

Complaint Form

Please use this form if you want to make a complaint that an East Devon District Councillor or a Councillor at one of its town or parish councils has broken the Code of Conduct.

Please complete the following:

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:

[delete **as appropriate**]

- the Councillor(s) you are complaining about
- the Monitoring Officer of the Council
- the parish or town clerk (if applicable)

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 ()

Making your complaint

3. You must make your complaint and send it to the Monitoring Officer (see section 8). When we receive your complaint we will advise you that it has been received on behalf of the Standards Assessment Sub-Committee and you will be given an estimated timescale for dealing with your complaint. We anticipate that an initial assessment of your complaint will normally be done by the Assessment Sub-Committee within 20 working days of receipt.

The Sub-committee will use the agreed Procedure for Local Assessment of Complaints to guide their decision making. You can look at this on our website at http://www.eastdevon.gov.uk/making_a_complaint.htm

The decision of the Assessment Sub-Committee will be sent to you within 5 working days of its meeting. The decision will be one of the following:

- No further action will be taken in respect of your complaint. In this case you will have a right to appeal to the Review Sub-Committee which will comprise of different councillors from those who made the initial decision;
- Complaint referred to the Monitoring Officer for investigation;
- Complaint referred to the Standards Board for investigation;
- Complaint referred to the Monitoring Officer for other action (such as training, conciliation or such other action as the Sub-Committee considers appropriate).

The Assessment Sub-Committee's decision will also be given to other parties where appropriate, such as the Town/Parish Clerk if your complaint is made against a Town or Parish Councillor.

If the matter is referred for investigation, the Monitoring Officer (or the person appointed by her to conduct the investigation) will contact you with details of how the investigation will be carried out and the anticipated timescale. Following the investigation, a report will be presented to the East Devon District Council's Local Assessment and Hearings Committee which will decide whether the Code has been broken and if so, what (if any) sanctions should be imposed.

4. Please provide us with the name of the councillor(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 the box on page 4 (or on separate sheets) what the councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one councillor you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

The Code of Conduct for East Devon District Council is available on our website and you can also get copies from the Monitoring Officer. The Codes of Conduct adopted by each of the Town and Parish Councils in our area are available from the Clerk to the appropriate Council.

It is important that you provide all the information you wish to have taken into account by the assessment sub-committee 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 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 provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

A large, empty rectangular box with a thin black border, intended for the user to provide details of their complaint. The box occupies most of the page's vertical space below the instruction text.

Confidentiality

6. 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 are unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that, should we reveal it, you will be subject to some form of reprisal or intimidation from the councillor complained of or some other person.

In considering your request we will have regard to any relevant guidance and in particular any guidance published by the Standards Board for England.

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

7. Complaints must be submitted in writing. This means you can send a paper copy of your complaint, send a fax or send it to us electronically.

However, in line with the requirements of the Disability Discrimination Act 2000, we can make reasonable adjustments to help 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.

8. Contact details

The Standards Committee
c/o The Monitoring Officer
East Devon District Council
Knowle
Sidmouth
EX10 8HL

Website: www.eastdevon.gov.uk

Fax: 01395 517507

Phone: 01395 517480

Email: monitoringofficer@eastdevon.gov.uk

Equal opportunities

It is our policy that everyone who comes into contact with East Devon District Council shall be treated equally and with respect regardless of:

- Gender, gender reassignment or sexual orientation
- Disability (physical, mental or learning disabilities and others)
- Race, colour, ethnic or national origin
- Age
- Religion or belief (any religion, religious belief or philosophical belief)
- Marital, social, economic status or responsibility for dependants
- Political beliefs

In order to help monitor how we treat customers, this leaflet contains an equalities monitoring form. You do not have to complete this form. If you choose to, the form will not affect the way your complaint will be handled. It will be held centrally and only for monitoring purposes.

Equalities Monitoring Form - please tick as appropriate:

How would you describe your ethnic origin?		
White – UK <input type="checkbox"/>	White – other <input type="checkbox"/>	Black – African <input type="checkbox"/>
Black – Caribbean <input type="checkbox"/>	Black – other <input type="checkbox"/>	Bangladeshi <input type="checkbox"/>
Chinese <input type="checkbox"/>	Indian <input type="checkbox"/>	Irish <input type="checkbox"/>
Pakistani <input type="checkbox"/>	Other <input type="checkbox"/>	
Are you		
Male <input type="checkbox"/>	Female <input type="checkbox"/>	
Are you		
under 16 <input type="checkbox"/>	16 – 19 <input type="checkbox"/>	20 – 24 <input type="checkbox"/>
25 – 59 <input type="checkbox"/>	60 – 64 <input type="checkbox"/>	65 and above <input type="checkbox"/>
Do you have a disability?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	
What is the nature of your disability?		
Hearing difficulty <input type="checkbox"/>	Difficulty seeing <input type="checkbox"/>	Mobility difficult <input type="checkbox"/>
Learning difficulty <input type="checkbox"/>	Mental health issues <input type="checkbox"/>	Other <input type="checkbox"/>

Please return this equal opportunities form with your complaint to the Monitoring Officer. If you prefer, you can send it in separately to:

The Complaints Officer
East Devon District Council
Knowle
Sidmouth
EX10 8HL

or fax to 01395 517507