



Heybridge Parish Council

Complaints Committee Terms of Reference

1. Delegation of Function

The Council hereby establishes a Complaints Committee to deal with all matters concerned with complaints by staff or by the general public according to these terms of reference. The Committee shall be constituted and convened as required following notice to the Council Chairman or in the case of a complaint against the Council Chairman or Clerk which is delivered independently to at least one third of the Council membership the Committee shall be convened by an independent Member as Chairman *pro tem* elected specially by a two-thirds majority at a full Council meeting.

The Council hereby delegates to the Council Clerk initial decisions to include suspension or dismissal of Council staff should the complaint be considered appropriate to their terms and conditions of service which relate to that complaint unless the Council Clerk or the Council Chairman determine that such decisions should be undertaken by this committee or unless the matter concerns the Council Chairman or Council Clerk or where the Council Clerk has been involved in any disciplinary investigation.

2. Clerking

This committee shall normally be clerked by the Clerk to the Council or other independent qualified person but in any case by no person concerned with or cited within any complaint.

3. Membership

The Complaints Committee shall consist of three Members of the Council, none of whom shall have been previously concerned with the matters under consideration and all of whom shall be nominated by the Council Chairman or by the Chairman *pro tem*. In exceptional cases the Committee may nominate up to two further independent members to serve in addition to or by substitution of any of the named Members.

4. Quorum and voting

Three serving Members shall constitute a quorum and only members of the Committee who are serving Members shall be given voting privileges.

5. Meetings

Meetings will be held as required following consultation and agreement with the Council Chairman or Chairman *pro tem*.

6. Chairman

The Chairman of this committee shall be appointed *ad hoc* by and from the members of the Committee who are serving Members.

7. Scope of consideration

The Committee shall determine matters making reference to all relevant legislation and Council policies which are appropriate to the given public complaint or in the case of Council staff a given contract of service and in the case of a staff complaint contract terms and conditions shall be applied in order to determine whether the member of staff shall have their contract of service altered terminated or not renewed.

The determination shall be subject to appeal by the concerned member of the public or employee by reference to the relevant Appeals Committee.

8. Annual review.

The terms of reference are to be reviewed annually by Council.

January 2015

Adopted 22 January 2015.

Reviewed May 2016

Reviewed and agreed 18 May 2017