

STAPELEY & DISTRICT PARISH COUNCIL COMPLAINTS PROCEDURE

The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.

➤ **What is a complaint?**

Generally, this will be about the Parish Council's procedures or administration. If you wish to "complain" about, for example, street lighting or road conditions please note that these form part of the Parish Council's business and should be dealt with through the Clerk.

For anything else, please contact the Clerk for advice. It may be that the matter you are concerned about could be dealt with in a less formal manner. However, if you wish to use the procedure, please read on.

➤ **Making a complaint.....**

We cannot please everyone all the time. What we can promise is to listen and to do what we can to deal with your problem.

If a complaint about procedures, administration or the actions the Council's employee is notified orally to a Councillor, or to the Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.

The complainant will be asked to put the complaint in writing (letter/e-mail) to the Clerk to the Council at [address/contact details]. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.

When your complaint has been received, we will write to you **within seven days** to let you know -

- ◆ **Who** is responsible for dealing with your complaint.
- ◆ **How** it will be dealt with.
- ◆ **When** your complaint is likely to be dealt with.

➤ **What to do**

You can complain in any one of the following ways –

- 1 Write or telephone the Clerk of the Parish Council - Carol Jones (contact details to be inserted)
- 2 Write to the Chairman of the Parish Council (name and contact details to be inserted)
- 3 If the complaint is about the Clerk, telephone or write to the Chairman.

➤ **What happens next?....**

On receipt of a written complaint, the Clerk to the Council will seek to settle the complaint directly with the complainant by explaining the Parish Council's position, if this is appropriate. Attempts will be made to resolve the complaint at this stage.

Generally speaking, you can expect to receive a response in full within a month of the acknowledgement of your complaint.

➤ **Complaint about the Clerk....**

If the complaint is about the Clerk to the Council, the complainant should write to the Chairman.

The Clerk will be formally advised of the matter and given an opportunity to comment.

➤ **Complaint about the ethical behaviour of a parish councillor....**

Members of Parish Councils sign a declaration to abide by a Code of Conduct and if they breach that code, there are consequences. You must complain directly to the Cheshire East Council's Monitoring Officer (Caroline Elwood) at Westfields, Middlewich Road, Sandbach, CW11 1HZ.

➤ **How will the procedure operate?.....**

Complaints about the Council's procedures, administration or policies will be dealt with at a Parish Council meeting and the outcome of the complaint will be published.

- The Clerk will acknowledge receipt of your complaint within 7 working days and will also advise when the matter will be dealt with by the full Council or a Complaints Committee.
- You will be invited to attend the meeting and to bring any representative you wish.
- 7 clear working days prior to the meeting, you are requested to provide the Parish Council with copies of any documentation or other evidence which you wish to refer to at the meeting. Similarly, the Parish Council will provide you with copies of any documentation which it wishes to rely on at the meeting.

➤ **Procedure at the Meeting**

- The Parish Council will consider whether the circumstances of the meeting warrant the exclusion of the press and public. Any decision on the complaint shall be announced at the Parish Council meeting in public.
- The Chairman will introduce everyone and will explain the procedure.
- You, as the complainant, or your representative, will outline the grounds for complaint.
- Members of the Parish Council (or Committee) will ask questions of you or your representative.
- If relevant, the Clerk will explain the Parish Council's position.
- Members of the Parish Council (or Committee) will be able to ask questions of the Clerk to the Council.
- The Chairman will summarise the Parish Council's position and then the complainant will be offered the opportunity of summing up.
- The complainant will be asked to withdraw from the meeting whilst Members reach a decision on whether or not the grounds for the complaint have been made.
- If any points of clarification are required, the complainant will be invited to re-join the meeting whilst clarification is sought.
- The complainant will then re-join the meeting to be advised of the decision of the Parish Council (or Committee) together with reasons for the decision, or, if necessary, to be advised when a decision will be made.

➤ **After the meeting**

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

➤ **Complaints relating to the Clerk.....**

will be dealt with either by the full Parish Council or a Committee established for the purpose. The Rules of Natural Justice will be observed and appropriate employment law will be adhered to. The meeting will be held in private but the decision of the Council (or Committee) will be made public.

➤ **What to do if you are still not satisfied....**

The Local Government Ombudsman **does not consider** complaints in respect of Parish Councils. However, the Parish Council is a Member of the Cheshire Association for Local Councils, which can act as a conciliator where there are disputes between the Council and members of the public.

DRAFT