

F.A.O. LISA HASTINGS



**Complaint alleging a breach of the Members' Code of Conduct  
by a Tendring District Councillor or Town/Parish Council**

**COMPLAINTS FORM**

**YOUR DETAILS**

Name: WILLIAM HONES

Address: [REDACTED]

.....Post Code: [REDACTED]

Telephone (day): N/A..... Telephone (eve): N/A.....

E-mail address: [REDACTED]

**Please identify which complainant type best describes you:**

- A member of the public
- ~~An elected or co-opted member of an authority~~
- ~~A Standards Committee Independent Person~~
- ~~Member of Parliament~~
- ~~Local Authority Monitoring Officer~~
- ~~Other council officer or authority employee~~
- ~~Other (please specify): .....~~

**Confidentiality**

**A copy of your complaint (as set out in this form), together with your name and address will be provided to the Member that is the subject of your complaint. In exceptional cases, we may agree to withhold your name and address from the Member. If you want to keep your name and address confidential, please indicate this in the space provided below along with the reasons why you feel it is necessary for the name**



and address to be withheld. The Monitoring Officer will consider your request and if granted we will not disclose your name and address to the Member against whom you make the complaint, without your prior consent.

Please note that the Monitoring Officer is unlikely to withhold your identity or the details of your complaint unless you have a good reason to believe that not to do so would impede the Council's ability to deal with your complaint or would have personal safety or other serious implications for you or your family.

If you make a request for your name and address to be withheld, the Monitoring Officer will advise you of the decision on this before disclosing your details to the Member that is the subject of your complaint.

Please insert your reasons requesting your name and address to remain confidential in the box below:

The Council will not normally accept an anonymous complaint, unless it includes sufficient documentary evidence to show a significant breach of the Code of Conduct and there is a clear public interest in doing so.

As with all personal data provided to the Council, your personal data will be held in accordance with the Data Protection Act 1998.



**YOUR COMPLAINT**

Please state which Councillor(s) your complaint is about

Title	First name	Last name	Council name
MRS	LIS	BENNISON	TENDRING

Please indicate below which paragraph(s) of the Code of Conduct you believe have been breached. Please note that it is not possible to proceed without reference to Code:

**3. Rules of Conduct**

**3.1** As a Member of Tendring District Council you shall have regard to the Seven Principles of Public Life.

Leadership Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

**3.4 Conduct** You must: (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute,

.....  
.....

**Please explain below (or on separate sheets) what the Member has done that you believe breaches the Code of Conduct.**

If you are complaining about more than one Member 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 by the Monitoring Officer when they decide whether to take any action on your complaint. For example:



- o You should be specific, wherever possible; about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said and how that affected you.
- o 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.
- o You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- o You should provide any relevant background information including any evidence you hold which supports the complaint.

**On July 13<sup>th</sup>, 2017 Councillor Lis Bennison was found guilty of assault Southend Magistrates' Court.**

**She assaulted a member of the public at Clacton Airshow in 2016. At the time she was acting on behalf of Tendring District Council as a steward. She, along with all the UKIP Councillors acting as steward, was wearing her Councillor's Identity badge.**

**She has failed to show the quality of leadership expected of a Member by the poor conduct she exhibited when she assaulted the member of the public.**


**Any reasonable person would clearly believe she has brought both the office of Member and the Authority itself into disrepute.**

**The Code of Conduct applies in this case because:**

- (i) she was conducting the business of the Authority when she was acting as a steward at the Airshow and assaulted the member of the public**
- (ii) in wearing her Member's Identity badge at the time of the assault she was giving the impression she was acting in the role of Member**
- (iii) there has been a conviction for the criminal offence of assault**



Please continue on a separate sheet if there is not enough space on the form.

Signed:  ..... Dated : ...25/07/2017.....  
(To be signed by the person making the complaint)

### Additional Information

Further details can be found in the Code of Conduct Complaints Procedure, which is available on the Council's website or by emailing or telephoning the Council's Monitoring Officer (details below).

- If you wish to make a complaint, please complete the official complaints form and send or email it to:

The Monitoring Officer,  
Tendring District Council  
Corporate Services,  
Town Hall, Station Road  
Clacton-on-Sea  
Essex CO15 1SE

[standards@tendringdc.gov.uk](mailto:standards@tendringdc.gov.uk)

- Complaints must be submitted in writing. This includes fax and electronic submissions. 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 us know as soon as possible.

- Following receipt of your complaint, the Monitoring Officer will: -
  - a) Acknowledge receipt of your complaint within 5 working days of receiving it;
  - b) Notify, within 5 working days, the Member that is the subject of the complaint that you have made a complaint about them and provide them with the information set out on the complaint form; excluding any personal information but including your name and address, unless the Monitoring Officer has agreed to this being withheld;



- c) Keep you and the Member that is the subject of the complaint informed of the progress of your complaint.
- Your complaint will be given a reference number which will appear on complaint documentation.
  - The Monitoring Officer will review every complaint received and may consult with one of the Independent Persons before taking a decision as to whether it:
    - a) Merits no further action
    - b) Merits early informal conciliation
    - c) Should be referred for further investigation or to the Standards Committee with a recommendation.
  - The Monitoring Officer may require additional information in order to come to a decision, and may come back to you for such information. In the absence of a response from you within 15 working days the Monitoring Officer may close the complaint.
  - The Monitoring Officer may request information from the Member against whom your complaint is directed to help them to come to a decision. In the absence of the subject Member's response within 15 working days the Monitoring Officer may proceed with the complaint.
  - This decision as to how the complaint is to be progressed will normally be taken within 15 working days of receipt of your complaint. Your complaint will be considered in accordance with the Assessment Criteria (which are appended to the Complaints Procedure). Where the Monitoring Officer has taken a decision, you will be informed of the decision and the reasons for that decision (Where your complaint relates to a Town or Parish Councillor, the Monitoring Officer may also inform the Town or Parish Council of your complaint and seek the views of the Town or Parish Council before deciding whether the complaint merits formal investigation).
  - Further detail on what will happen if the Monitoring Officer decides that a complaint merits further investigation is contained in the Complaints Procedure.
  - Please note that the Monitoring Officer maintains openness and transparency with regards to their decision making and therefore, the final decision, may be disclosed.
  - There is no right of appeal for you as complainant or for the Member against a decision of the Monitoring Officer has the power to call in the Police or other regulatory agencies.



- If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman [www.lgo.org.uk/making-a-complaint](http://www.lgo.org.uk/making-a-complaint).

