



Llanelly Community Council

Complaints Procedure

All members of the Llanelly Community Council are required to comply with the Code of Conduct. Details of the current Code of Conduct are included in the Standing Orders, can also be found on the Llanelly Community Council website.

It is accepted that there will be relatively few occasions when there will be need to formally investigate alleged breaches of the Code of Conduct but it is important that where such situations arise there is a clear structure in place.

In a situation where a Member of the Council or an Employee is allegedly in breach of the requirements of the Code of Conduct a complaint can be raised in two ways.

One Firstly, a complaint can be raised by another member of the Community Council, or a member of staff. Such complaint must be made in writing to the Clerk of the Community Council. If the complaint is against the Clerk the letter must be sent to the Chairman.

Two Such a complaint must provide sufficient information to enable the complaint to be properly investigated. The investigation will be undertaken by the Clerk or a nominated person about the conduct of a member of the Council or a member of staff if the Clerk and Chairman are of the opinion that there is a sufficient basis for concern.

Three The Clerk will be responsible for investigating all complaints in respect of any member of the Community Council except where a complaint concerns the Clerk. In such circumstances the Chairman of the Council or the nominated person, in consultation with the relevant members, will be responsible for dealing with the complaint. Where the Clerk is responsible for dealing with a complaint he is entitled to delegate the responsibility for any investigation to another nominated person.

Four Where a complaint is received, and is investigated by the Clerk or the nominated person, as part of the initial consideration of such complaint a mediation process, if appropriate, will be followed. Normally a period of one month will be provided for mediation but this period may be extended.

Five In the event that mediation is unsuccessful or inappropriate, then the complaint shall be referred to an Appeal Panel, set up with individuals from outside the membership of Llanelly Community Council. Llanelly Community Councils Clerk will convene the Appeals Panel, and that Appeal Panel will be empowered to consider the complaint and make such decision as appropriate.

Six An Appeal Panel will be made up of at least three members appointed by the Chairman of the Appeals Panel and a procedure for dealing with complaints has been agreed by the Council.

Seven In the event of any member being involved in a complaints procedure, then full details of the procedure to be followed by the Appeal Panel will be provided. The Community Council Legal Advisor or One Voice Wales representative will be responsible for advising the Appeal Panel.

Eight The Appeal Panel will be entitled to dismiss any appeal, censure the member or, in appropriate cases, recommend terminating the employment of the member of staff.

Nine The complainant will be notified in writing within seven days after the Appeals Panel have made their decision.

Ten If the Appeal Panel finds against the Council Member or the Member of staff, the Appeal Panel Chairman will notify the Community Councils Clerk in writing outlining their findings and recommendations.

Eleven In the case of the Councillor, the Appeals Panel can recommend submitting their finding to the Local Government Ombudsman and public services for Wales's.

There is no right of appeal against any decision of the Appeal Panel.

This Procedure was submitted to Council on 4th October 2010 and

Resolved to adopted this Complaints Procedure.

Proposed by Cllr Brian Mayers

Seconded by Cllr Trevor Williams

Signed By the Chairman Cllr Simon Howarth

Date 11th October 2010