

SNETTISHAM PARISH COUNCIL – POLICIES

COMPLAINTS POLICY

I INTRODUCTION

A complaint is an expression of dissatisfaction by one or more Members of the Public about the Council's action or lack of action or about the standard of a service, whether the action was taken, or the service provided, by the Council itself or a person or body acting on behalf of the Council. (LGO)

There are three sources of complaint: Members of the Public, Councillors and Staff. Complaints about Councillors or Staff from other Councillors or Staff are dealt with by internal grievance procedures. This document therefore deals only with complaints from Members of the Public.

Legal Addition by Clerk 28/4/2021 – It should be noted that recent case law has made complaints about individual Councillors subject to the Monitoring Officer at the Borough Council, and all such complaints should therefore be made directly to him/her, and not to Council.

II PROCESS

STAGE 1

It is expected that Members of the Public will, in the majority of cases, make any complaints informally to front-line staff (normally the Clerk) or to individual councillors. Many complaints will be due to misunderstanding or misinterpretation and ideally these can be solved informally and speedily.

STAGE 2

Should this not prove satisfactory or appropriate, Members of the Public are advised to write to/email the Clerk (or Chairman) as soon as possible stating clearly that they wish to make a formal complaint.

- The recipient will as soon as possible reply, acknowledging receipt of the complaint, and give some indication of the how it will be handled, and a timescale within which a response is to be expected; ideally this should be no more than a week.
- The recipient of the complaint should investigate, and ascertain whether the complaint is valid. At this stage, an explanation or apology should be issued as appropriate, and the complainant be asked if they wish to pursue the matter further.

STAGE 3

Should this not settle matters, a formal procedure should be instituted, as follows:

- A meeting shall be arranged with Councillors, if possible ones not involved in the complaint. The complainant may be accompanied by a representative.
- 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 which they wish 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.
- Such meetings shall take place in private, but a report on the outcome must be made at the next Council meeting.

At the meeting:

- The chairman should introduce everyone and explain the procedure.
- The complainant should outline the grounds for complaint after which questions may be asked by the Clerk and then Councillors.
- The Clerk will have an opportunity to explain Council's position and questions may be asked by the complainant and then Councillors.
- The Clerk and then the complainant should be offered the opportunity to summarise their positions.
- The Clerk and complainant should be asked to leave the room while 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.
- The Clerk and complainant should be given the opportunity to wait for the decision. 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.
- The decision should be confirmed in writing within seven working days together with details of any action to be taken.

Notes:

- Any individuals who are the subject of complaints should be informed of the fact.
- Working days apply as related to Council meetings.
- In the absence of the Clerk, another non-Councillor should be invited to take his/her role.
- The complainant's representative may speak in their stead.
- Whatever the outcome of the complaint, relevant procedures should be reviewed to see if they may be improved.
- At any meeting it is expected that three Councillors will be present, who should be members of the panel set up relating to the Grievance Procedure.

One of these may be replaced with an independent person outside of the Council.

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