

APPENDIX B

COMPLAINT FORM - Councillors' Code of Conduct

To be used if you wish to make an allegation that a Councillor of Portsmouth City Council has failed to comply with the Councillors' Code of Conduct.

1. Your details

Please provide us with your name and contact details

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

Your address and contact details will not usually be released unless necessary to deal with your complaint. The following people will be advised that you have made a complaint:

- The Member(s) you are complaining about
- The City Solicitor to Portsmouth City Council (City Solicitor)

We will:

- tell them your name
- provide them with a summary of your complaint(s)
- provide full details of your complaint where necessary or appropriate

If you do not wish details of your name and your complaint to be released, please complete section 6 of this form.

2. Please tell us which best describes you:

- Member of the public
- An elected or co-opted Member of Portsmouth City Council
- A Member of the Governance and Audit and Standards Committee
- Member of Parliament
- Portsmouth City council monitoring officer
- Council officer of Portsmouth City Council/service employee
- Other

3. Making your complaint

Once you have submitted your complaint, it will be considered by the Governance and Audit and Standards Assessment Sub-Committee. This consists of three Councillors (normally from different political groups represented on the Council) and an Independent Person. None of the Councillors will have any previous involvement in the substance of your complaint.

On the basis of your written submission and any additional relevant material that the City Solicitor may produce, the Sub-Committee will assess whether your allegation is likely to amount to a failure to comply with the Councillors' Code of Conduct. If it is considered necessary to do so, the Sub-Committee has a range of options available to it. This can include referral for a full investigation by the City Solicitor, mediation or no further action (if it is considered that any failure to comply with the Code of Conduct is of a trivial nature).

The Sub-Committee will meet to consider and determine the matter as soon as reasonably possible. If the Sub-Committee decides that no further action is required in respect of your complaint, you may, within 30 days of the meeting, ask for that decision to be reviewed. This review will be undertaken by the Governance and Audit and Standards Review Sub-Committee which consists of three different Councillors from those who originally considered your complaint. The Review Sub-Committee will have the same range of options available to it as the Assessment Sub-Committee. The Review Sub-Committee will have up to three months to consider and determine the review of your allegations and how they should be dealt with.

If either the Governance and Audit and Standards Assessment or Review Sub-Committee decide that an investigation is required into your complaint, the City Solicitor or someone appointed by him will be instructed to undertake it. You will be given further information at that time should an investigation be necessary.

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

Title	First Name	Last Name

5. Please explain in this section (or on separate sheets) what the Member has done that you believe breached 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 breached the Code of Conduct.

A copy of the Portsmouth City Council Code of Conduct for Councillors can be found at the following Web address:

http://www.portsmouth.gov.uk/media/Constitution_P4.pdf

Alternatively, a paper copy can be supplied on request by contacting:

The City Solicitor to Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL

- 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.

Please provide us with the details of your complaint and the desired outcome from this complaints process. Continue on a separate sheet if there is not enough space on this form.

Signature.....

Date.....

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

In the interests of fairness and natural justice, we believe Members 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 of the complaint. We are unlikely to withhold your identity or details of your complaint unless you have good reason to justify that Portsmouth City Council do so.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The City Solicitor 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 usually allow you the option of withdrawing your complaint.

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

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

7. Additional Help

Complaints must be submitted in writing. This includes 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.

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

This complaint should be submitted to the City Solicitor by email to:
michael.lawther@portsmouthcc.gov.uk

Alternatively, by post to: The City Solicitor to Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth, PO1 2AL