

# CHICHESTER DISTRICT COUNCIL

## COMPLAINT OF COUNCILLOR MISCONDUCT

If you have any questions or difficulties filling in this form or you need any support in completing it, because for example English is not your first language, or you have a disability that prevents you making your complaint in writing - please contact us on 01243 534684 and ask for the Democratic Services Team.

You can also e-mail us at [legalservices@chichester.gov.uk](mailto:legalservices@chichester.gov.uk) please state that the email is for the Monitoring Officer.

Please write CLEARLY and in BLACK INK

As an alternative to printing this form and writing the information, you can complete our online complaints form or email us at the above address to request an MS Word version of this form.

### Please note

- Complaints can only be accepted in writing
- An officer from the Council or an appointed investigator may contact you personally to go through the details of your complaint
- The Council is unlikely to be able to keep your identity or the information you have provided confidential. If you have serious concerns about disclosure of your name and the details of your complaint, please complete Section Five on confidential information
- Please read the document Arrangements for dealing with complaints of Councillor misconduct prior to completing this form.

### Section One - Your details

Please provide us with your name and contact details

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address: *	

\* Please note that, wherever possible, we will contact you via email, if you have provided an email address

Please tick the appropriate box to tell us which of the following best describes you:

- Member of the public
- An elected or co-opted member of a Council  
(if applicable, please state which Council)
- Local authority monitoring officer
- Other council officer or authority employee
- Other (Please specify): \_\_\_\_\_

### Section Two: Who are you complaining about

Please give the name of the councillor(s), or co-opted member(s) that you think may be in breach of the Code of Conduct AND tell us which Council they are members of.

Name of individual/s (include both first and last names)

	First Name	Last Name	Name of Council
1.			
2.			
3.			
4.			
5.			

### Section Three: What are you complaining about?

Please provide us with as much information as you can about your complaint to help us decide what action to take. Include the date and details of the alleged misconduct, and any information that supports the allegation. It is important that you provide all the information you wish to have taken into account when a decision is made as to the action to be taken. If you are complaining about more than one member you should clearly explain what each individual member has done that you believe has breached the Code of Conduct.

We can only investigate complaints where it appears a councillor may have breached the Code of Conduct for Members (please see document *Standards Arrangements 2024* *\*can we hyperlink please Barry?*). You can continue on a separate sheet if there is not enough space on this form.

You should provide any relevant background information

### Evidence (if this applies)

Please attach to this form, copies of any correspondence, documents, or other evidence that you feel is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

Please briefly describe the documents you are enclosing:

1.	
2.	
3.	

Tick this box if you would like us to return the evidence to you.

### Witnesses (if this applies)

Please tell us the names and details of any witnesses:

	Full Name	Address/Phone Number/Email
1.		
2.		
3.		

## Section Four: Resolution of your complaint

As explained in the Standards Arrangements document in appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. It will be noted that resolutions at the informal stage are essentially identical to those at formal stage and some outcomes will only follow an investigation. An appointed "Independent Person" will be involved in the consideration of your complaint and contact details for them will be provided to you.

Where the member or the authority makes what the Monitoring Officer considers to be a reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

Available outcomes as set out in the code and national guidance

- 1) Written Apology
- 2) That the Monitoring Officer is aware of this matter and will discuss it with the Councillor in question.
- 3) That some form of mediation between you and the Councillor take place.
- 4) That the Councillor undertake some form of training.
- 5) That the Councillor is censured by the Monitoring Officer / Standards Committee. This will be reported publicly to standards committee.
- 6) That the Councillor is removed or recommended by the Monitoring Officer for removal from a particular role or Committee.
- 7) Removal of particular facilities provided to that Councillor by the Council such as their computer, website and/or official email and internet access.
- 8) That a Councillor be limited in access rights to the Council
- 9) Some other specific outcome.

Which outcome(s) do you consider appropriate here?

**Important Note – there is no lawful power to remove a Councillor and requests for this will not be taken forward through the process.**

Section Five: Confidential information (this part only applies if you are asking for your identity to be 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 that they have a right to be provided with a summary of the complaint. As explained in the document Arrangements for dealing with complaints of Councillor misconduct we will not withhold your identity or the details of your complaint unless there is very good reason.

Accordingly, please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. However, if you have made such a request, you will be contacted and advised of the decision and, if your request is not granted, we will allow you the option of requesting the withdrawal of your complaint.

Please provide brief details of why you believe we should withhold your name and/or the details of your complaint below (The Monitoring Officer will contact you about this).

Please consider the complaint I have described above, and the evidence attached. I understand and accept that the details will normally be disclosed to the Councillor and any parties involved in this complaint procedure. It may also be shared with the police in the prevention or detection of crime.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please send this form together with any attachments to:

The Monitoring Officer,  
Democratic Services,  
East Pallant House,  
East Pallant,  
Chichester  
PO19 1TY

Or by e-mail to [legalservices@chichester.gov.uk](mailto:legalservices@chichester.gov.uk) marked for the attention of the

Monitoring Officer