



NORTHAMPTON BOROUGH COUNCIL PROCEDURE FOR COMPLAINT AGAINST A COUNCILLOR

The information provided on this form will be used to process your complaint.

We collect your personal data in order to progress your complaint, provide you with a response and contact you if required for further information. We will not use your personal information (your name, email, address or telephone number) for any other purposes.

The information regarding this complaint will be held electronically on a computer database and a hard copy held safely in a secure environment. It may be shared with other department(s) within Northampton Borough Council and also with other bodies and persons where it is relevant and necessary to progress your complaint. Your personal data will not be passed onto any other third party without your permission. It should be noted that the Councillor who is the subject of your complaint may share your information with a third party if they wish to seek further advice on how to respond to your complaint.

The information you provide on this form will be retained electronically for six years from closure of your complaint, after which period it will be deleted. All paper copies will be securely destroyed after your complaint is closed.

If at any point you believe the information we hold on you is incorrect you can request to see this information and have it corrected or deleted. If you wish to raise a complaint on how we have handled your personal data, you can contact the Council's Data Protection Officer to have the matter investigated. If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law you can complain to the [Information Commissioner's Office](#).

All Councillors have to comply with a Code of Conduct. The Code sets out rules about how Councillors should behave towards the public and also requires them to disclose any personal interests they have.

If you think a Councillor has breached the Code of Conduct, you can make a complaint to the Council by completing the form below.

Your complaint must be about one or more named Councillors of the following authorities:

- Northampton Borough Council
- Billing Parish Council
- Collingtree Parish Council
- Duston Parish Council
- East Hunsbury Parish Council
- Great Houghton Parish Council
- Hardingstone Parish Council
- Hunsbury Meadow Parish Council
- Upton Parish Council
- West Hunsbury Parish Council
- Wootton Parish Council

The Northampton Borough Council Code of Conduct is available on the website or on request from the Guildhall's One Stop Shop.

Each Parish Council is responsible for adopting its own Code of Conduct. However, Northampton Borough Council is responsible for dealing with complaints made against Parish Councillors that they have breached their Parish Council's Code of Conduct.

Making your complaint

Your complaint will be dealt with in accordance with the Council's 'Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils' ("the Arrangements").

The Arrangements can be found on the Council's website and are available on request from the One Stop Shop at the Guildhall.

The Council's Monitoring Officer will acknowledge receipt of your complaint within ten working days of receiving it and will keep you informed of the progress of your complaint.

The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the Members' Register of Interests and who is responsible for administering the Council's Arrangements in respect of complaints of alleged Councillor misconduct.

Initial Assessment of Your Complaint

The Monitoring Officer, who reviews all complaints received by the authority, will review your complaint and may consult with the Independent Person at this initial assessment stage. (The Council is required by law to appoint at least one Independent Person in connection with the Arrangements. In broad terms, the Independent Person is someone who is not (or has not recently been) an Officer of the Council or a Member or co-opted Member of the Council or of any Parish Council within the Borough. Certain classes of relatives and close friends of Members and Officers are also prevented by law from being an Independent Person.)

If your complaint does not fall within the scope or intent of the Arrangements, the Monitoring Officer may still decide to take informal action in order to resolve the matter. In assessing your complaint, the Monitoring Officer will determine whether the complaint is admissible and, if so, decide whether:

- a) it warrants investigation or,
- b) it may be suitable for alternative resolution without investigation or,
- c) it does not warrant any further action.

For the complaint to be admissible it must be in a legible format and relate to an existing Member of the Council or existing Member of a Parish Council within the Borough of Northampton.

In determining whether or not the complaint should be referred for investigation or to seek alternative resolution, the Monitoring Officer (and Independent Person if involved at this initial assessment stage) will have regard to a range of factors including the following:-

- i) Whether there is sufficient information upon which to base a decision
- ii) How serious is the alleged complaint?
- iii) Is the complaint politically motivated, vexatious or tit for tat?
- iv) Did the action complained about occur recently or not?
- v) Do the allegations relate to actions occurring whilst the Councillor was acting in their official capacity or do they relate to their private life?
- vi) Whether the matter is considered suitable for alternative resolution and either the Councillor concerned or the complainant is not prepared to accept this as a solution.

The initial assessment of the complaint will **normally** be taken within twenty eight days of receipt of your complaint and you will be informed, in writing, of the outcome by the Monitoring Officer.

Unless exceptional circumstances exist that indicate otherwise, the Monitoring Officer will inform the Councillor concerned of the receipt and nature of the complaint and invite their comments.

Submitting your form and additional help

Complaints must be submitted in writing. This includes submissions by e-mail and submissions of the on-line e-form. However, 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.

If you need any support in completing this form, please let us know as soon as possible.

Please return your complaint form to:

The Monitoring Officer
Northampton Borough Council
The Guildhall
St Giles Square
Northampton
NN1 1DE

Or if you prefer to email:

Monitoringofficer@northampton.gov.uk

Alternatively you can submit an on-line complaint form by clicking the link below.

(<http://www.northampton.gov.uk/councillorcomplaints>)

Any queries about the process should be addressed to Francis Fernandes, Monitoring Officer, at the above address.

Complaint form

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:	

You are required to provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress.

If you want to keep your name and address confidential, please indicate this in the space provided at **Section 5** of this Complaint Form, in which case we will not disclose your name and address to the Councillor against whom you are making a complaint, without your prior consent.

Please note that the Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

2. Please tell us which of the following best describes you in relation to this complaint:

- Member of the public
- An elected or co-opted member of an authority
- A co-opted independent member or Parish Council member of the Standards Committee
- An Independent Person appointed pursuant to the Localism Act 2011
- Member of Parliament
- Local Authority Monitoring Officer
- Other Council officer or authority employee
- Other:

3. Please provide us with the name of the Councillor(s) you believe have breached the Code of Conduct:

First name	Last name

4. Please explain in this section (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.

It is important that you provide all the information you wish to have taken into account by the Monitoring Officer, who will review all complaints received by the Council about Councillors. 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.

Where the Monitoring Officer requires additional information in order to come to a decision, they may come back to you for such information, and may also request information from the Councillor against whom your complaint is directed.

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

5. You are required to provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress.

If you want to keep your name and address confidential, please indicate this in the space below, in which case we will not disclose your name and address to the Councillor against whom you are making a complaint, without your prior consent.

Please note that unless exceptional circumstances exist that indicate otherwise, the Monitoring Officer will inform the Councillor concerned of the receipt and nature of the complaint and invite their comments.

Please provide us with details of why you would prefer your name and address to be kept confidential.