

WHADDON PARISH COUNCIL

Complaints Procedure regarding any breach of the Code of Conduct for Members***

1. Any complaints are to be made in writing (either by letter or email) to the Parish Clerk.
2. a) Upon receipt the Clerk will acknowledge receipt of the written complaint within 48 hours
b) The Clerk will advise the complainant that the councillor(s) against whom the complaint(s) is made will be given 10 working days to offer a response.
c) The complainant will be given 5 working days to consider the response to the complaint. If the complainant is not satisfied with the response, the complainant should advise the Clerk in writing within these 5 working days.
3. If the complainant remains dissatisfied then the Clerk shall inform the Parish Chairman* of such and the Chairman* shall convene a meeting of the Standards Committee within 15 working days.
4. The Standards Committee shall comprise of a Chairman (not necessarily the Chair of the Council but one appointed to the role by the Council); one other Parish Councillor (who is not the subject of the complaint) and one independent person with an understanding of the Code of Conduct (e.g. such persons might be Parish Councillor's from neighbouring villages) who may receive up to £50 each for their time/expenses.
5. The Standards Committee shall deliberate impartially and decide whether or not there is a case to answer.
 - a) If The Standards Committee concludes that there is “a case to answer” then the Standards Committee shall decide upon one of the following sanctions:
 - A letter of apology or
 - A letter of apology plus additional training for the Councillor; or
 - Censure by the Parish CouncilSuch will be advised by the Clerk to both the complainant and to the councillor(s) who, having accepted the complaints procedure, is deemed to have accepted the sanction.
 - b) If the Standards Committee concludes that there is “no case to answer” the complainant shall be so advised by the Clerk
 - c) If the Complainant is not satisfied with the decision of the Standards Committee then they have a right to appeal the decision to the District Council Monitoring Officer**.
 - d) The District Council Monitoring Officer** will review the decision of the Standards Committee and the Clerk will advise the Complainant of the outcome of this review.

Complaints Procedure regarding a “breach of Regulations” (as laid down by Government) and carrying criminal penalties.

- a. 1. & 2 above apply
- b. Upon receipt of the response the Clerk shall advise the Chairman* of the need to convene a meeting of the Standards Committee (composition as in 5 above) within 15 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 Whaddon Parish Council Standards Committee shall be advised to them (the MO) for approval, correction or advice of “other action required” before either the Complainant or councillor is notified ...”
- c. 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 – e.g if criminal proceedings are likely – then Whaddon Parish Council will take whatever action is advised.

Whaddon Parish Council will endeavour to meet the timescales specified whenever possible. However there may occasionally be circumstances when this might not reasonably be achievable e.g. due to staff absences or the need for additional time to investigate facts or seek advice from third parties. In such instances all parties will be kept informed by the Clerk of the reasons for the delays and new timescales will be agreed.

This procedure was adopted at the Parish Council meeting of 11th March 2013.

* or the Vice-Chair, if the Chairman is unavailable or is the subject of the complaint

**The Monitoring Officer can be contacted as follows:

Monitoring Officer, South Cambridgeshire District Council, South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA. Tel: 03450 450 500. Email: Monitoring.Officer@scambs.gov.uk

***The Code of Conduct in use is the version adopted on 13th August 2012.