



Code of Conduct – Complaints Form

Your details

1. Please provide us with your name and contact details –

Title:	
First Name:	
Last Name:	
Address:	
Daytime or Mobile Tel No:	
Evening Tel No:	
E-mail Address:	

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, the following people will be informed that you have made this complaint:

- the member(s) you are complaining about; and
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete Section 5 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
- Local authority monitoring officer
- Other council officer or authority employee
- Other
(.....)

Making your complaint

3. Your complaint or allegation should be addressed to the Monitoring Officer at Huntingdonshire District Council, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN.

Upon receipt of an allegation and where there are sufficient facts to demonstrate that the allegation appears to be a complaint of misconduct against a relevant member, the matter will be referred to a meeting of the District Council's Referrals (Assessment) Sub Committee who shall endeavour to complete its initial assessment of an allegation within an average of 20 working days.

The Sub Committee will make an initial assessment of the allegations and decide whether or not there is a case to answer. The Sub Committee can

- refer the allegation to the Monitoring Officer, with an instruction that he/she undertake a formal investigation of the allegation, or direct that he/she arrange training, conciliation or such appropriate alternative steps as permitted by the Regulations;
- refer the allegation to the Standards Board for England;
- decide that no action should be taken in respect of the allegation; or
- where the allegation is in respect of a person who is no longer a member of the Authority, but is a member of another relevant Authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other relevant Authority.

Unless such notification is considered to be contrary to the public interest, the Monitoring Officer will notify the member against whom the allegation is made of receipt of a complaint and advise of the date upon which the allegation will be assessed by the Referrals (Assessment) Sub Committee. The complainant would be similarly advised.

The Monitoring Officer will advise the complainant and the member against whom the allegation has been made of the outcome of the Sub Committee as soon as possible after the decision has been made and within an average of 5 working days,

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and name of their authority:

Title	First Name	Last Name	Council or Authority Name

4. 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.

Whilst not essential, it would be helpful if you are able to identify the parts of the Code which you consider have been breached. The Model Code of Conduct can be viewed in full at [www.standardsboard.gov.uk/Code of Conduct](http://www.standardsboard.gov.uk/Code_of_Conduct). However a list of potential breaches is set out in the Annex at the end of this form.

It is important that you provide all the information you wish to have taken into account by the Referrals (Assessment) Sub Committee to help it decide 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.*

Additional Help

6. Complaints must be submitted in writing. This includes fax and electronic submissions. 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.

Should you require any other additional help or guidance in completing this form please contact –

Christine Deller, ☎ 01480 388007 or
e-mail: Christine.Deller@huntstdc.gov.uk.

Correspondence should be directed towards –

The Monitoring Officer
Central Services Directorate
Huntingdonshire District Council
Pathfinder House
Huntingdon
PE29 3TN.

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General obligations under the Code of Conduct

- Paragraph 3(1)** - You must treat others with respect.
- Paragraph 3(2)(a)** - You must not do anything which may cause your authority to breach any equality laws.
- Paragraphs 3(2)(b) and 3(2)(c)** - You must not bully any person including other councillors, council officers or members of the public.
- Paragraph 3(2)(d)** - You must not compromise, or attempt to compromise, the impartiality or anyone who works for, or on behalf of, the authority.
- Paragraph 4(a)** - You must not disclose confidential information, or information which you believe to be of a confidential nature, except in any of the following circumstances –
- You have the consent of the person authorised to give it.
 - You are required by law to do so.
 - The disclosure is made to a third party for the purposes of obtaining professional advice (for example, your lawyer or other professional adviser) provided that person agrees not to disclose the information to any other person.
 - The disclosure is in the public interest. This is only justified in limited circumstances, when all of the following four requirements are met:
 1. the disclosure must be reasonable
 2. the disclosure must be in the public interest
 3. the disclosure must be made in good faith
 4. the disclosure must be made in compliance with any reasonable requirements of your authority.
- Paragraph 4(b)** - You must not prevent anyone getting information that they are entitled to by law.

- Paragraph 5** - You must not bring your office or authority into disrepute while acting in your official capacity, or at any time through criminal activity that leads to a criminal conviction.
- Paragraph 6(a)** - You must not use, or attempt to use, your position improperly to the advantage or disadvantage of yourself or anyone else.
- Paragraph 6(b)(i)** - You must only use or authorise the use of the resources of the authority in accordance with its requirements.
- Paragraph 6(b)(ii) and 6(c)** - You must make sure you use the authority's resources for proper purposes only. It is not appropriate to use, or authorise others to use, the resources for political purposes, including party political purposes. When using the authority's resources, you must have regard, if applicable, to any Local Authority Code of Publicity made under the Local Government Act 1986.
- Paragraph 7** - You must have regard to advice from your monitoring officer or chief finance officer where they give it under their statutory duties (District Council only).