)

E. Additional Information

Complaints must be submitted in writing. This includes electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.

In line with the requirements of the Disability Discrimination Act 1995 and the Equality 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. If you need any support in completing this form, please contact the Monitoring Officer.

The Monitoring Officer will consider your complaint and advise you of the outcome of his initial consideration of this matter and the proposed action (if any).

Please send all completed complaint forms to: Tony Cox, Monitoring Officer, Walsall Council, The Council House, Walsall, WS1 1TW Telephone Number: 01922 654822 Email: anthony.cox@walsall.gov.uk

