



Basingstoke
and Deane

Guidance Notes

Basingstoke and Deane Borough Council Code of Conduct for Councillors

Introduction

The Borough Council, Parish and Town Councils are required by law to adopt a Code of Conduct for Councillors. They are also required to have in place "Arrangements" for dealing with allegations that Councillors had failed to comply with the Code of Conduct and also to investigate and determine those allegations. All complaints must be made in writing to the Monitoring Officer.

What this means to you

If you want to submit a written complaint about the conduct of an Elected or Co-opted Member of Basingstoke and Deane Borough Council or a Councillor of any of the Town or Parish Councils in the Borough of Basingstoke and Deane, you need to complete the necessary Complaint Form and provide relevant evidence to substantiate your allegation(s). The form is available from the Monitoring Officer. You can also complete the form online at <https://www.basingstoke.gov.uk/councillor-complaint>

Please complete one Complaint Form per Councillor

Are you using the correct form?

The points listed below will help you decide whether this is the correct form to use when making your complaint. You should speak to the Monitoring Officer if you are not clear if your complaint can be considered.

Your complaint must be about conduct that occurred while the Councillor(s) complained about were in office. Conduct of an individual before they were elected, co-opted or appointed to the authority, or after they have resigned or otherwise ceased to be a Councillor, cannot be considered.

The conduct also has to have occurred when the Councillor was acting in his or her capacity as a Councillor or would have given the impression to a reasonable member of the public with knowledge of all the facts that he or she was acting as a Councillor. Complaints about things that a Councillor has done in a purely personal capacity are not covered by the Code of Conduct.

If you are unsure about any aspect of the process, please contact the Monitoring Officer before submitting any complaint(s).

What you should do if you wish to submit a written complaint

- Talk to / raise the matter with the Council's Monitoring Officer for general advice, if necessary.
- Fully complete the Complaints Form
- Submit the Complaint Form by post or e-mail to the address below. You can also complete the form online at www.basingstoke.gov.uk/councillor-complaint

Use of address and contact details

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

However, we will tell the following people that you have made this complaint:

- The Councillor(s) you are complaining about
- The Parish or Town Clerk (if applicable)
- Independent Person(s)

We will tell them your name and give them a copy of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it.

Please be advised that decisions in relation to complaints will be made available on the Council's website, although unless there is a finding that the Councillor has failed to comply with the Code of Conduct no identifying information will be published.

How should I set out my complaint?

It is very important that you set your complaint out fully and clearly and provide all the information at the outset. You should also provide any documents or other material that you wish to be considered, where possible.

We recommend that you use our complaint form (and continue on separate sheets if necessary). In the summary you should tell us exactly what each person you are complaining about said or did that has caused you to complain. If you are sending supporting documentation, please cross-reference it against the summary of your complaint. You do have to demonstrate that you have reasonable grounds for believing that the Councillor(s) complained about has breached the Code of Conduct.

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 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

Additional Help

Complaints must be submitted in writing.

Email: Monitoring.officer@basingstoke.gov.uk.

However, in line with the requirements of the Equality Act 2010, 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 the Monitoring Officer know as soon as possible.

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

- Basingstoke and Deane Borough Council
- Ashford Hill with Headley Parish Council
- Ashmansworth Parish Council
- Baughurst Parish Council
- Bramley Parish Council
- Burghclere Parish Council
- Candovers Parish Council
- Chineham Parish Council
- Cliddesden Parish Council
- Dummer Parish Council
- East Woodhay Parish Council
- Ecchinswell, Sydmonton and Bishops Green Parish Council
- Ellisfield Parish Council
- Hannington Parish Council
- Hartley Wespall Parish Council
- Herriard Parish Council
- Highclere Parish Council
- Hurstbourne Priors Parish Council
- Kingsclere Parish Council
- Laverstoke and Freefolk Parish Council

- Mapledurwell and Up Nately Parish Council
- Monk Sherborne Parish Council
- Mortimer West End Parish Council
- Newnham Parish Council
- Newtown Parish Council
- North Waltham Parish Council
- Oakley and Deane Parish Council
- Old Basing and Lychpit Parish Council
- Overton Parish Council
- Pamber Parish Council
- Preston Candover and Nutley Parish Council
- Rooksdown Parish Council
- Sherborne St John Parish Council
- Sheffield on Loddon Parish Council
- Sheffield Park Parish Council
- Silchester Parish Council
- St Mary Bourne Parish Council
- Steventon Parish Council
- Stratfield Saye Parish Council
- Tadley Town Council
- Upton Grey Parish Council
- Whitchurch Town Council
- Wootton St Lawrence with Ramsdell Parish Council

Complaints about dissatisfaction with a decision or action of the authority or committee, a service provided by the authority or the authority's procedures do not fall within the jurisdiction of the Monitoring Officer. Complaints about the actions of people employed by the authority also do not fall within the jurisdiction of the Monitoring Officer.

Address for submission of a written complaint:

Monitoring Officer
 Basingstoke and Deane Borough Council Civic Offices
 London Road
 Basingstoke
 Hampshire
 RG21 4AH

Telephone: 01256 845475

Email: Monitoring.officer@basingstoke.gov.uk