

## Stanwick Parish Council

### Complaints Procedure

1. This Policy sets out the procedures for dealing with any complaints that anyone may have about the Parish Council's **administration and procedures**.
2. This complaints procedure does not apply to:
  - 2.1 Complaints by one council employee against another council employee, or between a council employee and the council as an employer. These matters are dealt with under the council's disciplinary and grievance procedures
  - 2.2 This Complaints Procedure does not apply to Councillors. Councillors are covered by the Code of Conduct adopted by the Council in July 2021. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of North Northamptonshire Council.
3. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed. Complaints against policy decisions made by the Council shall be referred back to the Council but it should be noted that paragraph 7 to the Council's Standing Orders state that a Council decision cannot be reversed for six months.
4. A complaint form is available on our website and from the Clerk on request. The complainant will be asked to put the complaint in writing, by letter or email, to the Clerk to the Council and this will be acknowledged within seven working days of receipt. If the complainant is unable to put the complaint in writing, the complainant should contact the Clerk or a Councillor to determine if an alternative mutually acceptable arrangement can be made.
5. If the complainant prefers not to put the complaint to the Clerk to the Council, then they will be asked to put it to the Parish Council Chairman.
6. On receipt of a written complaint the Chairman or Clerk to the Council (except where the complaint is about his or her own actions), will try to settle the complaint directly with the complainant. This will not be done without first notifying the person complained against and giving him or her an opportunity to comment.
7. Where the Clerk to the Council receives a written complaint about the Clerk's own actions, the complaint will be referred to the Council Chairman. The Clerk will be notified and given the opportunity to comment.
8. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

9. The Clerk or Chairman (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
10. The Clerk to the Council or the Chairman will report to the next meeting of the Council any written complaint resolved of by direct action with the complainant.
11. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the full Council and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.
12. Any unresolved written complaints will be considered by next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant may be invited to attend, bringing a representative if they wish, and offered opportunity to explain the complaint.
13. 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.
14. At the meeting the Council will 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.
15. Where the complainant has been invited to a meeting the Chairman will introduce everyone and explain the procedure.
16. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii), members.
17. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
18. The Clerk followed by the complainant will be offered the opportunity to summarise their position.
19. The Clerk, and other relevant councillors if appropriate, and the complainant will 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.
20. The Clerk and the complainant will be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they will be advised when the decision is likely to be made and when it is likely to be communicated to them.
21. The decision will be confirmed in writing within seven working days of that meeting together with details of any action to be taken.
22. The Council may defer dealing with a written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint will be dealt with at the next meeting after the advice has been received.

23. If you remain dissatisfied with the response to your complaint you may seek judicial review through the High Court (see Judicial review - Courts and Tribunals Judiciary for details)

24. The jurisdiction of the Local Government Ombudsman (LGO) does not extend to parish councils.

Version	Date adopted	Minute ref	Reviewed
1	2014		Jan 2022
2	20/01/22	21.155	May 2023
3	18/05/23	23.9	
4	16/11/23	23.129	