

MOGGERHANGER PARISH COUNCIL

COMPLAINTS PROCEDURE

The following is the Parish Council's policy and procedure for dealing with complaints against the Council generally and against individual Councillors.

DEFINITION OF COMPLAINT

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.

INTRODUCTION

The Council receives queries, problems and comments as part of its day to day business and they should not all be regarded as complaints.

INFORMAL COMPLAINTS

It is not appropriate to deal with all complaints from members of the public under the formal complaints procedure. It is hoped that less formal measures or explanations provided to the complainant by the Clerk, or Chairperson, will resolve most issues raised by a member of the public.

It would be good practice to report such informal complaints to the Parish Council for information and note and to enable any appropriate action to be considered.

FORMAL COMPLAINTS

It will not be appropriate for a Parish Council to deal with all complaints from members of the public under a complaints procedure. In certain circumstances it may be appropriate for other bodies to be involved in a complaint (e.g. financial irregularity, criminal activity, Councillor conduct (a complaint relating to a member's failure to comply with a Council's Code of Conduct must be submitted to Central Beds Council), employee conduct (there is no statutory scheme for complaints about parish council employees; Any such complaints should be dealt with through the internal disciplinary process).

COMPLAINTS PROCEDURE

(A) COMPLAINTS AGAINST INDIVIDUAL COUNCILLORS

Such complaints breaching the Parish Council's Code of Conduct should be reported by the complainant to the Monitoring Officer at Central Beds Council.

(B) COMPLAINTS AGAINST THE COUNCIL

Before the Meeting

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Parish Clerk (or other nominated Officer).
2. If the complainant does not wish to put the complaint to the Parish Clerk (or other nominated Officer), he or she should be advised to address it to the Chairperson of the Parish Council.
3. The Parish Clerk (or other nominated Officer) or Chairperson shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Parish Council or by a Committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a Committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if 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 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 Parish Council meeting in public.
7. The Chairperson 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 (i) the Parish Clerk (or other nominated Officer) and then (ii) Councilors'.
9. The Parish Clerk (or other nominated Officer) will have the opportunity to explain the Council's position and questions then asked by (i) the complainant and (ii) Councilors'.
10. The Parish Clerk (or other nominated Officer), and then the complainant should be offered the opportunity to summarise their position.
11. The Parish Clerk (or other nominated Officer) and the complainant should be requested to leave the room while Parish Councillors decide whether the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
12. The Parish Clerk (or other nominated Officer) 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.