

Wisborough Green Parish Council

COMPLAINTS PROCEDURE

The following policy has been established to deal with complaints about the administration and procedures of the Parish Council. On receipt of a complaint, the Clerk or Chairman will make every effort to settle the grievance at this stage. Should the complainant not be satisfied with the explanation or if further advice is required, the procedure as detailed below will be followed:

1. On Receipt of a Complaint:

The Clerk, in consultation with the Chairman, will ascertain the category of the complaint and take the relevant action with reference to the following:

Complaint Category	Action
Financial Irregularity	<ul style="list-style-type: none">• The Clerk/RFO should endeavour to provide an explanation of the item.• The Clerk/RFO may need to consult the auditor.• If the complainant is not satisfied, the Clerk should advise the complainant of the Local elector's statutory right to object to Council's audit of accounts pursuant to s.16 Audit Commission Act 1998.
Criminal Activity	<ul style="list-style-type: none">• The Clerk should refer the complainant to the Police.
Member's Conduct	<ul style="list-style-type: none">• If the complaint relates to a failure to comply with the Code of Conduct, the Clerk should refer the complainant to the District Solicitor at Chichester District Council, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY and advise that further information and a complaint form are also available on the Chichester District Council website (www.chichester.gov.uk).
Employee Conduct	<ul style="list-style-type: none">• As an internal disciplinary matter, this should be dealt with under the Council's disciplinary procedure. If the complaint is about the Clerk, the complaint should be referred to the Chairman.
Other	<ul style="list-style-type: none">• Expressions of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council. <p>This category of complaint is dealt with under the following complaints procedure. This procedure is designed for those complaints which cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk or Chairman. At all times, all parties should be treated fairly and the process should be reasonable, accessible and transparent.</p> <p>The Clerk or Chairman shall report to the next Parish Council meeting any verbal or written complaints disposed of by direct action with the complainant.</p>

2. Confidentiality

The Local Government Ombudsman (LGO) advises that the identity of a complainant should only be made known to those who need to consider a complaint. The Council should take care to maintain confidentiality where circumstances demand e.g. where matters concern financial or sensitive information or where third parties are concerned.

3. Procedure - Before the Meeting

- a. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.
- b. If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the Council.
- c. The Clerk, in consultation with the Chairman, shall acknowledge receipt of the complaint within 14 days and attempt to address the complaint. The complainant will be advised of this action; if they still wish to pursue the matter it will be considered by the Council. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way on the agenda.
- d. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
- e. 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.

4. Procedure - At the Meeting

- a. The Council shall 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.
- b. The Chairman should introduce everyone and explain the procedure.
- c. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii), members.
- d. The Clerk will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii), members.
- e. The Clerk and then the complainant should be offered the opportunity to summarise their position.
- f. The Clerk and the complainant should 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.
- g. The Clerk and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

5. Procedure - After the Meeting

- a. The decision should be confirmed in writing within seven working days together with details of any action to be taken.