

CALDECOTE PARISH COUNCIL

COMPLAINTS AGAINST A COUNCILLOR PROCEDURE

Complaints Procedure governing any breach of the Code of Conduct which takes effect from August 1st 2012.

a) General.

1. Any and all complaints are to be made in writing to the Parish Clerk
2. Upon receipt of a written complaint the Clerk will advise the complainant that the councillor(s) against whom the complaint(s) is made will be given 5 working days to offer a response and that response will be copied to the complainant within 24 hours of such receipt.
3. The complainant will be given 48 hours to consider the response after which time the Clerk will ask whether the complainant is satisfied or whether an additional letter of apology from the councillor(s) would resolve the matter or whether further action is required.
4. If the complainant remains dissatisfied then the Clerk shall inform the Parish Chairman (or Vice-Chair if the Chair is the subject of complaint) of such and the Chairman shall convene a meeting of the Standards Committee within 10 working days.
5. The Standards Committee shall comprise of a Chairman (not necessarily the Chair of the Council but one appointed to the role by the Council) ; two other Parish Councillors and two independent persons with an understanding of the Code (such persons might be PC's from neighbouring villages) who shall receive £50 each for their time/expenses.
6. The Standards Committee shall deliberate impartially and decide whether or not there is a case to answer. If "no case to answer" the complainant shall be so advised by the Clerk together with notice that they have a right to approach the District Council Monitoring Officer (Monitoring.Officer@scamb.gov.uk). If "a case to answer" then the Standards Committee shall decide upon one or other of the following sanctions:
 - A letter of apology or
 - A letter of apology plus additional training; or
 - Censure by the Parish Council

[Such will be advised by the Clerk to both the complainant (who will still have the right to seek the Monitoring Officer's opinion) and to the Councillor(s) who, having accepted the complaints procedure, is deemed to have accepted the sanction.]

b) Complaints pertaining to: "breach of Regulations (as laid down by Government and carrying criminal penalties)".

1. Part a) paragraphs 1. & 2. Apply
2. Upon receipt of the response the Clerk shall advise the Chairman (or Vice-Chairman) of the need to convene a meeting of the Standards Committee (composition as in a) 5.) within 10 working days, and at such time the Clerk will also send copies of the complaint and response to the Monitoring Officer (MO) explaining that: " .. the findings and recommendations of the (CPC) Standards Committee shall be advised to them (the MO)

for approval or correction or advice of “other action required” before either the complainant or councillor is notified .. “

3. The complainant and councillor shall only be notified of the outcome if approval is gained from the MO. If the MO recommends another course of action – if criminal proceedings, for example, are likely – then Caldecote Parish Council will take whatever action is advised.

Policy adopted at the Parish Council meeting on Thursday 26th July 2012.