

## **Guidance notes on making a complaint about an elected Councillor's conduct**

Please read these guidance notes carefully before making a complaint about an elected or co-opted Councillor's conduct.

Wokingham Borough Council's Code of Conduct forms part of Chapter 9 of the Council's Constitution. You can see a copy of the Constitution on the Council's website [www.wokingham.gov.uk](http://www.wokingham.gov.uk)

Parish and Town Councils have adopted individual Codes of Conduct so if your complaint relates to the conduct of a Parish or Town Councillor you should contact the Parish/Town Council concerned to view a copy.

### **What can I make a complaint about?**

That a Councillor has breached the adopted Code of Conduct of their authority. Complaints about Council services or Council Officers must be made through the separate Corporate Complaints process.

### **Informal Resolution**

We would ask you to consider whether you feel that is an opportunity to resolve your complaint informally. This will then be taken into consideration by the Monitoring Officer in deciding what action to take regarding the complaint. Please note that if your complaint is resolved informally there is no possibility of the matter being investigated.

### **Why do you feel the Councillor has breached the Code of Conduct?**

Within your complaint you should set out what the Councillor has done that you believe breaches the Code of Conduct in as much detail as possible. 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, in order that he/she can decide whether to take any action on your complaint:

- 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 any alleged incidents wherever possible. If you cannot provide exact details, it is important to give the general timeframe;
- You should confirm whether there are any witnesses to the alleged incident and provide their names and contact details if possible;
- You should provide any relevant background information.

### **Who will be told that I have made a complaint?**

On receipt of your complaint the following will be informed:

- The Council's Monitoring Officer;
- The Council's Independent Person;
- The Chairman of the Standards Committee;
- If the complaint relates to a Parish/Town Councillor, the clerk to that Council.
- The Councillor whom the complaint relates to, (as set out in the following paragraph).

**What will happen to my complaint?**

The Monitoring Officer will make an initial decision on how the complaint will be dealt with and as part of this process will consult with the Independent Person and the Chairman of the Standards Committee. If your complaint relates to a Parish/Town Councillor, the Monitoring Officer will also consult with the relevant parish clerk.

Once this decision has been made by the Monitoring Officer, they will normally inform the Councillor subject of the complaint that a complaint has been received about them and the nature of the complaint.

**Anonymous Complaints**

Anonymous complaints will not usually be considered. However it is recognised that in some exceptional circumstances some individuals may feel unable to reveal their identity. In these situations individuals can report their concerns regarding a Member anonymously, but should be aware that these concerns will carry less weight. Also the disclosure may not be sufficiently detailed to provide a successful investigation.

The name of the complainant will be disclosed to the Councillor unless the complaint was made anonymously to the Monitoring Officer or you specifically requested anonymity. A request for anonymity will only be agreed by the Monitoring Officer if they are satisfied that to do so is overwhelmingly in the public interest and after the view of the Independent Person and the Chair of the Standards Committee have been obtained.