STANDARDS COMMITTEE – THE CODE OF CONDUCT FOR ELECTED MEMBERS OF NORTH EAST LINCOLNSHIRE COUNCIL AND THE TOWN AND PARISH COUNCILS IN THE BOROUGH

COMPLAINT FORM

Elected Members of North East Lincolnshire Council and members of the Town and Parish Councillors in the Borough are required to observe a Code of Conduct. If you consider that an Elected Member or a Town/Parish Councillor has breached the Code of Conduct, you may submit a complaint.

The Council can only deal with written complaints about the behaviour of an Elected Member or a Town/Parish Councillor. It will not deal with complaints about things that are not covered by the Code of Conduct. If you make a complaint to the Referrals Panel it must be about why you think a Member of North East Lincolnshire Council or a Town / Parish Councillor has not followed the Code of Conduct.

Your details

1. Please provide us with 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 or town clerk (if applicable)
-

 the council's Independent Person (if required)
 members of the Assessment Panel and Hearings Panel convened to consider your complaint

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.

2. 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 ( )

3. Equality monitoring questions

Please complete the section at the end of this form to assist us with our Equality monitoring.

Making your complaint

Once your complaint has been received a decision will be taken in accordance with the council's published arrangements as to what action, if any, should be taken on it. You will not have the opportunity to attend a meeting at this stage. It is important that you provide information that you want taken into account as part of your complaint

4. 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

5. 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 assessment sub-committee, in accordance with the published arrangements 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 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 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 indicate which paragraphs of the Code of Conduct you consider the member(s) to have breached by ticking the appropriate box(es).

☐ **8.1** " You must treat others with respect and courtesy"

☐ **8.2** "You must not do anything which may cause the Council to breach any equality laws." (in particular as set out in the Equality Act 2010);

☐ (a) "You must not bully or intimidate any person".
who is or is likely
to be

(i) a complainant,
(ii) a witness, or
(iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her Council's code of conduct; or

(b) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your Council.

☐ **8.3** Do not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

- Do be aware of the requirements of the Bribery Act 2010 and that offences under the Act include the situation where a Member requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, any function of a public nature, any activity connected with the Council or any activity to be performed by or on behalf of the Council or others should be performed improperly.

☐ **8.4** Do not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where - you have the consent of a person authorised to give it;

a) you are required by law to do so;

b) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

c) the disclosure is—

i. reasonable and in the public interest; and
ii. made in good faith and in compliance with the reasonable requirements of the Council.

☐ **8.5** Do not prevent another person from gaining access to information to which that person is entitled by law.

☐ **8.6** Do not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

Members shall observe the following rules when using the resources of the Council, or authorising the use of those resources by others:

☐ **8.7** Do act in accordance with the Council's reasonable requirements including the requirements of the Council's IT and information security policies and the protocols referred to in this Code which you are deemed to have read ;

☐ **8.8** Do act in accordance with the Council's procedural (and any relevant legal and constitutional) requirements regarding the use of and application for ward funding (or any equivalent schemes prevailing from time to time)

☐ **8.9** Do make sure that such resources are not used improperly for political purposes (including party political purposes); and

☐ **8.10** Do have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

☐ **8.11** Do not improperly use knowledge gained solely as a result of your role as a member for the advancement of your own interests. Members shall observe the following rules when making decisions on behalf of or as part of the Council, and Members are informed that you:

☐ **8.12** Do have regard to any relevant advice provided to you by the Council's Monitoring Officer and Section 151 (Chief Finance) Officer where such advice is offered pursuant to his or her statutory duties.

☐ **8.13** Do give reasons for the decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

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

b) 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 there are exceptional circumstances, for example, you can demonstrate that you will suffer significant harm or distress.

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

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

c) Complaints must be submitted in writing. This includes fax and e-mail submissions are permissible. 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 provide information in other languages and in different formats such as large print. If you have any problems in reading or writing or you need any other support in completing this form, let us know.

More information on the role of the Standards Committee and the Complaints process is available on our website at www.nelincs.gov.uk

Your completed form should be sent to:

The Monitoring Officer
Municipal Offices
Town Hall Square
Grimsby
DN31 1HU
e-mail: standardscommittee@nelincs.gov.uk

EQUAL OPPORTUNITIES MONITORING

The council is committed to ensuring no-one is treated less favourably, on the grounds of ethnic origin, age, gender or disability. The information you supply will help us to ensure we reach all communities and deliver fair services to everyone.

You do not have to complete this form, but it would help us if you do. All information will be held in accordance with the Data Protection Act.

1. Ethnic Group

White British ☐ White Irish ☐ Polish ☐ Lithuanian ☐ Latvian ☐

Caribbean ☐ African ☐ White & Black Caribbean ☐ White & Black African ☐ White & Asian ☐

Other Mixed Background ☐ Indian ☐ Pakistani ☐ Bangladeshi ☐ Chinese ☐

Other European Please, Specify ☐ White Other Please, Specify ☐ Other Asian Background, Please, Specify ☐

2. Gender

Male ☐ Female ☐

3. Do you have a disability?

Yes ☐ No ☐

4. Age Group

Under 16 ☐ **16-30** ☐ **31-40** ☐ **41-50** ☐ **51-60** ☐ **61 and over**