

COMPLAINT FORM : CODE OF CONDUCT FOR MEMBERS

The Monitoring Officer can only deal with complaints about the alleged behaviour and conduct of a member. It will not deal with complaints about any of the Council's departments or matters not covered by the Council's Code of Conduct.

There are some instances where it is not appropriate to complain through this complaints process eg

- People employed by the Council or Authority or a decision made by an Officer of the Council
- Incidents that happened before a Member was elected or chosen to serve.
- The way an Authority conducts or records its meetings.
- The way an Authority has or has not done something. This might be a matter for the Local Government Ombudsman if the Authority has not dealt with the matter properly and it has not been resolved locally.
- Failure to disclose a disclosable pecuniary interest is a criminal offence and should be reported to the Police.
- Complaints about someone who is no longer a Councillor or conduct during their private life, will not be dealt with under this procedure.
- Decisions relating to Planning or Licensing matters where you are unhappy with the decision made should be challenged by way of judicial review.

A. Your details

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

Title:	Ms
First name:	Jennifer
Last name:	Smith
Address:	
Contact telephone:	
Email address:	
Signature:	J Smith
Date of complaint:	14/08/2023

A brief summary of your complaint may be shared with the Member(s) you are complaining against. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

2. Please tell us which complainant type best describes you:

- ☐ A member of the public
- ☐ An elected or co-opted Member of the Council
- ☐ A Member of Parliament
- ☐ A Monitoring Officer
- ☐ Other council employee, contractor or agent of the Council
- ☐ Other ()

3. Equality Monitoring Form - please fill in the attached form.

B. Making your complaint

4. Please provide us with the name of the member(s) you believe have breached the City Council's Code of Conduct:

Title	First name	Last name
Mr	Marvin	Rees

5. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have 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, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account to decide 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.
- **You should quote which paragraphs of the Code of Conduct the Councillor has allegedly breached.**
- 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 or other relevant documentary evidence to support your allegation(s).
- If the allegation(s) being made occurred over 28 days since the alleged behaviour or conduct, clearly explain why the complaint was not made during that period of time.

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

Please see accompanying sheet

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

C. Confidentiality of complainant and the complaint details

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

6. In the interests of fairness and in compliance with the rules of natural justice, members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:-
- 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 same); or
 - may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint in terms of any existing Council service provision or any tender / contract that you may have or are about to submit to the Council.

Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Monitoring Officer will consider the request alongside the substance of your complaint and contact you with the decision. If

your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may 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 note that confidentiality requirements under section 63 of the Local Government Act 2000 are applied to information gathered by the Monitoring Officers in the course of the investigation.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

D. Remedy sought

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

Available Sanctions;

- To Report on findings to Full Council i.e. “naming and shaming”.
- To Recommend to a Group Leader that the member concerned be removed from any committee or sub-committee.
- To recommend, In relation to any members of the executive that the member concerned be removed from the Executive.
- to recommend the Monitoring Officer to arrange appropriate training for the member concerned.
- to recommend removal of any member concerned from any outside body appointments.
- to require the withdrawal of Council facilities e.g. use of computer or internet.
- to exclude a member from the Council’s offices or other premises except for the purpose of attending formal meetings.

To bring findings to Audit, OSMB and inform People Scrutiny Commission

To have the independent investigation take place – as democratically voted for by elected members

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

E. Additional information

8. If your complaint is considered frivolous, vexatious or politically motivated then it is likely to be rejected. The corporate 'guide to dealing with persistent complainants' will be applied.
9. 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.
11. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

F. Process from here

12. Once a valid complaint relating to an alleged breach of the Code of Conduct for Members has been received by the Monitoring Officer, it will be considered in line with the procedure for complaints. The Monitoring Officer will decide either;
 - i) that no action should be taken – with reasons for this decision.
 - ii) It may refer the matter for investigation or other action.
13. You will be notified after the meeting and given information on any further stage(s) in the process at that time.

Monitoring Officer, c/o Head of Legal Services

PO Box 3176
Bristol City Council
Bristol
BS3 9FS

Email: Legal.support@bristol.gov.uk

Equalities Monitoring

Model Categories

Bristol City Council works towards eliminating discrimination and promoting equal opportunities. Collecting the following information can help us to achieve this. Data collected will be used to help us to plan and deliver services more effectively to individual tenants and service users. It will also be used to report on the needs of different groups of people. Information provided will be treated confidentially and in accordance with the Data Protection Act 1998.

1. How would you describe your ethnic origin? (Please tick)

White

- ☐ British
- ☐ Irish
- ☐ Eastern European
- ☐ Western European
- ☐ Any other White background (please describe) _____

Dual Heritage/ Mixed Race

- ☐ White and Black Caribbean
- ☐ White and Black African
- ☐ White and Asian
- ☐ White and Chinese
- ☐ Any other Dual Heritage/Mixed background (please describe) _____

Black or Black British

- ☐ Caribbean
- ☐ African (non-Somali) (please describe) _____
- ☐ Somali
- ☐ Any other Black background (please describe) _____

South Asian or Asian British

- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ Asian African
- ☐ Any other Asian background (please describe) _____

Chinese or Chinese British

- ☐ Chinese

Other ethnic groups

- ☐ South East Asian (please describe) _____
- ☐ Irish Traveller
- ☐ Roma Gypsy/Traveller (please describe) _____
- ☐ Any other background (please describe) _____

- ☐ Prefer not to say

2. Are you:

- ☐ Female ☐ Male ☐ Transgender
- ☐ Prefer not to say

3. What is your age group?

- ☐ 15 or under ☐ 16 – 24 ☐ 25 – 59 ☐ 60 or over
☐ Prefer not to say

4. Do you consider yourself to be a disabled person? The Disability Discrimination Act 1995 defines disability as “a physical or mental impairment which has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities.” this includes people with physical impairments, visual impairment, hearing impairments, Deaf BSL users, people with learning difficulties including people with specific learning difficulties like dyslexia, people with mental health needs and people living with a health condition e.g hiv, multiple sclerosis, cancer

- ☐ Yes ☐ No
☐ Prefer not to say

4b It helps us to know whether we are reaching all disabled people, please can you tick the relevant impairment (disability) group below and you are welcome to tick more than one box if appropriate.

- ☐ physical impairment, ☐ visual impairment, ☐ hearing impairment, ☐ Deaf BSL user, ☐ learning difficulties ☐ specific learning difficulties like dyslexia, ☐ mental and emotional distress ☐ A health condition e.g hiv, multiple sclerosis, cancer
☐ Prefer not to say

5. Please say how you would you usually describe your sexuality?

- ☐ Lesbian ☐ Gay
☐ Bisexual ☐ Heterosexual
☐ Prefer not to say

6. What is your religion? (Each category includes all denominations and sects)

- ☐ Buddhist
☐ Christian
☐ Hindu
☐ Jewish
☐ Muslim
☐ Sikh
☐ Any other religion (Please describe) _____
☐ No religion
☐ Prefer not to say

Not equal opps monitoring but may be of interest for access needs

7. What is your preferred format/type of communication,

- ☐ Community Language – please state language and dialect if appropriate

☐ Standard written
☐ Large print
☐ Audio tape
☐ Braille
☐ Visual (e.g. DVD)

- ☐ BSL video/DVD
- ☐ Video phone
- ☐ Easy English
- ☐ Compact disk (CD)
- ☐ Computer disk
- ☐ Text phone (eg Type Talk)
- ☐ Text messaging
- ☐ Other

(Please describe) _____

8. I do not wish to provide any of the information requested on this form ☐