

# COMPLAINTS PROCEDURE

## Shipdham Parish Council

### Introduction

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

It should be noted that complaints about the Clerk to the Council will be dealt with as an employment matter and as such the matter should be referred to the Chairman of the Council. Appropriate action will be taken as required, in accordance with the disciplinary procedure laid out in the Clerk's Contract of Employment.

Complaints about an individual Councillor should be submitted to:

The Monitoring Officer  
Shipdham Parish Council

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

Shipdham Parish Council will bear in mind the provisions of the Data Protection Act 1998 as well as the Freedom of Information Act 2000 in dealing with complaints.

In the event of serial facetious, vexatious or malicious complaints from a member of the public the council should consider taking legal advice before writing any letters to the complainant.

### Complaints Procedure

1. If a complaint about procedures or administration is notified orally to a Councillor or the Clerk to the council and it is not possible to satisfy the complainant in full immediately, the complainant shall be asked to put his/her complaint in writing to the Clerk to the Council and receive an assurance on receipt that the matter will be dealt with promptly.
2. If a complainant indicates that s/he would prefer not to put the complaint to the Clerk to the Council then s/he should be advised to put it to the Chairman of the Council.
3. 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 and advise the complainant whether the complaint will be treated as confidential or whether notice of it will be given in the usual way (for example advertised in detail on the full council agenda)
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. 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

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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

6. 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.
7. The chairman should introduce everyone and explain the procedure
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk and Councillors.
9. The Clerk or nominated councillor will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), remaining Councillors.
10. The clerk or nominated Councillor and then the complainant should be offered the opportunity to summarise their position.
11. The clerk or nominated Councillor and the complainant should be asked to leave the room while the remaining Councillors 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.
12. The clerk or nominated Councillor 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

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

### Timings

The Parish Council will try to adhere to the timings outlined in this policy, but in the case of a complex complaint timings may need to vary. Should this occur the complainant will be kept advised of the revised timescales.

### Anonymity

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