

**Title :** Complaints Against the Council

**Subject :** The procedure by which a member of the public can complain about the action or lack of action taken by the Council.

**Relevant Parish Council Documents :** none

**Information :**

Introduction

1. This procedure does not relate to a complaint against an individual. Member conduct is dealt with under the Council's Code of Conduct and employee conduct is dealt with through the Council's staff Grievance and Disciplinary Policy.
2. The Council defines a complaint as: an expression of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council.
3. The Council will consider using other bodies when dealing with complaints from members of the public which relate to financial irregularity (Auditor) and criminal activity (Police). The Council may not deal with a complaint when there is a possibility of court proceedings
4. The Council will take care to maintain the confidentiality of a complainant where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned) and will advise the complainant when the situation may require otherwise.
5. The Council will set a time scale for handling a complaint although some flexibility may be necessary with complex complaints.
6. A complaint will in the first instance be dealt with by the Clerk and/or the Chair. If the complainant cannot be satisfied by the explanations provided by the Clerk and/or Chair then the complainant will be advised to use the Complaints Procedure set out below.

## **The Complaints Procedure**

7. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.

8. If the complainant does not wish to put the complaint to the Clerk or the Chair he or she should be advised to address it to another member of the Council.

9. The addressee shall acknowledge receipt of the complaint and ask the Clerk to call a meeting of the Council. The council will appoint a sub-committee of at least two Councillors to hear the complaint.

10. The complainant shall be advised of the date of the meeting to hear the complaint and whether or not the complaint will be treated as confidential. The complainant shall be invited to attend the meeting and to bring with them a representative if they wish.

11. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

12. At the meeting one of the members shall be appointed the chair and shall introduce everyone and explain the procedure:

- The complainant (or their representative) will outline the grounds for complaint and, thereafter, questions may be asked by members.
- The clerk or Chair of the Council will explain the council's position and questions may be asked by (i) the complainant and (ii), members.
- The clerk or Chair of the Council and then the complainant should be offered the opportunity to summarise their position.
- The clerk or Chair of the Council and the complainant and their

representative should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.

- The clerk or Chair and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.
- The decision should be confirmed in writing within seven working days together with details of any action to be taken.

13. The decision of the sub-committee is final and there is no appeal