

## RINGMER PARISH COUNCIL

### COMPLAINTS POLICY & PROCEDURES

#### A policy for dealing with complaints about the Parish Council, Staff or Members

#### 1. Introduction

The Parish Council provides many services to community groups, sports teams, companies, and individuals. We try to get our service delivery right every time, but there may be occasions when users of our services are dissatisfied with our performance. This policy sets out how to raise a complaint with the Parish Council.

#### 2. Informal Complaint

Most complaints can be resolved quickly and amicably through this route. Informal complaints can be made by telephone or email to the Parish Council, and our contact details are included at point 12 below.

Complaints should always be directed through the Clerk, who will ensure that the complaint is handled by the most appropriate member(s) of staff. A complainant may advise a Councillor of the details of a complaint, but an individual Councillor is not able to resolve complaints. It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions when an informal approach has not resolved the complaint, or when it is considered that the initial complaint requires further investigation, then the following formal complaints process should be followed.

#### 3. Formal Complaint

The Clerk to the Council is responsible for managing the Formal Complaints Process. The Clerk is the Senior Officer of the Council, effectively its General Manager.

A formal complaint can only be submitted in writing to the Parish Council, addressed to the Clerk and marked: "Confidential – Formal Complaint". The Council generally encourages contact by email and telephone, but as a formal complaint is a serious matter; **it will only be accepted in writing.**

The complaint should include as much detail as possible and enclose copies of all relevant supporting documentation. The Clerk will acknowledge receipt of the complaint within three working days.

The Clerk will carry out an initial investigation into the complaint and will, within ten working days, provide the complainant with an update on progress, or a suggested resolution. If the complainant is satisfied with the suggested resolution, then the complaint will be closed. The Clerk will report summary details of the complaint and a summary of its resolution to the Council through the Clerk's report. This summary report will exclude the name of the complainant.

If the Clerk is unable to resolve the complaint, or if the complainant is not satisfied with the proposed resolution, then the matter will be referred to a meeting of the Council's Review Panel.

If a formal complaint is being raised against the Clerk, then the process detailed above should be followed, but the complaint should instead be directed towards the Chairman of the Council.

#### **4. Review**

The Review Panel has delegated authority from the Parish Council to review and decide on complaints. The Review Panel is a properly formed committee of the Parish Council and will have a Chairman and Vice Chairman, which may or may not be the Parish Council Chairman.

The panel will be constituted of six members, to ensure that three members of the committee will likely be available, at short notice, to review a complaint.

Three members only will review a complaint; this will ensure that the panel is quorate and that the number of members present is not excessive.

The Review Panel is subject to all the normal meeting notifications and agenda and minute requirements as laid down in the Parish Council's Standing Orders. Arrangements for minute taking will be reviewed as and when a Review Panel meeting is called. It is expected that the Review Panel will meet within ten working days of being notified by the Clerk of a complaint.

Seven clear working days before the Review Panel meeting, the complainant will provide the Parish Council with copies of all documentation, or other evidence that they intend to rely upon at the Review Panel meeting. The Parish Council will provide the same to the complainant.

#### **5. At the Meeting**

- a. The Review Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and press; as far as possible, the Council carries out its business in public, but matters that involve complaints against individual members of staff may require the exclusion of the press and public.
- b. The Chairman of the Review Panel shall introduce everyone and explain the procedure for consideration of the complaint. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.
  - i. The complainant (or representative) shall be invited to outline the grounds for complaint and panel members shall be given the opportunity to ask any question of the complainant.
  - ii. If relevant, the Clerk (deputy or other officer) will explain the Council's position, and panel members shall be given the opportunity to ask further questions of the complainant.
  - iii. The complainant shall be offered the opportunity to sum-up their position.
  - iv. The Clerk shall be offered the opportunity to sum up their position.
- c. The Clerk and complainant shall be asked to leave the room while panel members decide whether the complaint is justified and supported by the supporting evidence. If further clarification is necessary, both parties shall be invited back. In any case, both parties shall return to hear the decision, or to be advised when the decision will be made.
- d. The announcement of any decision will also be made in public, at the next Council meeting.

#### **6. Timings**

The Parish Council will try to adhere to the timings outlined in this policy, but in the case of a complex complaint, or in the absence of a member of staff who is involved in the complaint, the timings may vary. The complainant will be advised of any revised timescales.

## **7. Appeals**

Should the complainant not agree with a decision, they will be entitled to appeal within 10 working days of receipt of the result.

The Review Panel nominated to handle the appeal will, within 14 working days of receiving the appeal, examine the way in which the Council dealt with the complaint. If the Review Panel determines that procedures were correctly handled by the Council, the appellant will be notified that the appeal has not been successful. If the Review Panel determines that the complaint was not handled correctly, as determined by the appeal, it will be referred for consideration as at Section 4. The appellant will be notified of the result of the appeals process within 10 working days.

## **8. Habitual and Vexatious Complaints**

The Parish Council will endeavour to deal with complaints in an efficient, equitable and effective manner. The Council may have to initiate further action, if a complainant behaves in a manner as outlined within the Parish Council's Vexatious Policy.

## **9. Parish Council Staff**

A formal complaint is a serious matter. A complaint involving a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct, dismissal from the Council's employment.

The Council will not, under any circumstances, enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally, against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

## **10. Complaints against Councillors**

This policy does not cover complaints against an individual Councillor. It will not deal with complaints about matters that are not covered by the Councillor's Code of Conduct. A complaint about a Parish Councillor must be about a Councillor's failure to follow the Code of Conduct and should be addressed to the Monitoring Officer as follows:

The Monitoring Officer  
Lewes District Council  
Southover House, Southover Road  
Lewes  
East Sussex  
BN7 1AB

Email complaints marked for the attention of "The Monitoring Officer" can be sent to Oliver Dixon in Democratic Services.

Further information is available from the Lewes District Council website:

<https://www.lewes-eastbourne.gov.uk/councillors-committees-and-meetings/complaints-against-councillors/>

## **11. Anonymity**

The Council will not acknowledge or consider, under any circumstances, informal or formal complaints that are submitted anonymously.

## **12. Contact details**

**By Post:** Parish Clerk  
Ringmer Parish Council  
Old School Close  
Ringmer  
East Sussex  
BN8 5RA

**Telephone:** 01273 813 424 / 07565 704 342

**Email:** [clerk@ringmerparishcouncil.gov.uk](mailto:clerk@ringmerparishcouncil.gov.uk)

## **13. Policy Adoption**

This policy was adopted by Ringmer Parish Council. Subsequent minor text amendments can be made under authority delegated to the Clerk.

## **14. Document Revision History**

### **Date Version Revision**

13/03/2019 Final draft

Final adopted version, minute reference 16/05/2019 – 9.8