

Complaint form



Complaint to the Council's monitoring officer alleging a breach of the Council's Code of Conduct by an elected or statutory co-opted member of the Council

When completed please send this and any supporting details to:

The Monitoring Officer, London Borough of Merton

Email: paul.evans@merton.gov.uk

Address: South London Legal Partnership, 67c St Helier Avenue, Morden, SM4 6HY.

Telephone: 0208 8545 3338

Section 1. Your details - Please provide your name and contact details

Title:	Ms
First name:	Mariette
Last name:	Akkermans
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

We will give a copy of your complaint to the member(s) you are complaining about but your address and contact details will not be released without your permission.

If you have serious concerns about your name and/or details of your complaint being released, please complete section 3.

Please tell us which complainant type best describes you:

- Member of the public **V**
- An elected or co-opted member of the London Borough of Merton
- An elected or co-opted member of another authority
- An officer of the London Borough of Merton
- Member of Parliament
- Other (.....)

Section 2. Making your complaint

Once you have submitted your complaint you will be contacted within 7 working days, explaining what will happen to your complaint and the anticipated timeframe within which it will be considered.

Please note that we can only deal with complaints about the alleged improper behaviour and Conduct of a Member which may constitute a breach of the Council's Code of Conduct for Members.

The Committee cannot deal with complaints about any of the Council's departments, services or matters not covered by the Council's Code of Conduct. Concerns regarding matters other than the conduct of a Member should be raised with the Council through the Council's established complaints procedure (details of which are available on the Council's website)

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Name of Member(s):

Stephen Alambritis

Please explain in this section (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 assessment sub-committee when it decides whether to take any action on your complaint. For example:

- 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.
- 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.

Section 3. Details of complaint

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

I believe that the actions taken by Councillor Stephen Alambritis during the current public consultation on future levels of Council Tax are a breach of the Code of Conduct for councillors. In my view Councillor Alambritis has failed to work constructively with partner agencies to secure better social outcomes for all and has failed to maintain public confidence in the Authority. I think his actions have been undemocratic, likely to cause unnecessary hardship to vulnerable residents of Merton and are evidence of his poor understanding of the appropriate use of resources.

In March of this year, the Labour Group refused to adopt an option to increase Council Tax by 2% a year to raise £1.7 million for adult social care. At the time, Councillor Alambritis was quoted as promising a public consultation to decide whether Merton residents would want to pay more Council Tax in coming years. That consultation was launched in September and closed on 4th November. My understanding, shared by many of my friends and acquaintances, as well as voluntary agencies active in the Borough was that this consultation would be a key factor in the decision making process about raising Council Tax to help meet the cost of adult social care (or offset some of the cuts made to services).

I now understand (from the local Guardian newspaper) that Councillor Alambritis, together with three other councillors - Imran Uddin, Jerome Neil and Dennis Pearce – has circulated a letter (during the consultation period) which contains the following statement: “We are therefore strongly minded not to increase your council tax for the next two years, especially whilst Brexit is being negotiated.” I am astonished that Councillor Alambritis feels he can make such a statement, at that time, i.e. whilst the formal consultation is still ongoing. It seems to suggest that Cllr Alambritis has the authority and power to make such decisions without waiting for the outcome of the consultation and without going through the normal council budget setting process.

I also understand that the letter includes a recommendation that residents vote against an increase in Council Tax, as well as another ‘questionnaire’ on Council Tax, described as consultation, with a Freepost envelope to return to the Consultation Team in Merton Council. If such a letter, with enclosures has indeed been sent out by Cllr Alambritis it seems highly likely that the recipients returning this questionnaire will have thought that they were taken part in the public consultation.

On the one hand Cllr Abramitis appears to suggest that he is minded to do what he wants to do regardless of the outcome of the consultation, but at the same time he organises another parallel consultation, on the same topic, encouraging residents to vote against an increase in council tax. It leaves me with the question whether the Council’s formal consultation has any value, and how that compares with the weight given to this second ‘consultation’.

An article in the *Wimbledon Guardian* suggests that Merton Council has advised that responses to the councillors’ letter will not be part of the formal consultation, votes will not be counted, and that all these responses will be sent on to the Labour Party.

If this is true, it leads me to yet another issue, i.e. who bears the cost of the private consultation exercise devised and organised by local councillors, led by Cllr Alambritis. The use of freepost envelopes would indicate to me that the Council is a party to this parallel exercise and is bearing the cost. If this is so I would question whether this is an appropriate use of council funds. I would suggest that, if this second consultation is a personal and/or party political exercise the letter and enclosures should have gone out on behalf of and be paid for by the party Cllr Alambritis represents.

So, to summarise:

Councillor Alambritis, who is also the Council Leader and therefore the most influential of the councillors involved in this mailing has:

- a) undermined the Council's consultation process by sending out correspondence which suggests he has already made up his mind about the level of council tax, regardless of the outcome of the consultation.
 - b) failed to work constructively with partner organisations (in this case especially agencies working with and on behalf of residents who rely on adult social care services) by making promises about a consultation which he then goes on to undermine.
 - c) failed to maintain public confidence in the authority through running a parallel consultation exercise and thus causing confusion about the council tax consultation process among local residents; the likely result is an increase in distrust in consultation, in elected councillors and in the council as a whole.
 - d) used council resources for party political or personal purposes
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Section 4. Request to withhold information

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

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless there are exceptional circumstances. Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The assessment sub-committee will consider the request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Section 5. Additional help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, 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 by telephoning 020 8545 3616.

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