

**Belton with Browston Parish Council**  
**Complaints Procedure -Adopted at the meeting**  
**held on the 7<sup>th</sup> February 2012**

**Introduction**

The Parish Council provides many services to community groups, sports teams, companies and individuals. We try to get our service delivery right every time, but there are occasions when users of our services may be dissatisfied with our performance, for any number of reasons. This policy sets out how to raise a complaint with the Parish Council.

**Informal Complaint**

It is hoped that most complaints can be resolved quickly and amicably through this route. Informal complaints can be made by telephone, email or a visit to the Council office. The complaint will be handled by the most appropriate person (in most cases the Clerk), depending on the nature of the complaint. The most appropriate person will be kept informed of the handling of the complaints and its resolution. Complaints should always be directed through the Council office and not through an individual. A complainant may advise a Councillor of the details of the complaint but individual Councillors are not in a position to resolve a complaint.

It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions that if an informal route has not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

**Formal Complaint**

The Clerk to the Council is responsible to manage the formal complaints process. The Clerk is the senior officer of the Council, effectively its General Manager.

If a formal complaint is being raised against the Clerk, then the process as detailed should be followed, but the Chairman of the Complaints Committee for the Council should be notified instead of the Clerk.

**Before the Meeting**

- The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Clerk or Chairman or the Complaints Committee.
- If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the Complaints Committee of the Council.

- The appropriate person shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council or by the committee established for the purposes of hearing complaints. The Complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
- The Complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
- 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.

#### **At the Meeting**

- The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
- The Chairman of the Complaints Committee should introduce everyone and explain the procedure.
- The Complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the appropriate person and then (ii), members.
- The appropriate person will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
- The appropriate person or the complainant should be offered the opportunity to summarise their position.
- The appropriate person and the complainant 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 appropriate person 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.

#### **After the Meeting**

- The decision should be confirmed in writing within seven working days together with details of any action to be taken.

The draft procedure set out in the attached appendix is not appropriate for use where a complaint is made against an individual.

Serious complaints relating to the conduct of an individual can be dealt with in the following ways:

<b>Type of conduct</b>	<b>Refer to</b>
Financial irregularity	Local elector's statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, Councils may need to consult their Auditor/ Audit Commission.
Criminal activity	The Police
Member Conduct	Failure to comply with the code of conduct must be submitted to the standards committee or relevant principle authority.
Employee Conduct	Internal disciplinary procedures.

The attached procedure is designed for those complaints which cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk or Chairman of the Complaints Committee.

It may be that the person at the meeting represents the position of the council. If the person puts forward justification for the action or procedure complained of, he or she should not advise the council or committee, as they need to determine the matter themselves.

At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

