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Complaints Form for Complaints Against Councillors in Copeland

Please read carefully before submitting your complaint. Your complaint could be rejected if it fails to meet the criteria.

What kind of complaint can be made about a Councillor?

Anyone can make a complaint about a councillor, if they believe the councillor has broken their Code of Conduct whilst acting (or appearing to act) as a representative of their council.

Typical code of conduct complaints could include:

- Failing to treat others with respect.
- Bullying.
- Intimidating a complainant or witness.
- Compromising the impartiality of officers.
- Bringing their council, or the office of councillor or executive member, into disrepute.
- Disclosing information given in confidence/confidential information unless:
 - They have consent to do so; or
 - Are required to do so by law; or
 - The disclosure is necessary to obtain professional advice, or
 - Disclosure is deemed reasonable, in the public interest, in good faith, or in compliance with reasonable requirements of the authority.
- Using their position improperly to obtain advantage or disadvantage for anyone.
- Using council resources for political purposes.
- Preventing anyone from accessing information they have a legal right to.
- Failing to register financial or other interests.
- Failing to reveal a pecuniary interest at a meeting.
- Failing to register gifts or hospitality (worth more than £50), received in their role as a councillor.

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If none of the above applies to your complaint, it is probably not something we can deal with.

In these cases, it's possible other organisations may be able to support you, such as the Citizens Advice Bureau or the Law Centre.

Who can be complained about?

Complaints can be about councillors and co-opted members of all the authorities we cover. This being Members of Copeland Borough Council or any Town and Parish Council within the Borough. A co-opted member is a voting member of an authority, or one of its committees, who was appointed for their skills and experience rather than being elected.

Under this Code of Conduct complaints process, we can only consider complaints about individual councillors or members. We do not address complaints about councils as a whole. Parish and town councils can adopt Copeland Borough Council's code of conduct or develop their own code. Copies of these are available from the relevant councils or their websites.

What form should complaints take?

Complaints should be made on the form below (with extra sheets or documents if necessary) They can be sent/delivered to us or emailed.

What we cannot investigate

There are some complaints that we cannot investigate under this process, including:

- Complaints where a member is not named.
- Incidents or actions that are not covered by the Code of Conduct.
- Complaints about the actions (or inactions) of the council as a whole.
- Complaints about people employed by local authorities.
- Incidents that happened before a member was elected.
- Complaints about the way in which the authority conducts and records its meetings.
- Repeated or vexatious complaints.

Processing and investigating a complaint

A separate guidance note on procedure is available here:

[code of conduct procedure.pdf \(copeland.gov.uk\)](https://www.copeland.gov.uk/code-of-conduct-procedure.pdf)



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Remember:

- We can only consider complaints about individual councillors or members, not the authority as a whole, or authority employees (there is a separate complaints process for this).
[compliments and complaints pol.pdf \(copeland.gov.uk\)](#)
- We can only investigate matters where you believe a member has breached their authority's Code of Conduct.
- We will need as much information as possible to decide whether your complaint should be investigated. We may decide not to proceed if there is insufficient evidence. This will depend on the seriousness of the matter.
- We can't consider large amounts of background information that only indirectly relates to your complaint. Please tell us the facts that you know, rather than hearsay and supposition.
- If your complaint is referred for investigation, you will have a further opportunity to provide information or documents you consider relevant.



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Copeland Borough Council complaints form

This form is for complaints about individual councillors in all councils in the borough.

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:	
*Sign:	
Date:	

***Mandatory fields - your complaint will not be processed without these having been completed**

Your address and contact details will not usually be released unless we need to do so in order to deal with your complaint. **If you have serious concerns about your name or details of your complaint being released, complete section 5 of this form.**

Once a decision has been made regarding your complaint, you will receive it in writing.



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Making your complaint against an elected member

2. If you are making a complaint against an elected member, it should be about the behaviour of that member, and why you think they have broken a part of the authority's Code of Conduct. Please clearly state the section you believe has been breached.

A copy of the Code of Conduct is available from our website [code of conduct 2.pdf \(copeland.gov.uk\)](#) or the Monitoring Officer.

Once we have received your complaint, we will send you an acknowledgement. We will then ask the councillor for an initial response.

If we need more information from you, we'll contact you, and we will keep you updated as to the progress of the complaint.

3. Tell us the name of the councillor you believe has breached the Code of Conduct, and the name of their authority:

Title	First Name	Last Name	Council or Authority name

Have you complained about this member previously?

Yes/No (**delete as applicable**)

Have there been any attempts to resolve the issue? Have you asked for an apology, or given the councillor the chance to correct an error? If not, please tell us why.



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4. Please explain what the councillor has done, why you believe it breaches the Code of Conduct, and which part of the code it breaches.

It is important to provide all the evidence you wish to have taken into account. This helps us decide whether to take action.

For example:

- You should be specific, wherever possible, about what you are alleging the councillor said or did. For instance, instead of writing that the councillor insulted you, you should state what was said, when, in what circumstances and why you found this insulting. We appreciate that not all conversations can be quoted verbatim, but it is important you are as accurate as possible.
- 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 and indicate whether you found the councillors actions distressing or offensive, and whether there were any consequences of the alleged behaviour.

Please provide the details of your complaint. Continue on a separate sheet if necessary, and include any supporting documents in the appendix



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Complaint sheet continued...



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

5. 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 a summary of the complaint.

We are unlikely to withhold your identity, or the details of your complaint, unless you have good reason.

Requests for confidentiality, or for the suppression of complaint details, will not automatically be granted. Your request will be considered 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, in certain exceptional circumstances, where the matter complained about is very serious, we can proceed with an investigation or other action even if you withdraw your complaint. We will not then disclose your name or address.

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

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Additional Help

6. Complaints must be submitted in writing (including electronically). However, in line with the Equality Act 2010, we can help if you have a disability that prevents you from making your complaint in writing.

If you need any support in completing this form, let us know as soon as possible. Once completed, return the form to:

The Monitoring Officer
The Market Hall
Market Place
Whitehaven
Cumbria
CA28 7JG

Email: codeofconductcomplaints@copeland.gov.uk

Data Protection

7. Copeland Borough Council takes your privacy seriously and your data will be used to provide you with the services you request. It will be processed in accordance with the General Data Protection Regulations and prevailing UK data protection legislation. You have rights in relation to your data. If you want to exercise any of these rights, you can do so by contacting:

Governance and Data Protection Officer
The Market Hall,
Market Place,
Whitehaven,
Cumbria,
CA28 7JG

Tel: 01946 598300

Email: foi@copeland.gov.uk

For further information, please see the Copeland Borough Council Privacy Notice at

https://www.copeland.gov.uk/sites/default/files/attachments/privacy_statement.pdf

If you are dissatisfied with the way we have processed your data, you can contact the Information Commissioner's Office at www.ico.org.uk