

HOOE PARISH COUNCIL

TERMS OF REFERENCE FOR THE COMPLAINTS COMMITTEE

1. PURPOSE

- 1.1 All formal complaints will be considered by the Complaints Committee in accordance with Hooe Parish Council's Complaints Procedure and Vexatious Policy. The Complaints Committee will review the Clerk's findings following the Clerk's investigation into a formal complaint, determine whether a formal hearing should be convened or to decide on any other action to be taken, undertake the hearing process where appropriate, to report the decisions made and to set out any actions required.

2. GOVERNANCE OF COMPLAINTS COMMITTEE

- 2.1 The Complaints Committee shall comprise of all members of the Parish Council
- 2.2 The Chairman and Vice Chairman of the Complaints Committee shall be elected by the membership at the first committee meeting or following the Parish Council's Annual General Meeting.
- 2.3 The Complaints Committee shall review and approve the Terms of Reference annually following the Parish Council's Annual General Meeting.
- 2.4 The Complaints Committee shall be constituted each year at the Parish Council's Annual General Meeting.
- 2.5 No Council member may partake in a Complaints Committee meeting if a conflict of interest exists due to the nature of the complaint.

3. QUORUM

- 3.1 The quorum shall consist of a minimum of three members.

4. POWERS AND RESPONSIBILITIES

- 4.1 The Complaints Committee is appointed under section 101(2) of the Local Government Act 1972 and has the delegated powers to manage the Formal Complaints Process, incorporating the assessment of repeated or vexatious complaints, the assessment of the standard of behaviour and will be evaluated in accordance with the Hooe Parish Council's Complaints Procedure and Vexatious Policy. The Complaints Committee shall update or adopt procedures and policies related to the subject area as and when required.

4.2 All members must preserve confidentiality (where appropriate) on matters pertaining to the business of the Complaints Committee in accordance with the General Data Protection Act and other related regulations and legislation.

4.3 The Complaints Committee shall not consider complaints about the following matters:

- Financial irregularities – local electors have a statutory right to object to the Parish Council’s audit of accounts.
- Criminal activities – complainants should refer all allegations of criminal behaviour to the police directly.
- Council members conduct – complaints where a member has failed to comply with the Code of Conduct must be reported to Wealden District Council’s Monitoring Officer.
- Employee conduct must be referred to the Staffing Committee for consideration and action as required.

5. **CONFIDENTIALITY**

5.1 The Complaints Committee meetings will remain **confidential** and NOT open to the public where matters relate to individuals rather than service complaints etc..

6. **COMMITTEE MEETINGS**

The Complaints Committee meetings will only be convened when business is required to be transacted.