



Complaints Procedure

1. Introduction

From time to time members of the public may have complaints about the administration or procedures of Shipdham Parish Council (“the Council”). Local Councils are not subject to the Ombudsman, therefore this Complaints Procedure sets out how the Council will deal with such a complaint.

The Council aims to make the process for raising a complaint about the administration, procedures, policies, and decisions of the Council as simple as possible, to enable problems to be resolved as quickly as possible and prevent recurrence.

2. What this procedure does not deal with

The following complaints need to be referred to the relevant body and would not be dealt with by this Complaints Procedure:

- matters relating to financial irregularity, please contact the Audit Commission (telephone 0844 798 3131);
- matters relating to criminal activity, contact the Police (non emergency 101).
- matters relating to an individual Councillor must be submitted to the local Monitoring Officer, Breckland District Council. Write to Breckland District Council, Elizabeth House, Walpole Loke, Dereham, NR19 1EE, or telephone 01362 656870.
- matters relating to the Clerk will be dealt with through the internal disciplinary procedure via the Chair of the Parish Council, whose details can be found on the Council’s website (www.shipdham.org).

At all times, the rules of Natural Justice will apply: all parties will be treated fairly and the process will be reasonable, accessible and transparent.

3. When the Council receives a complaint

The Council will deal with any informal complaints about the Council as quickly as possible – these would be complaints reported orally to the Clerk or any Councillor. The Council will acknowledge receipt of your complaint within five working days and contact you within ten working days of us hearing from you either to give you a full answer or to give you a progress report and explain why the Council needs more time to investigate further. The Council will also tell you when you can expect an answer.

4. Confidentiality

Your complaint will be treated in confidence. Full details of the complaint will only be given to those Councillors/members of staff concerned. The following procedure has been approved by the Council as a way of ensuring that complainants can feel satisfied that their

complaint has been properly and fully considered.

5. Unreasonably Persistent and/or Vexatious Complaints

Parishioners making a complaint can be 'persistent' where they feel the Council has not dealt with their complaint properly and are not prepared to leave the matter there. For example, it is not unreasonable for a parishioner to criticise how their complaint is being handled when our published procedures are not followed.

However, some parishioners may have justified complaints or requests but may pursue them in inappropriate ways such as lengthy phone calls, emails expecting immediate responses, detailed letters or emails every few days. Others may pursue complaints or requests which have no substance or which have already been considered and dealt with.

Please refer to our Policy for Dealing with Unreasonably Persistent Complaints, Unacceptable Parishioner Behaviour, and Vexatious Requests for further guidance.

6. Informal Complaints

The Council envisages that most complaints can be resolved easily and amicably through this route. Complaints must be directed to the Parish Clerk, or Council Chair if the complaint is about the Clerk.

A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not able to resolve complaints. The Parish Clerk (or Council Chair) will report any complaint disposed of by direct action with the complainant either directly or at the next Parish Council meeting.

If an informal approach does not resolve the issue, or if the complaint is deemed particularly serious, the formal complaint procedure outlined below will be followed.

7. Formal Complaints

If a complaint about the Council is notified orally to the Clerk or Council Chair and the complaint is unresolved, the complainant will be asked to put the complaint in writing to the Clerk.

The Clerk will acknowledge receipt of the complaint within five working days.

If the complainant does not wish to put the complaint to the Clerk or other nominated officer, he or she will be advised to address it to the Council Chair.

The Clerk (or other nominated officer) 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 closed and the Clerk will report to the Council. The summary will exclude the name of the complainant.

If the complaint remains unresolved, or the complainant is not satisfied with the proposed resolution, the matter will be referred to the Complaints Panel of the Council.

8. Complaints Panel

When necessary, the Council will appoint a Complaints Panel to fully investigate the complaint. The panel will be constituted of at least three members of the Council, one of which will be the Council Chair. The Panel has delegated authority from the Parish Council to review and decide on complaints.

A letter will be sent to the complainant with the date of the Panel meeting. It is expected that the Panel will meet within fifteen working days of being notified by the Clerk. If the Panel is unable to meet within this time, all parties will be notified of the date of the meeting and the reason for the delay.

The complainant will 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 will provide the Council with copies of any documentation or other evidence relied on in support of their complaint. The Council will similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the meeting.

The Council will consider whether the circumstances of the meeting warrant the presence or exclusion of the public and press. Their decision is final and not subject to appeal by the complainant. The result of a Complaint Panel meeting and any decision on action shall be announced at the next Council meeting in public.

9. At the meeting

The Council Chair will introduce everyone and explain the procedure.

The complainant (or representative) will be invited to outline their grounds for complaint and thereafter questions may be asked by members of the Panel.

The Panel will have the opportunity to explain the Council's position and questions may be asked by the complainant (or representative).

The Panel and then the complainant will be offered the opportunity to summarise their position.

The complainant will be asked to leave the room while panel members decide whether or not the grounds for complaint have been made. If a point of clarification is necessary, the complainant will be invited back to provide further information.

Following deliberation, the complainant will then return to hear the decision, if one has been arrived at.

If the decision is unlikely to be finalised on that day, the complainant will be advised when the decision is likely to be made and when it is likely to be communicated.

10. After the meeting

The decision will be confirmed in writing within ten working days, together with details of any action to be taken.

The announcement of any decision will be made in public at the next Parish Council meeting.

11. Anonymity

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