

DEDHAM PARISH COUNCIL

Handling of Complaints

Should a member of the public be dissatisfied with the standard of service received from the Parish Council, or an employee or councillor acting on behalf of the Council, a complaint should in the first instance be addressed to the clerk either in writing or verbally.

The Council:-

- will endeavour to make their complaint procedures and actions clear and well publicised by displaying on the parish notice board and website.
- will strive to be impartial and consistent
- will try to rectify matters as quickly as possible
- will be receptive and understanding of the complainant's concern and willing to take responsibility when things have gone wrong
- will attempt to improve areas that are not up to the standard residents' deserve to receive wherever possible so similar errors are not repeated

Complaints of a more serious nature may be dealt with on a formal basis by referring the complaint to other bodies as follows :

1. Financial irregularity : Refer to the local elector's statutory rights to object to Council's audit of accounts pursuant to ¹. On other matters, the Council may need to consult with their internal auditor and/or Audit Commissioner
2. Criminal activity : Refer to the Police
3. Member conduct : A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the Monitoring Officer at Colchester Borough Council Council
4. Employee conduct : Refer to Personnel Committee Internal disciplinary procedure

Complaints Procedure

When things go wrong, it is the purpose of our complaints procedure to rectify informally, as efficiently and quickly as possible. In the first instance the clerk will try to do this. If it is not possible because of the complexity or nature of the complaint, the clerk will involve the chairman of the Parish Council or in his absence, the vice chairman.

The complainant's identity should be protected and made known only to those involved in dealing with the complaint.

A comprehensive response should be made to the complainant in writing as early as possible. If an early resolution to the complaint cannot be agreed within five working days, the complainant should be advised that an investigation is taking place and a realistic timescale given as to when a solution is likely to be offered and hopefully agreed to the complainant's satisfaction.

For complaints which cannot be settled informally by the clerk or chairman, the following procedure will be put in place:

¹ s.16 Audit Commission Act 1998

A committee will be set up, with the clerk or a nominated officer representing the position of the council. The clerk or nominated officer may not justify their actions to resolve the complaint to the committee as this may obscure or predetermine their opinions which should remain unbiased.

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

i) The complainant should be requested to outline concerns which have not been resolved to their satisfaction in writing to the clerk or nominated officer. Or if they would prefer not to deal with the clerk or nominated officer, the complainant may address their concerns to the chairman of the council.

ii) A personnel sub-committee will be formed specifically for hearing complaints. The complainant will be advised in writing within five working days of receipt of the complaint a timescale of when the sub-committee will meet and whether or not the meeting will be

iii) 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 clerk shall provide the complainant with copies of any documentation upon which the council wish to rely at the meeting within a timescale, which will allow the complainant the opportunity to read the material in good time for the meeting.

At the Meeting

iv) The Parish Council or Personnel Committee 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.

v) The Chairman should introduce everyone and explain the procedure.

vi) The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.

vii) The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (1) the complainant and (2), members.

viii) The clerk or other nominated officer and complainant should be offered the opportunity to summarise their position.

ix) The clerk or other nominated officer 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.

x) . The clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be concluded 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.

After the Meeting

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