

PARISH COUNCIL

COMPLAINTS PROCEDURE

Complaints about an employee of the council (i.e. the Clerk) should be dealt with as an employment matter. The complainant can be assured that the matter will be dealt with internally as such and appropriate action taken as required.

Complaints about a Councillor are now subject to the jurisdiction of the Standards Board. Complainants should be advised to contact the appropriate body directly or the Monitoring Officer of Babergh District Council for further information. Contact details of the Monitoring Officer can be obtained from the Parish Council.

This procedure is therefore aimed at those situations where a complaint has been made about the administration of the council or about its procedures.

The Council will establish a Committee to deal with complaints. This avoids the need for full council having to assemble and also makes the process less daunting for a complainant if they choose to attend a meeting in person. If a committee is formed, it should report its conclusions to the next council meeting.

The procedure is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk or Chairman. This procedure has been adapted to suit local circumstances from advice offered by the Suffolk Association of Local Councils.

It may be that the Clerk at the meeting represents the position of the Council. If the Clerk is putting forward the justification for the action or procedure complained of, he or she should not advise the Council or Committee.

At all times, the rules of natural justice will apply. All parties should be treated fairly and the process should be reasonable, accessible and transparent.

CODE OF PRACTICE

Before the Meeting

1. The Complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or other nominated Proper Officer.

If you would like to report a complaint please write to:

Bentley Parish Council
Clerk to the Council
Mrs J Scott
Whites Cottage Heath Road
East Bergholt
CO7 6RJ

E-mail joyvscott@outlook.com

If the Complainant does not wish to put the complaint to the Clerk, they may be advised to put it to the Chairman of the Council.

2. The Clerk shall acknowledge the receipt of the complaint and advise the Complainant when the matter will be considered by the Committee established for the purposes of hearing complaints.

3. The Complainant shall be invited to attend the relevant meeting and bring with them such representative as he or she wishes.
4. 7 clear working days prior to the meeting, the Complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the Complainant with copies of any documentation upon which they wish to rely at the meeting.

At the Meeting

6. The Council will consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint will be reported to the next Council Meeting in public.
7. The Chairman will introduce everyone.
8. The Chairman will explain the procedure.
9. The Complainant (or representative) to outline the grounds for their complaint.
10. The Committee to ask any question of the Complainant.
11. If relevant, the Clerk will explain the Council's position.
12. The Committee to ask any question of the Clerk.
13. The Clerk and complainant to be offered opportunity of last word (in this order).
14. The Clerk and Complainant to be asked to leave room while the Committee decides whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties will be invited back).
15. The Clerk and Complainant return to hear the decision, or to be advised when a decision will be made.

After the Meeting

16. The Council will confirm their decision in writing within 7 working days of the meeting with details of any action to be taken.

This Complaints procedure was adopted by the Council at a meeting in April 2009

REVIEWED AT MEETING HELD ON 7 OCTOBER 2021.