

Hambleton Parish Council

Complaints Procedures (adopted May 2013)

Hambleton Parish Council Complaints Procedures are aimed at those situations where a complaint has been made about the administration of the Parish Council or its procedure, not its policy decisions.

It is not an appropriate forum for a complaint against individuals, as those provisions are available elsewhere as follows.

Complaints about an employee of the Parish Council (ie: the Clerk) should be dealt with as an employment matter. The complainant should be assured that the matter will be dealt with internally as such and appropriate action taken as required.

Complaints about a Councillor are likely to be dealt with by the Monitoring Officer of Winchester City Council. Relevant contact details can be advised to the complainant.

Complaints Procedures

1. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
2. The complainant will be asked to put the complaint in writing by letter or e-mail to the Clerk. The complaint will be dealt with within 21 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.
3. If the complainant prefers not to put the complaint to the Clerk (because, for example, the matter relates to the Clerk) he or she should be advised to write to the Chairman.
4. On receipt of a written complaint, the Clerk (except where the complainant is about his or her own actions) or Chairman (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him/her an opportunity to comment. Efforts should be made to resolve the complaint at this stage.
5. Where the Clerk or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chairman. The Clerk will be formally advised of the matter and given an opportunity to comment.
6. The Clerk (or Chairman) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
7. The Clerk (or Chairman) will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Council orally.

8. The complainant shall be advised that they have 7 clear days prior to date of the meeting to provide the Parish Council with copies of documentation or other evidence that they wish to refer to at the meeting. Similarly the Parish Council shall provide the complainant with copies of any documentation it wishes to rely on at the meeting.
9. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's Grievance and Disciplinary Procedures.
10. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.
11. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
12. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
13. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.