

# **STOCKTON PARISH COUNCIL**

## **COMPLAINTS PROCEDURE**

### **1. Definition of a Complaint**

A complain 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 service, whether the action was taken or the service provided by the Council itself, or a body acting on behalf of the Council.

### **2. Whether it is appropriate to use the Complaints Procedure**

Some types of complaint should be dealt with by other more appropriate procedures:

Financial irregularities might have to be dealt with by the Council's auditor or by The Audit Commission.

Criminal activity should be dealt with by the police.

Conduct of Councillors should be referred to the Standards Committee of Stratford District Council.

Employee misconduct should be dealt with through an internal disciplinary procedure.

### **3. Confidentiality**

The identity of the complainant should only be made known to those who will consider the complaint.

### **4. Complaints Committee**

A complaints committee of three or more shall be established drawn from the members of the Council.

### **5. The Procedure**

#### Before the meeting established to consider the complaint

5.1. The complainant should be asked to put the complaint in writing to the clerk. If the complainant does not want to put the complaint to the clerk he or she should be advised to address it to the Chairman of the Council.

5.2. The clerk or chairman shall acknowledge receipt of the complaint and advise the complainant when the complaint will be heard by a committee established for that purpose. The complainant shall be advised whether the complaint shall be treated as confidential.

5.3. The complainant shall be invited to attend the committee meeting and advised that they may be accompanied by a representative if they so wish.

5.4. Seven days before the date of the committee the complainant shall provide the council with copies of any documentation or other evidence to be relied on. The Council shall provide copies of any documentation upon which they wish to rely at the meeting and shall do so promptly so that the complainant has time to read the material in good time for the meeting.

#### At the Meeting

5.5. The committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.

5.6. The chairman shall introduce everyone and explain the procedure.

5.7. The complainant (or representative) shall outline the grounds for the complaint and thereafter shall answer any questions from the clerk and then the members of the committee.

5.8. The clerk shall have an opportunity to explain the Council's position and thereafter shall answer any questions from the complainant and then the members of the committee.

5.9. The complainant and then the clerk shall be offered the opportunity to summarise their case.

5.10. The complainant and the clerk shall be asked to leave the meeting while members decide whether or not the grounds for the complaint are justified. If a point of clarification is necessary both the clerk and the complainant shall be called back into the meeting. As the clerk has represented the Council he or she shall not advise the committee, as they need to determine the matter themselves.

5.11. The complainant and the clerk shall be given the opportunity to wait for a decision but if the decision is unlikely to be finalised immediately they should be advised when the decision will be made and how it will be communicated.

#### **After the Meeting**

5.12. The decision shall be confirmed in writing within seven days of being made together with details of any action to be taken.

**This policy was amended by Stockton Parish Council on 19<sup>th</sup> June 2023 and will be reviewed in three years' time, at the AGM**

doc title:complaints procedure