



# COLWICK PARISH COUNCIL

## COMPLAINTS PROCEDURE

### 1. Introduction

This complaints procedure is intended to ensure that complaints by members of the public about the Council's actions, or lack of action, or standard of service, are dealt with promptly and effectively. The object of the procedure is to put things right if they have gone wrong, and minimise the likelihood of future recurrence. The policy has been drafted based on NALC model best practice.

### 2. Exclusions

This procedure does not apply to:

- Complaints about the substance of policy decisions made by the Council (although members of the public may make comments or ask questions about these during the public participation session on every Council meeting agenda under the temporary suspension of Standing Orders).
- Complaints about the conduct of an individual Councillor, which should be made to the Monitoring Officer at Gedling Borough Council.
- Complaints by an employee of the Council about the Council's actions as an employer, which should be dealt with under the Council's Grievance and Disciplinary Procedure.

### 3. Complaints Procedure

- 3.1 Complaints about the Council's administration and procedures should be made initially to the Parish Clerk, and will be dealt with by the Clerk. If the complainant is unwilling to approach the Clerk a complaint may be made to the Chair of the Council, who will refer the complaint either to the Clerk or to the Council. Complaints may be made in writing, by telephone or in person.
- 3.2 Complaints made in writing will be acknowledged in writing within 10 working days of the receipt of the complaint by either letter or e-mail.
- 3.3 Complaints should be dealt with promptly. In general, complaints will be dealt with within 30 working days of receipt, although this time limit may be extended with the agreement of the complainant, or where the Clerk (following consultation with the Council) feels it necessary to take legal or other advice.
- 3.4. Where it appears that the complaint includes an allegation that a criminal offence has been committed, the Clerk may deal with the complaint by referring it to the Police.
- 3.5. If the complaint is not dealt with to the satisfaction of the complainant within the time limit set out in paragraph 3.3, the complainant may ask for the matter to be referred to the Council for consideration and resolution.

- 3.6. Where a complaint is referred to the Council, the complainant will be informed of the date, time and place of the Council Meeting at which the matter will be discussed and advised that they may attend and bring with them any representation if they so wish. At least five working days' notice will be given. The complainant will be invited to submit any documents which he/she/they wishes to refer to. Any such documents must be received by the Clerk three working days before the meeting to enable them to be circulated to members. The Clerk will provide the complainant with any documents that he/she/they wishes to refer to within the same timescale. The Clerk will also inform the complainant whether it is likely that the meeting will be open to the press and public, or whether the press and public are likely to be excluded (for example because the personal affairs of an individual may be discussed or may the subject matter may be prejudicial to the public interest).
- 3.7 At the Council meeting the Chair should introduce everyone and explain the procedure. The complainant may outline the grounds of complaint and may then be questioned, firstly by the Clerk and then by Councillors. The Clerk may outline the Council's position and may be questioned, first by the complainant and then by Councillors. The Clerk and the complainant may then give a final summary of their position.
- 3.8. The complainant and the Clerk will then leave the room to allow the Council to reach a decision about the complaint. They will be called back when the Council has reached a decision.
- 3.9. If the Council considers that a complaint alleges misconduct by an employee a decision about the complaint may be deferred until the allegation has been dealt with under the Council's Grievance and Disciplinary Procedure.
- 3.10 The Council's decision about a complaint should normally be made public. The complainant should be notified of the decision in writing within seven working days, and notified also of what action will be taken if the complaint is upheld.
- 3.11 Where a complaint is upheld the Clerk should report to a subsequent meeting of the Council what decision or action is required to be taken to minimise the likelihood of recurrence and advise of any proposed changes to policies or procedures to be considered.