

# ***Chapel and Hill Chorlton Parish Council***

## **COMPLAINTS PROCEDURE**

**Adopted by Chapel and Hill Chorlton Parish Council on 15<sup>th</sup> May 2018**

1. This complaints procedure is intended to ensure that complaints by members of the public about the Council's actions, or lack of action, or standard of service are dealt with promptly and effectively. The object of the procedure is to put things right when they have gone wrong and ensure that mistakes do not recur in the future.
2. This procedure does not apply to:
  - complaints about the substance of policy decisions made by the Council (although members of the public may make comments or ask questions during the public participation session during every Council and committee meeting);
  - complaints about the conduct of an individual councillor, which should be made to the Monitoring Officer at Newcastle under Lyme Borough Council [StandardsCommittee@newcastle-staffs.gov.uk](mailto:StandardsCommittee@newcastle-staffs.gov.uk)
  - Complaints by an employee of the Council about the Council's actions as an employer, which should be dealt with under the Council's grievance procedure.

The complainant must be asked at the outset to confirm if he/she wants the complaint to be treated confidentially and the Council must comply with its obligations under the Data Protection Legislation to safeguard against the unlawful disclosure of personal data.

The Parish Council must settle a complaint as it has no power to refer it to another body for settlement.

3. Complaints about the Council's administration and procedures should be made in writing initially to the Clerk to the Council, and will be dealt with initially by the Clerk. If the complaint concerns the Clerk it should be sent to the Chairman of the Council, who will refer the complaint to the Council.
4. Complaints which cannot be dealt with immediately to the satisfaction of the complainant will be acknowledged in writing within 7 working days.
5. Complaints should be dealt with promptly. In general complaints will be dealt with within 20 working days of receipt, although this time limit may be extended with the agreement of the complainant, or where the Clerk feels it necessary to take legal or other advice.

6. Where it appears that the complaint includes an allegation that a criminal offence has been committed the Clerk may deal with the complaint by referring it to the police.

7. If a complainant is dissatisfied with the Clerk's decision on a complaint, or if the complaint is not dealt with to the satisfaction of the complainant within the time limit set out in the previous paragraph, the complainant may ask for the matter to be referred to Full Council.

8. Where a complaint is referred to Full Council the complainant will be informed of the date, time and place of the meeting. At least ten working days' notice will be given. The complainant will be invited to attend the meeting and also to submit any documents which he/she wishes to refer to. Any such documents must be received by the Clerk seven working days before the meeting to enable them to be circulated to members. The Clerk will provide the complainant with any documents that s/he wishes to refer to within the same timescale. The Clerk will also inform the complainant whether it is likely that the meeting will be open to the press and public or whether the press and public are likely to be excluded (for example because the personal affairs of an individual may be discussed).

9. At the meeting the Chairman should introduce everyone and explain the procedure. The complainant may outline the grounds of complaint and may then be questioned, first by the Clerk and then by Council Members. The Clerk may outline the Council's position and may be questioned, first by the complainant and then by Council Members. The Clerk and then the complainant may give a final summary of their position.

10. The complainant and the Clerk will then leave the room to allow the Council to reach a decision on the complaint. They will be called back when the Council has reached a decision. Any decision on a complaint shall be announced at the Council meeting in public.

11. If the Council considers that a complaint alleges misconduct by an employee the decision on the complaint may be deferred until the allegation has been dealt with under the Council's disciplinary procedure.

12. The decision of the Parish Council together with any impending action will be confirmed in writing to the complainant within seven working days.