



# Kingshurst Parish Council

## COMPLAINTS

### Complain about a Councillor

If you believe that an individual Councillor (Borough, Town or Parish) or Co-opted Member\* has breached their [Code of Conduct](#), you can make a complaint to our Monitoring Officer.

*\*A Co-opted Member is a voting Member of the authority or one of its committees who was appointed to their position rather than elected.*

#### Complain online

**It is essential that you give evidence to support your complaint; otherwise the Monitoring Officer will not be able to decide if what you say should be investigated.**

You can supply copies of correspondence, documents, names and details of witnesses and any other evidence that is relevant to your complaint. Please avoid sending us large amounts of background information that only relate indirectly to your complaint.

**We need detailed information from you - the more the better.**

Completing an [online](#) complaints form with your evidence:

<https://eservices.solihull.gov.uk/SMBCWebForms/?Form=Councillor-Complaints>

To download and print off a hard copy to complete:

[https://www.solihull.gov.uk/sites/default/files/migrated/Complaints\\_Complaint\\_Form.pdf](https://www.solihull.gov.uk/sites/default/files/migrated/Complaints_Complaint_Form.pdf)

You should send evidence by email to [dmerry@solihull.gov.uk](mailto:dmerry@solihull.gov.uk) or via post to:

The Monitoring Officer, Deborah Merry  
Council House  
Manor Square  
Solihull

West Midlands  
B91 2QB

## Complaints we cannot consider

The Monitoring Officer cannot consider:

- Complaints where a member is not named
- Complaints that are not in writing
- Incidents or actions not covered by the Code of Conduct
- Complaints about incidents which occurred before a member was elected
- Complaints about how SMBC council or a council employee has acted - you should make a complaint about council services <https://www.solihull.gov.uk/Tell-us/Comment-complain-or-compliment-our-services>
- Complaints about how town or parish council has acted (you should contact the Parish Council)

## Confidentiality

We are unlikely to be able to keep your identity confidential from the person you are complaining about. If you think there are good reasons why they should not be informed, please discuss this with the Monitoring Officer.

## What happens next

Your complaint will be processed in accordance with the Council's Code of Conduct Complaint Procedure found on the SMBC website.

We will consider your complaint in consultation with the member's political group leader (if they belong to a political group).

We must consult an Independent Person if we decide to investigate an allegation that the Code of Conduct has been breached. The member who is under investigation may also consult an Independent Person.

You will be advised of the outcome of the complaint and if any action is to be taken.

A complaint will only be referred for investigation if the following criteria are met:

- It is serious enough, if proven, to justify the costs of an investigation or;
- It is part of a continuing pattern of less serious misconduct that is unreasonably disrupting the business of the Council and there is no other avenue left to deal with it; and
- The conduct complained of occurred within 6 months of the date the complaint was received.

Complaints will not normally be referred for investigation where they fall within one or more of the following categories:

- The Monitoring Officer believes it to be malicious, relatively minor, or tit-for-tat
- The same, or substantially similar, complaint has already been the subject of an investigation or inquiry and there is nothing further to be gained
- The complaint concerns acts carried out in the subject member's private life, when they are not carrying out the work of the authority or have not misused their position as a councillor
- It appears that the complaint is about dissatisfaction with a Council decision
- There is not enough information currently available to justify a decision to refer the matter for investigation
- Where informal resolution has been achieved

### **Complaints about the Monitoring Officer**

If you are unhappy about the standard of service provided by the Monitoring Officer, their behaviour, action or lack of action, you can make a complaint to the council. This does not apply to dissatisfaction or disagreement with their findings or decisions.