# Making a complaint about Councillors and Board Members to the Ethical Standards Commissioner

A person holding a piece of paper


A hand holding a magnifying glass




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* call 0300 011 0550
* email: [info@ethicalstandards.org.uk](mailto:info@ethicalstandards.org.uk)
* or do it online at: [www.ethicalstandards.org.uk/contact-us](http://www.ethicalstandards.org.uk/contact-us)

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## What does the Ethical Standards Commissioner do?

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| a list | This document is about **how to complain about Councillors and Board Members**. If you would like to read about all the work that we do click here:  <https://www.ethicalstandards.org.uk/publication/esc-purpose-values-and-strategic-objectives-2024-2028-easy-read> |
| a rule book and a set of scales | **Ethical standards** are the rules about what is right and wrong.  **Ethical standards** help us know how to behave in a good way.  It means for example treating people the way you would like to be treated. |
| a set of scales | The Ethical Standards Commissioner was set up as part of a law called the Ethical Standards in Public Life (Scotland) Act 2000. |
| a rule book | This law says that people who work in **public services** must follow certain rules. |
| a hospitalthe scottish parliament building | **Public services** are services we all use like the Scottish Government, schools, hospitals and councils. |
| a code of conduct booka classroom | The law says that these people must follow a **Code of Conduct**.  A **Code of Conduct** is a set of rules that say how people should behave when they are doing their job. |
| a person holding a magnifying glass | The Ethical Standards Commissioner can check **complaints** about some people who work in public services.  A **complaint** is when a person says or writes that they are not happy about something. |
| a boardroom | This document is about **Councillors** and **Board Members**. |
| A **councillor** is a person who is elected to the local council to represent their own local community. |
| a boardroom and a lady standing holding documents | A **Board** and its **members** look at the work an organisation is doing and check it is working well and following the rules. |
| a government chamber | **Public bodies** are organisations that work for the Government and give us public services**.** Examples of this include health services and national parks. |
| a person making a complaint | If Councillors and Board Members do not follow their rules then you can make a complaint about them. |

## What can you complain about?

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| A rulebook with a red cross through it | We check complaints where you feel that a Councillor or Board Member has not followed their Code of Conduct. |
| a laptop | Some things we might check are whether a councillor or board member: |
| * Has posted something rude on social media |
| a meeting calendar and a megaphone | * Has not told at a meeting that what is being debated or voted on might **benefit** them or someone they know due to **connections** they have   A **connection** can include:   * being a member of a club that is asking for money from the council * knowing a person who has made a planning application   A **benefit** is something that is helpful or good for you |
| a laptop with a register of interest screen | * Has not **registered an** **interest**.   **Shares** are part of a company that belong to someone.  **Registering an interest** is a way of telling information so anyone can check.  An **interest** is something that might impact how a councillor or board member does their job. This might include:   * another job * owning a business * **shares** in a company |
| The standards commission for scotland logo | The Councillors Code of Conduct can be found at the bottom of this webpage:  <https://www.standardscommissionscotland.org.uk/codes-of-conduct/councillors-code-of-conduct> |
| a laptop with The standards commission for scotland logo | The Model Code of Conduct for Members can be found at the bottom of this webpage:  <https://www.standardscommissionscotland.org.uk/codes-of-conduct/members-model-code-of-conduct>  Each public body has to use this model code to make their own Code of Conduct. |
| a laptop | You can find these codes on the website of each public body. |

## What can’t you complain about?

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| A person with his hand on his chin and thumbs up and thumbs down | We can only check complaints about Councillors and Board Members if it is about the work that they do. |
| a group of public buildings with a red line through them | We cannot check complaints about things like:   * NHS waiting times * Problems with council housing * Concerns about the services Councils deliver such as school education or bin collections. * How anyone else who works at a public body or council, like a doctor or a housing officer, has behaved * A decision made by the council, like raising council tax, or deciding how the budget will be spent in a particular service. * A decision made by the public body, like whether an NHS board decides to perform a surgery. |
| a person taking notes with a red cross | We cannot check complaints about how a council or public body is run. |
| We cannot check complaints about people who work for a council or public body. |
| a rule book and a set of scales | This is because the law says that we cannot. |
|  | You can check how to complain about these things on the Scottish Public Service Ombudsman’s website:  <https://www.spso.org.uk/how-to-complain-about-public-service> |
| two people talking | If we cannot help you then we will tell you who might be able to help. |

## How do I make a complaint?

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| a rule book and a set of scales | The law says that complaints must have certain information before we can check it. |
| a laptop with the ethical standards commissioner logoa list of the people you can complaint to the ESC about.  ESC means ethical standards commissioner | Because of this it is helpful if your complaint is sent using our **complaints form**.  A **complaints form** is a document where you put all the information about your complaint for us to check. |
| The complaints form can be found on our website:  <https://www.ethicalstandards.org.uk/make-complaint> |
| the page on the ethical standards commissioner website where you make an account |  |
| Before you fill out the complaints form you will need to make an account on our website.  It will look like this image. |
| A computer and phone with a email on the screen | If you are not able to fill out the form online there are others way to give us your complaint. |
| a red letter box | You can get a copy of the complaint form to fill out and post it to us:  <https://www.ethicalstandards.org.uk/publication/complaint-form>  Our address is:  Ethical Standards Commissioner Thistle House 91 Haymarket Terrace Edinburgh EH12 5HE |
|  |  |
| a telephone | If you would like to give us your complaint another way you can phone us to talk about how to do this.  Our telephone number is:  0131 347 3890. |

## How to complete the complaints form and information you need to give us

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| a laptop with the ethical standards commissioner logo | The complaints form will tell you what you need to give us. |
| a telephone and a book with the words name and address written on | It will ask for information including:   * The name of the councillor or board member you are complaining about |
| * Your **personal details**   **Personal details** is information about you. It includes:   * your name * your address * and your telephone number. |
|  | * If you are a **whistle-blower**   A **whistle-blower** is a worker who tells information about an organisation doing things that are against the law or not safe.  A whistle-blower believes that because of sharing this information they might be treated badly at work. |
| a list of people you can complain to the ethical standards commissioner about | The complaints form will ask you to tell us what you are complaining about. |
| a form with a green tick | It is helpful if you give as much information as possible. |
| a person comforting another person who is upset | The complaints form will ask you to tell the date when the **incident** happened.  An **incident** is something that has happened. It is usually not nice. |
| a calendar with the words 12 months written on it | Normally you should make a complaint  within 12 months of when the incident happened. |
| a confused person | The complaints form will ask if you have made any other complaints to other organisations about the incident. |
| a blank folder of documents | The complaints form will ask you to give us any other **supporting** **material** that will help show your complaint.  **Supporting material** isinformation you have that helps to show what happened. |
| a laptop | Some examples of supporting material include:   * A screenshot of a post on social media * A copy of an email you have received from a councillor or board member * A link to a video recording of a meeting |
| a confused person in front of a guidance book | If you are unsure whether you have given the right supporting material then do not worry. If we need anything else from you we will ask you for it. |
| a blank folder of documents with the number 1 and a red line through it | It is important that you do not give us the  **original** copies of any supporting material.  **Original** means the first of something. For example you should not give us the first copy of a document. You should make a copy and give us that. |
| a list | If you do not give us all of the supporting materials, after we have asked for them, we may not be able to look at your complaint. |
| a magnifying glass and a red question mark | This is because if we do not have all of the supporting material we will not be able to check whether the rules have been broken. |

**What happens next?**

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| a list | Your complaint is put in a queue. It will be looked at as soon as possible.  Our **queue** is a list of complaints in order of when we have received them. |
| A person with his hand on his chin and a thumbs up and thumbs down | First, your complaint will be **assessed**.  An **assessment** is a way of finding out whether something is covered by the Code of Conduct. |
| A hand holding a magnifying glass | If the incident could be covered by the Code of Conduct then your complaint will be **investigated**.  An **investigation** is a way of carefully checking everything about something that has happened.  Our investigations check all of the  information to find out if any rules have been broken. |
| an image of the ethical standards commissioner's investigations manual | We use our **Investigations Manual** to tell the rules about how we will investigate complaints.  Our **Investigations** **Manual** is a document that tells how we check complaints. |
| an image of the ethical standards commissioner's document | How the Ethical Standards Commissioner checks a complaint is told in another document: <https://www.ethicalstandards.org.uk/publication/how-we-check-complaints-about-councillors-and-board-members-easy-read> |