

# DALTON PIERCY PARISH COUNCIL

## Disciplinary and Complaints Committee Terms of Reference

The Complaints Committee ('the Committee') is a Committee of Dalton Piercy Parish Council ('the Council'). The Committee will not deal with complaints against either a Councillor or employee of the Council, which are dealt with by the Borough Council or the Council's Personnel Committee respectively.

- 1. Membership:** The Committee shall comprise of three Parish Councillors (plus a reserve) to be drawn from the whole Council. Membership of the Committee will be decided by the Parish Council but will always include the Chairman and Vice-Chairman. In the case of both the Parish Council Chairman and Vice-Chairman being ruled out of involvement with the Committee, (where there is a clear conflict of interest), then the Proper Officer will confer with the remaining members of the Council as appropriate. Unless ruled out of involvement, the Chair of the Committee will be the Parish Council Chairman or Vice Chairman; if neither can be involved, the full Council must appoint another Councillor to take the Chair.
- 2. Voting:** Each Member of the Committee has one vote. The Committee Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not they gave an original vote.
- 3. Meetings:** The Committee will meet as necessary to respond to complaints against the Council's administration or its procedures which cannot be dealt with on an informal basis. A minimum of 3 clear days' notice will be given of all meetings. 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 at a further meeting after the advice has been received
- 4. Attendance at meetings:** The Parish Council shall consider whether the circumstances of the complaint warrant the exclusion of the public and press pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 but any decision on the complaint will be announced at the Council meeting in public.
- 5. Functions:**
  - To arrange for the preparation and collation of evidence;
  - To follow the process as laid down in the Council's Complaints Procedure;
  - To make a decision on any formal complaint made about the Parish Council as a corporate body, to be announced at the subsequent full Council meeting;
  - If appropriate, to make a recommendation to the Council on any remedial action to be taken regarding any valid complaint against the council;
  - To consider any appeal following the process and timescales laid down in the Council's Complaints Procedure, the decision to be announced at the subsequent full Council meeting.
- 6. Review:** The Terms of Reference should be reviewed by the Council in October of each year or earlier if deemed necessary.