

RATTLEDEN PARISH COUNCIL: POLICIES AND PROCEDURES

12 COMPLAINTS PROCEDURE

Adopted 2014-09-30; Last Updated 2022-06-28

1 General

- 1.1 From time-to-time members of the public may have complaints about the administration, procedures, decisions or staff of the Council. A complaint is an expression of dissatisfaction about the standard of service, actions or lack of action by the council or its staff affecting one or more members of the public.
- 1.2 Rattlesden Parish Council will, as far as reasonably possible, try to resolve complaints in an informal manner. However, if this is not acceptable to the complainant then the formal complaints procedure below will be followed.
- 1.3 For other complaints the Parish Council has a standard formal procedure recommended for transparency in local government and as a way of ensuring that complainants can feel satisfied that any complaint has been properly and fully considered and determined.

2. Complaints Concerning Parish Councillors

Any person wishing to make a complaint against a parish councillor, where there is perceived to be a breach of the LGA Model Councillor Code of Conduct 2022, is required to submit that complaint to, and in writing on the official form available from:

The Monitoring Officer, Mid Suffolk District Council, Endeavour House, 8 Russell Road, Ipswich IP1 2BX (Telephone: 0300 1234000;
<https://www.babergh.gov.uk/the-council/making-a-complaint-about-a-councillor/>).

3. Complaints Concerning Council Administration, Procedures and Decisions

- 3.1 All complaints about the administration, procedures and decisions of the Council should be made in writing to the Clerk of the Council.
- 3.2 Should the complainant not wish to write to the Clerk then the complaint should be addressed to the Chairman.
- 3.3 The Clerk or Chairman shall acknowledge receipt of the complaint, and duly record the relevant details which should be presented to the next full meeting of the Council.
- 3.4 The Clerk or Chairman shall advise the complainant when the Council will consider the matter.
- 3.5 The complainant shall be invited to attend the relevant meeting and to bring with him/her any representation as he/she feels would be helpful and supportive.
- 3.6 Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, to which he/she wishes to refer at the meeting. Similarly, the Council shall provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.

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- 3.7 At the meeting the Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and the public. However, any decision on a complaint shall be announced, in public, at a full Council meeting.
- 3.8 The Chairman shall introduce everyone involved and explain the procedure to be followed prior to conducting the process itself.
- 3.9 The complainant shall be asked to outline the grounds for complaint and thereafter questions may be asked by councillors. At any time, the Clerk may ask questions to provide both for clarity and for the accuracy of the formal record.
- 3.10 The Clerk shall, if relevant, explain the position of the Council and questions may be asked by the complainant and councillors.
- 3.11 The Chairman and then the complainant shall be offered the opportunity to summarise the respective positions.
- 3.12 If appropriate, the complainant, may be asked to leave the room while the Council decides whether or not the grounds for complaint have been made.
- 3.13 The complainant may return to hear the decision or to be advised when the decision will be made.
- 3.14 Should the complainant not return then he/she will be notified in writing of the outcome of the Council's findings within seven working days of the decision.

4. Complaints Concerning Council Staff

- 4.1 All complaints about Council staff should be made in writing to the Chairman.
- 4.2 The Chairman shall acknowledge receipt of the complaint, and duly record the relevant details which should be presented to the next full meeting of the Council.
- 4.3 The Chairman should inform the member of staff that a complaint has been received and the nature of the complaint.
- 4.4 The complainant shall be invited to attend the relevant meeting and to bring with him/her any representation as he/she feels would be helpful and supportive.
- 4.5 Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, to which he/she wishes to refer at the meeting. Similarly, the member of staff shall also provide the Council with copies of any documentation upon which he/she wishes to rely at the meeting.
- 4.6 At the meeting the complaint will necessarily be discussed in the absence of the press and the public. However, any decision on a complaint shall be announced, in public, at a full Council meeting.

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- 4.7 The Chairman shall introduce everyone involved and explain the procedure to be followed prior to conducting the process itself.
- 4.8 The complainant shall be asked to outline the grounds for complaint and thereafter questions may be asked by councillors.
- 4.9 The member of staff shall then be asked to outline his/her position and thereafter questions may be asked by councillors.
- 4.10 The Chairman shall then summarise the respective positions.
- 4.11 Both the member of staff and complainant will be asked to leave the room while the Council decides whether or not the grounds for complaint have been made. If clarification on a point is necessary, both parties shall be invited back.
- 4.12 The member of staff and complainant shall be invited to return to hear the decision, or be advised when the decision will be made.
- 4.13 In the event that a decision is not made immediately the member of staff will be informed of the outcome by the Chairman within seven working days of the decision; and the complainant notified in writing of the outcome of the Council's findings also within seven working days of the decision.

5. Malicious/Vexatious Complaints

In the event of serial facetious, vexatious or malicious complaints from a member of the public the Council shall consider taking legal advice before communicating with the complainant and, especially, prior to issuing any written response.