



## **Dickens Heath Parish Council**

### **COMPLAINTS POLICY**

#### **Introduction**

This policy is for dealing with all complaints except those relating to employment which are dealt with separately under the Disciplinary and Grievance Policies.

#### **Making a Complaint**

- Complaints should be made in writing (letter or email) via the Clerk, unless the complaint is about the Clerk in which case the complaint should be made via the Parish Council Chair. Please see our website for contact details.
- The complaint will be acknowledged as soon as possible, and within 10 working days. The complainant will be advised on how and when the complaint will be dealt with.
- The Parish Council will do its best to handle complaints as quickly as possible, and it should take no longer than 8 weeks from receipt of a complaint to the complainant being advised of the decision.

#### **What Happens Next**

- In the first instance, the Clerk/Chair will attempt to resolve the complaint informally if this is appropriate.
- If the complaint is about the Clerk, the complaint will be dealt with by the Chair. The Clerk will be formally advised of the complaint and given an opportunity to comment. The complaint will then be dealt with by the Parish Council as an employment matter under the Disciplinary Policy.
- If the complaint is about the ethical behaviour of a Parish Councillor, then this will be dealt with under the Code of Conduct that all Dickens Heath

Parish Councillors agree to abide by on election or co-option. A complaint that a Parish Councillor has breached the Code of Conduct will be forwarded to the Monitoring Officer at Solihull MBC.

- Anonymous complaints will be disregarded.
- Unreasonable and vexatious complaints – if a complaint has no reasonable basis, or the Parish Council has already taken reasonable action in response, or other procedures have been followed that are deemed satisfactory, the Parish Council will consider a summary of the complainant's issues and the steps taken to resolve the complaint. The Parish Council may decide in such circumstances that no further action can be taken, and inform the complainant of this - unless there is new and substantive information to consider.
- Some complaints may need to be referred to an external relevant authority
  - – for example complaints about financial irregularity or criminal activity.

### **Consideration of Complaints at a Parish Council Meeting**

- All complaints, other than employment related complaints, will be dealt with by the Parish Council at a full meeting.
- The complainant will be invited to attend the meeting, and to bring a representative with them if they wish.
- The outcome of the complaint will be published, unless it is deemed to be confidential and if so it will be dealt with in the private section of the meeting.
- Seven clear working days before the meeting, the complainant will be asked to provide the Parish Council with copies of any documentation or evidence to be referred to. The Parish Council will also provide the complainant with copies of any documentation that they wish to rely on at the meeting.

### **At the Meeting**

- The Parish Council will consider whether the circumstances of the complaint are confidential and warrant the exclusion of the public and the press. If not the decision on the complaint will be announced in public.
- The Chair will introduce everyone and explain the procedure.
- The complainant or their representative will outline the grounds for complaint, and then questions may be asked by members of the Parish Council and the Clerk.
- The Clerk or other nominated officer will then have an opportunity to explain

the Parish Council's position, and questions may be asked by the complainant and members of the Parish Council.

- The Chair or Clerk will summarise the Parish Council's position and the complainant will then have an opportunity to summarise their position.
- The complainant and their representative will then be asked to withdraw from the meeting while the Parish Council make a decision on whether the complaint is justified. It may also be appropriate for the Clerk to withdraw from the meeting.
- If a point of clarification is necessary, then both parties will be invited back and then asked to withdraw again.
- If a decision has been made, then both parties will rejoin the meeting to be advised of the decision together with the reasons behind it.
- If the decision cannot be finalised until a later date, then the complainant will be advised on when this is likely to happen and when they will be notified.

### **After the Meeting**

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

The decision of the Parish Council is final.

Date of Approval of Policy : November 12<sup>th</sup> 2019

Proposed Date of Review : November 2020