

CPC Complaints Procedure (amended July 2015)

1. *The following procedure will be adopted for dealing with complaints:*
 - (a) **about a policy decision made by the Council** will be referred back to the Council, or relevant Committee, as appropriate, for consideration.
 - (b) **about the Council's administration or its procedures** will be handled as outlined in paragraphs 2 to 7 and A to D below
 - (c) **about the conduct of a member of the Parish Council** will be handled as outlined in paragraphs 8 to 12 and A to D below.
 - (d) **Matters relating to Grievance or Disciplinary proceedings** that are taking, or are likely to take place, should be dealt with in accordance with paragraphs 2 to 7 below then in accordance with the Council's grievance and disciplinary procedures.
2. If a complaint about **procedures, administration or the actions** of any of the Council's employees is notified orally to a Councillor, or to the Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
3. The complainant will be asked to put the complaint in writing (letter/e-mail/standard form) to the Clerk to the Council at Right Side Entrance, Community Centre, 250a High Street, Cottenham, Cambridge CB24 8XZ. The complaint will be dealt with within 21 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.
4. If the complainant prefers not to put the complaint to the Clerk to the Council (because the matter relates to the Clerk, for example,) he or she should be advised to write to the Chair.
5. On receipt of a written complaint, the Clerk to the Council (except where the complainant is about his or her own actions) or Chair of Council (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her an opportunity to comment. Efforts should be made to resolve the complaint at this stage.
 - (a) Where the Clerk to the Council or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chair of Council. The Clerk to the Council will be formally advised of the matter and given an opportunity to comment.
6. The Clerk to the Council (or Chair) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
7. If the matter cannot be resolved in this way the complaint, in writing, should be put to CPC's Complaints Committee, comprising three members of the Standards Committee and two co-opted Councillors who are not currently members of the Standards Committee, whose procedure is outlined at paragraphs A to D below.
8. **Complaints about the conduct of a Member of the Parish Council** should be made in writing to the Clerk of the Council (or the Chair of the Standards Committee if the complainant prefers not to put the complaint to the Clerk) at the Parish Office, Right Side Entrance, Community Office, 250a High Street, Cottenham, Cambridge CB24 8XZ or by email to clerk@cottenhampc.org.uk
9. Upon receipt of a written complaint the Clerk will notify a member of the Standards Committee, normally the Chair unless the subject of the complaint, who will, if necessary seek further information from the complainant **until three members of the Standards Committee** are able to assess whether the complaint, in principle, qualifies as a breach of the Code of Conduct and likely acceptable forms of redress.

10. In the event of a technically valid complaint, the complainant will be advised that the councillor(s) against whom the complaint(s) is made will be given 10 working days to offer a response and that response will be copied to the complainant within 2 working days of such receipt
11. The complainant will then be given 5 working days to consider the response after which time the Clerk will ask whether the complainant is satisfied or whether further action is required.
12. If the matter cannot be resolved in this way the complaint, in writing, should be put to CPC's Code of Conduct Committee, comprising three members of the Standards Committee and two co-opted non-Councillor residents from a list approved by Council. Their procedure is outlined in paragraphs A to D below.
 - A. The Committee may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with after the advice has been received.
 - B. The complainant will be invited to attend a meeting of the relevant committee on the understanding that any documentation of other evidence on which the complainant may rely has been copied to and received by the Clerk seven working days prior to the meeting date. The complainant may be accompanied by whomsoever he/she wishes but such person may only attend as an observer and whilst their presence will be acknowledged they must take no part in the proceedings.
 - C. The meeting will be held in private at which time:
 - i. The Chair will introduce everyone
 - ii. The Chair will then state the nature of the complaint and thereafter ensure that the hearing adheres to the following:
 - iii. The Complainant will detail the grounds for complaint and the action he/she would expect to resolve the complaint.
 - iv. The Committee members will then be given time to ask questions of the Complainant.
 - v. The Parish Clerk, a Councillor or the subject of the complaint (the nominee) will explain their position.
 - vi. The Committee will then have time to question the nominee.
 - vii. The nominee and then the Claimant (that order) will be given an opportunity to make a final address to the Committee.
 - viii. The nominee and the Claimant will be asked to leave the room whilst the Committee decides whether or not the grounds for complaint have been made. (In the event that any point is in need of clarification then both parties will be invited back in).
 - ix. The nominee and the Complainant will return to hear the decision or be told when the decision will be made.
 - D. The decision will be confirmed in writing, and with details of any action to be taken, within seven working days of the decision date. Furthermore such decision shall be announced, and explained at the next council meeting and in the presence of any members of the public or press.