

# **NETHERBURY PARISH COUNCIL COMPLAINTS POLICY**

ADOPTED 16 JULY 2024

## **INTRODUCTION**

Netherbury Parish Council is committed to providing a quality service for the benefit of the people who live and work in the Parish and visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council or are unhappy about an action or lack of action by this Council, this Complaints Policy sets out how you may complain to the Council and how we shall try to resolve your complaint.

This Complaints Policy applies to complaints about council administration and procedures and may include complaints about how a council employee has dealt with your concerns. This Complaints Policy does not apply to:

- Complaints against Councillors. Complaints against Councillors are covered by the Code of Conduct and must be referred to Dorset Council.

## **INFORMAL COMPLAINT**

It is hoped that most complaints can be resolved quickly and amicably through this route. Informal complaints can be made by telephone or email to the Clerk to the Council and followed up in writing if by telephone. The complaint will be handled by the Clerk. Complaints should always be directed through the Clerk, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not able to resolve complaints. However, the Council appreciates that on occasions if an informal approach has not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

## **FORMAL COMPLAINT**

The Clerk to the Council is responsible for managing the formal complaints process. If a formal complaint is being raised against the Clerk, then the process as detailed should be followed, but the Chair of the Council should be informed instead of the Clerk.

A formal complaint can only be submitted in writing, by letter or email, and be addressed to the Clerk, marked "Confidential – Formal Complaint."

The complaint should cover as much detail as possible and enclose any relevant supporting documentation. The Clerk will acknowledge receipt of the complaint within three working days, unless received whilst on a period of annual leave.

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 resolution the complaint is closed. The Clerk will report to

the Council and will include summary details of the complaint and a brief summary of its resolution. This summary report will exclude the names of the complainant.

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

## **REVIEW PANEL**

The Review Panel is made up of councillors within the Parish Council. The Panel will be constituted of five Members to ensure that three members are available, at short notice, to review a complaint. When possible the Panel will consist of the Chair and Vice Chair of the Council and three other Members. Three Members will review a complaint, this will ensure that the Panel is quorate and that the number of Members present is not excessive.

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

Prior to the meeting:

Seven clear working days before the Review Panel meeting the complainant will provide the Parish Council with copies of all documentation, or other evidence (such as photographs) that they intend to introduce to the Review Panel meeting. The Parish Council will provide the same to the complainant.

At the meeting:

1. The Review Panel shall consider whether the circumstances of the meeting warrant the exclusion of the public and press.

2. The Chair of the Review Panel shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.

(a) The complainant (or representative) shall be invited to outline the grounds for complaint and Panel Members will be given the opportunity to ask any questions of the complainant.

(b) If relevant, the Clerk will explain the Council's position and Panel Members shall ask any questions of the Clerk.

(c) The complainant is to be offered the opportunity of a last word as means of summing up their position.

d) The Clerk is to be offered the opportunity of a last word as a means of summing up their position.

3. The Clerk and complainant shall be asked to leave the room while the Panel Members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.

4. The announcement of any decision will be made in public, at the next Full Council meeting.

### **TIMINGS**

The Parish Council will try to adhere to the timings outlined in this Policy, but in the case of a complex complaint, timings may have to vary.

### **IMPACT ON COUNCIL STAFF**

A formal complaint is a serious matter. A complaint against a member of the Council staff could result in disciplinary action, or in the 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 staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

### **COMPLAINTS AGAINST COUNCILLORS**

This Policy does not cover complaints against an individual Councillor. A complaint about a Parish Councillor should be addressed to:

The Monitoring Officer, Dorset Council, County Hall, Dorchester, Dorset, DT1 1XJ

Dorset Council can only deal with complaints about the behaviour of a Parish Councillor. It will not deal with complaints about matters that are not covered by the Councillors Code of Conduct. Complaints must be made about a Councillor's failure to follow the Code of Conduct.

### **ANONYMITY**

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