

Beech Parish Council

Procedure for handling complaints

Adopted February 2016 – Agenda item 8, Minute reference 16.14

Reviewed 22nd May 2017

Agenda item 9. d), Minute reference 17.58 d)

Reviewed 21st May 2018

Agenda item 10 e), Minute reference 18.71 e)

BEECH PARISH COUNCIL PROCEDURE FOR HANDLING COMPLAINTS

This procedure deals with the handling of complaints* about the administration or procedures of Beech Parish Council. This is outside the jurisdiction of the Local Government ombudsman. The Local Government Act 1974 (S34(1)) defines the authorities the LGO may investigate. Parish and town councils are not included in this definition.

Complaints about the Clerk should be addressed to the Chairman and will be dealt with as an employment matter.

Complaints about a Councillor should be addressed to the Parish Council, If the complainant is not satisfied with the outcome, they may request the local Standards Committee, East Hampshire District Council to consider the complaint.

- If it is not possible to satisfy the complainant fully, the complainant shall be asked to put the complaint in writing to the Parish Clerk.
- If the complainant does not wish to put the complaint to the Clerk they may put it to the Chairman.
- The Clerk shall acknowledge receipt of the complaint
- On receipt of a written complaint the Parish Clerk (except where the complaint is about the actions of the Parish Clerk) will refer the complaint to the Council. Please see Procedure below.
- Where the Parish Clerk receives a written complaint about their actions, the complaint shall be referred directly to the Council.

Complaints not covered by this procedure include:

Type of conduct	Refer to
Alleged financial irregularity	Local elector's statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998.
Alleged criminal activity	The Police
Members' conduct alleged to breach the code of conduct adopted by the council.	The district council, East Hampshire District Council, is responsible for handling complaints that relate to a member's failure to comply with the council's code of conduct.
Employee conduct	Internal disciplinary procedure

*'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.'

Contact: Beech Parish Council Clerk on clerk@beechpc.com or telephone 01420 562130.

Review Date: May 2018

Signed Chairman Beech Parish Council.....

Date:.....

BEECH PARISH COUNCIL

COMPLAINTS PROCEDURE

Before the Meeting

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk or other nominated officer.
2. If the complainant does not wish to put the complaint to the clerk or other nominated officer, he or she should be advised to address it to the chairman of the council.
3. The clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council or by the 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 council meeting in public.
7. The chairman 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 clerk or other nominated officer and then (ii), members.
9. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
10. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
11. The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
12. The 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.