

# Draft Halling Parish Council Complaint Procedure

## 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 maybe 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 offices. The complaint will be handled by the Clerk, depending on the nature of the complaint.

Complaints should always be directed through the Council offices, not through individual Councillors. A complainant can advise a Councillor of the details of the complaint, but individual Councillors are not in a position to resolve complaints, these can be referred to the full Council.

It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions if an informal approach had 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 for managing the formal complaints procedure. 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 a new process as detailed should be followed, but the chairman of the council should be informed instead of the Clerk.

A formal complaint can only be submitted in writing to the Council offices, it should be addressed to the Clerk, marked "**Confidential-Formal Complaint** ", this will ensure the matter is handled by the Clerk's nominated deputy should the Clerk be away. A formal complaint is a serious matter and will only be accepted in writing.

The complaint should cover as much detail as possible and enclose any relevant supporting documentation. The Clerk will acknowledge receipt of the complaint within three working days.

The Clerk will carry out an initial investigation into the complaint and will within ten working days provide the complainant with an update on progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint is then closed. The Clerk will report to the Council, through the Clerk's report, summary details of the complaint and a brief summary of its resolution. This summary report will exclude the names of the complainant unless asked by the complainant to do so.

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If the Clerk is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to a meeting of the Council's appropriate committee to deal with the complaint.

### Complaints Panel

A Review Panel will be formed from the Parish Council. The panel will consist of five members to ensure that three members of the committee are available at short notice, to review a complaint. The Review Panel has delegated authority from the Parish Council to review and decide on complaints.

Three members will review a complaint, this will ensure the panel is quorate and that the number of members present is not excessive.

The panel is subject to all of the normal meeting notification, agenda and minute requirements, as laid down in the Parish Council's Standing Orders. Arrangements for minute taking will be reviewed when a complaints panel meeting is called.

It is expected that the Complaints Panel will be able to meet within seven working days of being notified by the Clerk.

### Prior to the Meeting

Seven clear days before the Complaints Panel meeting, the complainant will provide the Parish Council with copies of all documentation, or other evidence {such as photographs} that they intend to introduce to the complaints panel meeting. The Parish Council will provide the same to the complainant.

### At the Meeting

**1** The Complaints Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, may require the exclusion of the press and public.

**2** The Chairman of the Complaints Panel shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider the matter under discussion.

**[A]** The complainant [or representative] shall be invited to outline the grounds for complaint and panel members given the opportunity to ask any question of the complainant.

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**[B]** If relevant, the Clerk [deputy or other officer] will explain the Council's position and panel members shall ask questions.

**[C]** The complainant is to be offered the opportunity of a last word as a means of summing up their position.

**[D]** The Clerk is to be offered the opportunity of a last word as a means of summing up their position.

**4** The Clerk and complainant shall be asked to leave the room while the panel members decide whether or not the ground for the complaint have been made. If a point of clarification is necessary, both parties should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.

**5** The announcement of any decision will be made public, at the next Council meeting.

### Timing's

The Parish Council will try to adhere to the timings in this policy, but in the case of a complex complaint, or the absence of a member of staff who is involved in the complaint, may mean that timings have to vary.

Should this occur then the complainant will be kept advised of the revised timescales.

### Parish Council Staff

A formal complaint is a serious matter. A complaint involving a member of the councils staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment.

The Council will not under any circumstances enter into any correspondence, or discussion with any complainant about action taken, formally or informally against any member of of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

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## **Complaints Against Councillors**

This policy does not cover complaints against an individual Councillor.

A complaint about a Parish councillor should be addressed to: -

Medway Council

Gun Wharf

Dock Road

Chatham

ME4 4TR

The Monitoring Officer can only deal with complaints about the behaviour of a Councillor. It will not deal with complaints about matters that are not covered by the Councillors Code of Conduct. Further information is available from Halling Council's website

## **Anonymity**

The Council will not acknowledge or consider, under any circumstances, informal or formal complaints that are submitted anonymously.

## **Policy adoption**

This policy was adopted by Halling Parish Council at its meeting on

Subsequent minor text amendments have been made under the authority delegated to the Clerk.

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