



Making a complaint about the conduct of a District or Town/Parish Councillor in East Devon

Please use this form to make a complaint about the behaviour of a parish, town or district councillor in East Devon where you believe they have breached their Councillor's Code of Conduct.

The Council, in accordance with the Localism Act 2011, has adopted a procedure for dealing with complaints. The procedure the Council has adopted is designed to be proportionate, timely and fair to both sides. Its overriding objective is to seek to provide pragmatic local solutions to local problems wherever possible.

A link to the complaint procedure can be found here [\(insert link\)](#). Please carefully review the procedure before submitting your complaint as it contains important information about what is required from you to enable us to progress your complaint. It also explains the process in full and sets out the outcomes that are possible through the process.

Once you have reviewed the complaint procedure, if you wish to make a complaint, we would first encourage you to discuss the matter with the Monitoring Officer. This initial discussion will enable us to understand the basis of your complaint and advise you if there is anything additional we may need from you to be able to proceed with your complaint. The Monitoring Officer can be contacted at:

Email: monitoringofficer@eastdevon.gov.uk

Telephone: 01395 571688

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.

1. Your details

Please provide us with your name and contact details. Anonymous complaints will only be considered in exceptional circumstances as detailed at Appendix D of the procedure.

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

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

The following people may see this form:

- Members of the Standards Committee
- Monitoring Officer of East Devon District Council or their deputy/legal team
- The Council's Independent Persons

A copy or brief summary of your complaint will also be shared with the Subject Councillor(s) you are complaining against. If we release a copy of the complaint form and any attachments, we will ensure that your contact details (address, telephone number, e-mail address) are removed. If you have serious concerns about your name and/or details of your complaint being released, please complete Section 6 of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

2. About you

Please tell us which of the following best describes you:

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- District council, town or parish council employee
- Other – please specify

3. Details of Subject Councillor

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

First name	Last name	Council name

4. Summary of complaint

Brief Summary of the Complaint
Please provide a brief summary of the nature of your Complaint.

5. Details of complaint

Please explain what the councillor has done that you believe breaches the relevant Code of Conduct and how you have evidenced the allegation.

It is important that you provide all the information you wish to have taken into account. For example:

- You should identify what made you think the councillor was acting in official capacity (i.e. was acting as a councillor rather than as a private individual).
- 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 must specify which sections of the relevant Code of Conduct you consider have been breached.
- 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 including documents and correspondence if relevant to the complaint.

Please complete the below table. If your complaint consists of more than one allegation, or if you allege that the Subject Councillor has breached more than one paragraph of the relevant Code of Conduct, please ensure you provide all of the required information for each part to your complaint.

<p>The Allegation</p> <p>Please provide a detailed description of the allegation, explaining the relevant circumstances, and dates.</p> <p>Example: The Subject Councillor swore at me in a public Council meeting on 2 April 2023 when I raised a question about an item on the agenda.</p>	
<p>Section of the Code</p> <p>You must link each allegation to a specific section of the code of conduct.</p> <p>Example: The Councillor breached paragraph 5.1.1 of the East Devon District Council Code of Conduct by failing to treat me with respect.</p>	
<p>Evidence</p> <p>Please list all the evidence that you</p>	

<p>are providing in support of each allegation and attach it to your complaint.</p> <p>Example: Attach the minutes of the relevant Council meeting and a copy of the recording in which it can be seen that the Councillor swore at me.</p>	
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6. Remedy

The complaint process (link at the beginning of the form) details the sanctions available if a breach is found. The sanctions available are governed by the Localism Act 2011. For a brief summary of the sanctions available, please see Appendix E of the procedure.

The overriding objective of the complaints process is to seek to provide pragmatic local solutions to local problems wherever possible.

In the circumstances, after considering the procedure and the possible sanctions available, please indicate what action / outcome you are looking for or hoping to achieve in pursuing this complaint.

<p>Details of remedy / outcome sought.</p> <p>Please tick the box if you are willing to accept an apology from the councillor(s) who you are complaining about. <input type="checkbox"/></p>
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Only complete Section 7 if you are seeking for your identity to be kept confidential from the subject member.

7. Confidentiality

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 they have a right to be provided with a summary or copy of the complaint. We are unlikely to withhold your identity or the details of your complaint unless the Monitoring Officer considers as follows:

- You have reasonable grounds for believing that you or somebody closely connected to you, will be at risk of physical harm if your or their identity is disclosed; or
- You are reasonably concerned about the consequences to your employment or that of somebody closely connected to you, if your or their identity is disclosed; or
- That you or someone closely connected to you suffers from a medical condition and there is evidence of medical risks associated with you or their identity being disclosed and confirmation from a medical professional is provided confirming that this is the case.

We will also take into account whether the specifics of your complaint will disclose who has made the complaint even without confirming your identity. The Monitoring Officer will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will allow you the option of withdrawing your complaint.

However, it is important to understand that in certain very exceptional circumstances where the matter complained about is very serious, we may proceed with an investigation or other action and disclose your name even if you have expressly asked us not to. We will contact you where this situation arises to discuss the matter first.

Details of why we should withhold your name and/or the details of your complaint:

8. Please sign and date this form

Signed: _____

Date: _____

When you have completed this form, please return it to:

The Monitoring Officer
East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Email: monitoringofficer@eastdevon.gov.uk

Data Protection

Any personal information which you provide will be held and used by East Devon District Council for the purpose of processing your complaint that a councillor has breached their Code of Conduct. Your information will be shared with anyone necessary in accordance with the Council's complaint procedure ([attach link](#)) including the Subject Councillor (unless we have accepted that your complaint will be anonymised in accordance with section 7 above), and the Council's appointed Independent Person. Your information may also be shared within East Devon District Council for the purposes of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection [or investigation](#) purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed here ([attach link](#)).