



# BARHAM PARISH COUNCIL

## Complaints Policy

### **1. Introduction**

- 1.1. Barham Parish Council is committed to providing its services efficiently and to as high a standard as possible. The Council takes all complaints very seriously.
- 1.2. An up-to-date copy of this Policy shall be maintained on Barham Parish Council's website.

### **2. Scope**

- 2.1. There are three main types of complaints; complaints relating to an employee, complaints relating to a Councillor and complaints relating to administration and procedures. This Policy sets out the procedures for dealing with complaints by members of the public about Barham Parish Council.
- 2.2. Complaints relating to Council employees are dealt with internally, as an employment matter.
- 2.3. Complaints relating to the code of conduct of a Councillor should be referred immediately to the Monitoring Officer at MSDC

### **3. Purpose**

- 3.1. The purpose of this Policy is to ensure that Barham Parish Council has a clear procedure for dealing with complaints in order to:
  - 3.1.1. Have the opportunity to respond and resolve to any issues that arise
  - 3.1.2. Learn from mistakes and prevent them from happening in the future
  - 3.1.3. Review policies and procedures where necessary

### **4. The Complaint Process**

#### **4.1. Informing the Council of a Complaint**

- 4.1.1. Complaints about procedures or administration should be discussed with the Clerk. Mistakes and misunderstandings are often resolved informally at this stage. If the Clerk cannot resolve the complainant informally the following steps should be followed.
- 4.1.2. The complainant will be asked to put any complaint about the Council's procedures or administration in writing to the Clerk, providing their name, address, and contact number, together with the nature of the complaint. If the complainant does not wish to put the complaint to the Clerk, the complaint may be put to the Chairman of the Parish Council or nominated deputy.
- 4.1.3. The complaint shall be acknowledged in writing within seven working days and the complainant advised of when the matter will be considered by Barham Parish Council. Complaints will usually be discussed at the next Full Parish Council Meeting. However, if the nature of the complaint is complex or urgent, then a specially convened meeting may be necessary.
- 4.1.4. The complainant shall be invited to attend the relevant meeting where the complaint is to be considered and bring with them such representatives as they wish. Barham Parish Council must be informed in advance of who will be attending the meeting and in what capacity.

4.1.5. At least seven working days before the meeting, the complainant will need to provide Barham Parish Council with copies of any documentation or other evidence which may be referred to at the meeting. Barham Parish Council will similarly provide the complainant with copies of any documentation which it may refer to during the meeting.

#### **4.2. At the Meeting**

4.2.1. Barham Parish Council shall consider whether the nature of the complaint warrants the exclusion of the public and the press from the meeting whilst the matter under consideration is discussed. The final decision on the complaint shall be announced at the Parish Council meeting in public.

4.2.2. The following procedure will be followed:

- The Chairman will introduce everyone
- The Chairman will explain the procedure
- The complainant will be asked to outline the grounds of their complaint
- If relevant, the Clerk will explain Barham Parish Council's position
- Councillors will then have the opportunity to ask questions
- The complainant will then be offered the opportunity to provide a closing statement
- The complainant will then be asked to leave the room whilst the Councillors decide whether or not there are grounds for a complaint to be upheld
- The complainant will be invited back to hear Barham Parish Council's decision, or to be advised when a decision will be made.

#### **4.3. Following the Meeting**

4.3.1. The decision made by Barham Parish Council regarding the complaint will be confirmed in writing within seven working days of being made. Included with this will be details of any action to be taken.

4.3.2. The complainant will have seven working days following the written confirmation to appeal the decision.

#### **4.4. Appeal Process**

4.4.1. The complainant must inform Barham Parish Council, in writing, if they wish to appeal against the decision.

4.4.2. The request for an appeal shall be acknowledged in writing and the complainant advised of when the matter will be re-considered by Barham Parish Council.

4.4.3. The complainant shall be invited to attend the relevant meeting where the appeal is to be considered and bring with them such representatives as they wish.

4.4.4. The appeal process will follow the same procedure as that outlined in section 4.2.2, providing the complainant with the opportunity to explain their grounds for appeal.

4.4.5. Following the appeal, Barham Parish Council will confirm its final decision in writing within seven working days, together with details of any action to be taken.

4.4.6. If following the appeal process, the complainant is still not satisfied with the action taken, or if the complainant feels as though they have been unfairly treated, then the complainant can pursue their complaint through the Ombudsman, who provides an independent national service to investigate complaints about councils.

4.4.7. The Local Government Ombudsman can be contacted on 0300 061 0614 and further information can be obtained from [lgo.org.uk](http://lgo.org.uk).

### **5. Policy Review**

5.1. Barham Parish Council will review this Policy as is necessary and appropriate, and at a minimum on an annual basis.