



COMPLAINTS PROCEDURE

St Margaret's at Cliffe Parish Council

This document outlines the procedure for making a complaint about a councillor's conduct and explains what issues can and cannot be investigated.

Table of Contents

1.	<i>Introduction</i>	2
2.	<i>Scope</i>	2
3.	<i>Not in Scope</i>	2
4.	<i>Before Submitting a Complaint</i>	2
5.	<i>Submitting a Complaint</i>	3
6.	<i>What Happens After You Complain</i>	3
7.	<i>Timescales for Complaint Handling</i>	3

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1. Introduction

The Parish Council is committed to maintaining high standards of conduct among its elected representatives. This policy outlines the procedure for making a complaint about a councillor's conduct and explains what issues can and cannot be investigated.

2. Scope

Complaints can be made if a councillor has breached the Council's **Code of Conduct**. This includes, but is not limited to:

- Bullying or intimidation.
- Undermining the impartiality of council employees.
- Disclosing confidential information or obstructing access to information legally entitled to others.
- Acting in a way that damages the reputation of their office or the council.
- Using their position improperly for personal or others' gain or disadvantage.
- Misusing council resources or permitting their misuse for political activities.
- Failing to declare or register a **Disclosable Pecuniary Interest (DPI)** or **Other Significant Interest (OSI)**.
- Participating in decision-making where they have a **DPI** or **OSI**.
- Failing to register gifts or hospitality received in their role as a councillor (over £100).

3. Not in Scope

Certain complaints fall outside the scope of this policy, including:

- Complaints where no specific councillor is named.
- Complaints that are not submitted in writing.
- Incidents related to a councillor's private life when they were not acting in an official capacity.
- Matters not covered by the Code of Conduct.
- Incidents occurring before a councillor was elected or before the adoption of the Code of Conduct.
- **Complaints about the Parish Clerk**—as an employee of the Parish Council, any concerns regarding their conduct or performance fall under employment matters. These should be directed to the **Chair of the Parish Council** and will be managed as part of their employment performance procedures.

4. Before Submitting a Complaint

Before making a complaint, please be aware that:

- Your identity is **unlikely to remain confidential** from the councillor you are complaining about.
- Councillors have the right to know who has made a complaint and to be provided with a copy of the complaint.

5. Submitting a Complaint

Complaints should be submitted in writing and must include:

- The name of the councillor involved.
- A clear description of the alleged misconduct.
- Any supporting evidence.

6. What Happens After You Complain

Once your complaint is received:

1. You will receive written confirmation of receipt.
2. Your complaint will be reviewed by the Chair of the Parish Council and the Parish Clerk. In the event the complaint is against the Chair of the Parish Council, an alternate councillor, most likely the Vice Chair will assist in the review.

Possible Outcomes:

- **Take no further action** if the complaint does not warrant an investigation.
- **Investigate the complaint further**, conducting interviews with the parties involved.
- **Close the matter with no further action.**
- **Close the matter with the recommendation to update policies and procedures** to mitigate similar issues in the future.
- **Close the matter with the recommendation to undertake further training** for the councillor involved or for all councillors.

Complainants will be informed of the outcome in writing.

7. Timescales for Complaint Handling

The Parish Council aims to handle complaints efficiently and fairly. The expected timescales for processing complaints are:

- **Acknowledgment of Complaint:** Within **5 working days** of receipt.
- **Initial Assessment by:** Within **10 working days**, the complainant will be informed whether:
 - The complaint will be investigated.
 - Informal resolution will be pursued.
 - The complaint is dismissed.
- **Investigation (if required):** If an investigation is needed, it may take up to **two months**, depending on the complexity of the case. The complainant will be updated on progress at least **every 21 days**.
- **Outcome Notification:** Once a decision has been reached, the complainant will be informed in writing within **10 working days**.

Please note that these timescales may vary depending on workload, complexity, and external factors, but every effort will be made to resolve complaints promptly.