

TOFT cum LOUND & MANTHORPE PARISH COUNCIL'S COMPLAINTS PROCEDURE

COMPLAINTS PROCEDURE

For the benefit or good local administration, this council has adopted the following formal procedure for considering complaints either made by complainants direct, or which have been referred back to the Council from other bodies. This procedure aims to provide a way of ensuring that complainants can feel satisfied their grievance has been properly and fully considered by the council.

Under the Localism Act 2011 Complaints about a Parish Councillor are dealt with by the Parish Council.

For the benefit or good local administration, it is suggested that every council adopts a standard and formal procedure for considering complaints either made by complainants direct, or which have been referred back to the council from other bodies. The procedure suggested below is recommended as a way of ensuring that complainants can feel satisfied that at least their grievance has been properly and fully considered.

The council should view the adoption of a complaints procedure as an efficient way of dealing with complaints received and a means of preserving the good reputation of the council through a transparent process. If the Council fail to deal with complaints directly, they may have to utilise other resources in dealing with outside bodies, which the complainant has engaged to further highlight their dissatisfaction.

The Council may wish to establish a committee to deal with complaints. This avoids the need for full Council having to assemble and also makes the process less daunting for a complainant if they choose to attend in person. If a committee is formed, it should report its conclusions to the next Council meeting.

It may be that the clerk or other proper officer at the meeting represents the position of the council. If the clerk or other proper officer is putting forward the justification for the action or procedure complained of, he or she should not advise the Council or committee.

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

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CODE OF PRACTICE

Before the Meeting

1. The complainant should be asked to put the complaint about the council's procedure or administration in writing to the clerk or other nominated proper officer.
2. If the complainant does not wish to put the complaint to the clerk or other proper officer, they may be advised to put it to the Chairman of the council.
3. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the council or by the committee established for the purpose of hearing complaints.
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, which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

At the Meeting

1. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the council meeting in public.
2. Chairman to introduce everyone.
3. Chairman to explain procedure.
4. Complainant (or representative) to outline grounds of complaint.
5. Members to ask any questions of the complainant.
6. If relevant, clerk or other proper officer to explain the council's position.
7. Members to ask any questions of the clerk or other proper officer.
8. Clerk or other proper officer and complainant to be offered opportunity of last word (in this order)
9. Clerk or other proper officer and complainant to be asked to leave room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
10. Clerk or other proper officer and complainant return to hear decision, or to be advised when decision will be made.

After the Meeting

1. Decision confirmed in writing within seven working days together with details of any action to be taken