

## Complaints Policy Toddington Parish Council

Adopted: 13th July 2015 Minute Ref: 424/15-16/574  
Reviewed and approved: 2<sup>nd</sup> March 2020. Minute Ref: 200203/14

1. This Policy sets out procedures for dealing with any complaints that anyone may have about the Parish Council's **administration and procedures**. Councillors are covered by the Code of Conduct adopted by the Council on 10th September 2012 and complainants should be advised to contact the Monitoring Officer at Tewkesbury Borough Council for further information relating to complaints against individual members. Complaints against **policy decisions** made by the Council shall be referred back to Council, but note standing order 7 of the Council's Standing Orders which says that issues shall not be re-opened for six months.
2. If a complaint relates to procedures or administration as practised by the Council's employees the complainant should be asked to put the complaint in writing to the Clerk to the Council and be assured that it will be dealt with promptly after receipt.
3. If the complainant prefers not to put the complaint to the Clerk to the Council he or she should be advised to put it to the Chairman of the Council.
4. (a) On receipt of the written complaint the Chairman of the Council or the Clerk to the Council (except where the complaint is about his or her own actions), shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person complained against and giving him or her an opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.  
  
(b) Where the Clerk to the Council or the Chairman of the Council receives a written complaint about the Clerk to the Council's own actions, he or she shall refer the complaint to the Chairman of the Council. The Clerk to the Council shall be notified and given an opportunity to comment.
5. The Clerk to the Council or Chairman of the Council shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
6. The Clerk to the Council or Chairman of the Council shall bring any written complaint that has not been settled to the next meeting of the Council. The Clerk to the Council shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint orally. (Unless such a matter may be related to Grievance, Disciplinary or Standard Board proceedings that are taking, or likely to take place when such a hearing may prejudice those hearings when the complaint will have to be heard under Exempt Business to exclude any member of the public or the press, or deferred on appropriate advice received).
7. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence,

which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

8. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
9. The procedure for the hearing of a complaint shall be as follows:
  - a) Chairman to introduce everyone.
  - b) Chairman to explain procedure.
  - c) Complainant to outline grounds for complaint.
  - d) Members to ask any question of the complainant.
  - e) If relevant, the Clerk to the Council should explain the council's position.
  - f) Members to ask any question of the Clerk to the Council.
  - g) Clerk to the Council and complainant to be offered opportunity of last word (in this order).
  - h) Clerk to the Council and complainant will be asked to leave room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
  - i) Clerk to the Council and complainant return to hear decision, or to be advised when decision will be made.
10. As soon as may be after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.
11. The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.