



MANCHESTER
CITY COUNCIL

Member Complaint Form

When to use this form

This form should only be used for complaints that relate to a breach of the Council's Code of Conduct for Members ('the Code').

A Member can only breach the Code while acting in their official capacity as a Member of the Council.

The Code can be found in the Council's constitution and can be viewed by following this link:
www.manchester.gov.uk/memberscode

Your complaint must be in writing and must specify which provision of the Code you believe the Member(s) may have failed to comply with (see paragraph 4 of this form).

Your complaint will be dealt with in accordance with the Council's Arrangements for dealing with Complaints against Councillors and co-opted Members* and members of Ringway Parish Council ('the Arrangements'). The Arrangements outline the possible action(s) that can be taken in the event that it is found that a Member has failed to comply with the Code.

You can view the Arrangements by following the link below:
www.manchester.gov.uk/memberscode

* A co-opted Member is a voting member of the Council, or one of its committees, who was appointed to their position rather than elected

Member Complaint Form

1. Your details

Title: _____ First name(s): _____

Surname: _____

Address: _____

Postcode: _____

Daytime telephone: _____ Mobile telephone: _____

Email address: _____

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

We will tell the following people that you have made this complaint, and will tell them your name and give them details of your complaint.

- the Member(s) you are complaining about
- the Council's Monitoring Officer
- the parish or town clerk (if applicable)
- the Council's Independent Person (see below).

The Council's Independent Person is a person appointed by the Council following an open recruitment process; this Person's views will be taken into consideration by the Council's Monitoring Officer when dealing with your complaint. The Council's Independent Person cannot be a current or recent Member or officer of the Council, or a relative or close friend of a current or recent Member or officer.

If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section 5 of this form.

2. Which best describes you?

- | | |
|--|---|
| <input type="checkbox"/> Member of the public | <input type="checkbox"/> The Council's Monitoring Officer |
| <input type="checkbox"/> Elected or co-opted Member of the Council | <input type="checkbox"/> Other Council employee |
| <input type="checkbox"/> Member of Parliament | <input type="checkbox"/> Other (please specify): _____ |

3. Details of your concerns

Please provide us with the name of the Member(s) you believe may have failed to comply with the Code.

| Title | First name(s) | Surname |
|-------|---------------|---------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

4. Please read the Code and indicate below which of its provisions you believe the Member(s) may have failed to comply with.

In order to comply with the Code, Members must not:

- Do anything that may knowingly cause the Council to breach the Equality Act 2010
- Bully or be abusive to any person
- Intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings in relation to an allegation that a Member has failed to comply with the Code
- Do anything that compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council
- Disclose information given to him or her in confidence by anyone, or information acquired by him or her that you believe, or the Member ought reasonably to be aware, is of a confidential nature except in circumstances set out in the Council's Arrangements for dealing with Complaints against Councillors ('the Arrangements')
- Prevent another person from gaining access to information to which that person is entitled to by law
- Conduct themselves in a manner that could reasonably be regarded as bringing their office or the Council into disrepute
- Use or attempt to use his or her position as a Member improperly to confer on or secure for himself or herself or any other person an advantage or disadvantage
- Fail when using or authorising the use by others of the resources of the Council to:
 - act in accordance with the Council's reasonable requirements; and
 - ensure that such resources are not used improperly for political purposes (including party-political purposes)
- Fail to have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986
- Fail to have regard to relevant advice, when reaching decisions on any matter, provided by:
 - (a) the Council's Chief Finance Officer; or
 - (b) the Council's Monitoring Officer, where that officer is acting pursuant to his or her personal statutory duties
- Fail to give reasons for all decisions in accordance with any statutory requirements or the reasonable additional requirements imposed by the Council.

Alternatively, please indicate if your complaint is in relation to a Member's failure to comply with the Code in relation to interests. Further information on Members' interests is set out in the Code.

6. Confidentiality

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

In the interests of fairness and natural justice, the Council believes that Members who are subject to complaints have a right to know who has made the complaint. The Council also believes that the Members who are subject to a complaint have a right to be provided with a summary of the complaint.

If you wish to have your identity withheld, please state this below providing full reasons why you believe your request is justified.

Please note that requests for confidentiality or requests for suppression of any details you provide will not automatically be granted. The Monitoring Officer will consider your request alongside the substance of your complaint. We will then contact you with a decision. If your request for confidentiality is not granted, you will usually be given the opportunity to decide not to proceed with your complaint. Please refer to the Arrangements for further information regarding confidentiality.

Please provide us with details of why you believe we should withhold your name and/other details you have provided:

7. Informal resolution

Wherever possible the Monitoring Officer will seek to resolve the matter informally to the satisfaction of all those involved. What type of informal resolution (if any) would satisfy you?

- An apology from the Member
- Mediation or conciliation between you and the Member
- An explanation from the Member of the circumstances surrounding your complaint
- An agreement from the Member to attend relevant training or take part in a mentoring process
- Any other action capable of resolving the complaint.

Please specify:

8. Sanctions

Your complaint will be dealt with in accordance with the Arrangements. If, following an investigation, a Local Hearing is required and the Hearing Panel upholds your complaint, the possible action(s) the Panel can take are limited to those listed in the Appendix to this form.

9. Submitting your complaint

Complaints against Members must be made in writing using the details provided below or preferably by completing this online form. In accordance with the Council's duty under the Equality Act 2010 we can make reasonable adjustments to assist you if you have a disability that prevents you from completing this form or from making your complaint in writing.

The Council can also assist you if English is not your first language.

If you need help or support completing this form or submitting your complaint in writing, please contact the Council on 0161 234 5378 or 0161 234 3336.

Please send this completed form together with any supporting documents to the Monitoring Officer at: demserv@manchester.gov.uk

Alternatively, please send this completed form and supporting documents by post to:

The Monitoring Officer
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

Please mark all correspondence sent to the Monitoring Officer as **private and confidential**.

10. What happens next?

Receipt of your complaint will be acknowledged within ten working days.

The Monitoring Officer will then carry out an initial assessment of your complaint in accordance with the Arrangements and decide what further action to take. You will be informed of the Monitoring Officer's decision.

Appendix

List of sanctions available to the Council:

- Publication of its findings in respect of the Member's conduct
- Report of its findings to the Council (or to Ringway Parish Council) for information
- Recommendation to the Council that the Member be censured
- Recommendation to the Member's Group Leader (or in the case of ungrouped members recommendation to the Council) that he/she be removed from any or all committees or subcommittees of the Council
- Recommendation to the Leader of the Council that the Member be removed from the Executive, or removed from their portfolio responsibilities
- Instruction to the Monitoring Officer (or recommendation to Ringway Parish Council) to arrange training for the Member
- Recommendation to the Council (or recommendation to Ringway Parish Council) that the Member be removed from all outside appointments to which they have been appointed or nominated by the Council (or by Ringway Parish Council)
- Withdrawal of (or recommendation to Ringway Parish Council that it withdraws) facilities provided for the Member by the Council, such as a computer, website and/or email and internet access
- Restrictions on the Member's access to staff, buildings or parts of buildings that may be reasonable in the circumstances.

Please note that the Hearing Panel has no power to suspend or disqualify the Member.

Equality Monitoring Questionnaire

This Equality Monitoring form will be separated from your complaint upon receipt. It will only be used for equality monitoring purposes and will not be given to the Member(s) complained of, the Monitoring Officer, the Parish or Town Clerk (if applicable), or the Independent Person.

Why do we need this information?

The Council wishes to ensure that anyone who has a complaint about a Member of the Council is able to access its complaints procedure regardless of sex, gender reassignment, race, ethnicity or nationality, age, sexual orientation, religion/belief, or disability.

To help us understand who is making complaints and analyse if there are any trends in the source of complaints, we would be grateful if you could take a moment to answer the questions set out below.

We would like to assure you that completion of the questions is entirely voluntary and you may choose to answer some, all, or none of the questions. The Council will not be able to identify you from this form, and all information will be treated confidentially and will not affect the consideration of your complaint.

Please tick/complete as appropriate:

1. Gender (If you are undergoing gender reassignment, please use the gender you identify with.)

- Male Female Prefer not to say

2. Do you identify with the gender you were assigned at birth? (eg. male or female)

- Yes No Prefer not to say

3. Ethnic group. How would you describe your nationality and/or ethnicity?

- | | | |
|--|---|--|
| <input type="checkbox"/> African | <input type="checkbox"/> Chinese and other | <input type="checkbox"/> White and Black African |
| <input type="checkbox"/> Asian or Asian British | <input type="checkbox"/> Indian | <input type="checkbox"/> White and Black Caribbean |
| <input type="checkbox"/> Bangladeshi | <input type="checkbox"/> Irish Caribbean | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Black or Black British | <input type="checkbox"/> Mixed Race | <input type="checkbox"/> Other Asian background |
| <input type="checkbox"/> British: English, Scottish or Welsh | <input type="checkbox"/> Pakistani | <input type="checkbox"/> Other Black background |
| <input type="checkbox"/> Chinese | <input type="checkbox"/> White | <input type="checkbox"/> Other Mixed background |
| <input type="checkbox"/> White and Asian | <input type="checkbox"/> Other White background | |
| <input type="checkbox"/> Other ethnic group (please specify) _____ | | |

4. Age. What is your age?

- _____ Prefer not to say

5. Sexual orientation. How would you describe your sexual orientation?

- | | | |
|---|------------------------------------|--|
| <input type="checkbox"/> Heterosexual | <input type="checkbox"/> Gay man | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Bisexual | <input type="checkbox"/> Gay woman | |
| <input type="checkbox"/> Other (please specify) _____ | | |

6. Religion or belief. How would you describe your religion or belief?

I have no particular religion or belief

Prefer not to say

7. Disability. Do you consider that you have a disability under the Equality Act?

The Equality Act 2010 defines a disability as a 'physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'. An effect is long-term if it has lasted, or is likely to last, more than 12 months.

Yes

No

Prefer not to say

8. Pregnancy. Are you pregnant?

Yes

No

Prefer not to say