

# **Complaints Policy**

*Scamblesby with Cawkwell Parish Council*

## **Definition of Complaint**

The Local government Ombudsman has no jurisdiction over parish and town councils in England (LGA 1974). Consequently there are no statutory mechanisms in place should Scamblesby with Cawkwell Parish Council receive a complaint.

It will not always be appropriate for all complaints to be dealt with under this complaints procedure for example:

- Financial irregularity should be referred to/discussed with the auditor/Audit Commission
- Criminal activity should be referred to the Police
- Employee/Individual conduct should be dealt with using the internal disciplinary process
- Member conduct which relates to a failure to comply with the Code of Conduct must be submitted to the Standards Board

‘A complaint is an expression of dissatisfaction by one or more members of the public about the councils action of 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’

## **Procedure**

### **Before the meeting**

1. The complainant should be asked to put the complaint in writing to the clerk or other nominated person
2. If the complainant does not wish to put the complaint to the clerk or nominated person they should be advised to address it to the Chairman of the council
3. Receipt of the complaint should be acknowledged and the complainant advised that it will be considered by the council or committee and whether it will be considered confidential
4. The complainant will be invited to attend a meeting and bring representation if they wish
5. Seven clear working days before the meeting the complainant will provide the council with copies of any documentation of evidence relied upon and council will provide the complainant copies of documentation they will rely on. This is to allow time for reading the material prior to the meeting

### **At the meeting**

1. The council will consider whether the circumstances of the complaint warrant the exclusion of public and press. Any decision will be public.
2. The Chairman should introduce everyone and explain the procedure
3. The complainant (or representative) should outline the grounds for complaint and thereafter questions may be asked by members.
4. The clerk or nominated person will then explain the council’s position and thereafter questions may be asked by the complainant and members

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5. Positions should then be summarised
6. The complainant and the clerk or nominated person should be asked to leave the room while members decide whether or not grounds for the complaint have been made. If a point of clarification is needed, both parties shall be invited back.
7. The complainant and the clerk or nominated person should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

### **After the meeting**

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

**This policy was approved at a meeting held on .....26 May 2022.....**

**Signed on behalf of council...R Gleeson.....**

**Position .....Chairman.....**