

Preston Patrick Parish Council

Procedure for use in Complaints against the Parish Council

1. Introduction

The following procedure deals with complaints about procedural irregularities and/or dissatisfaction with the conduct of the business of the Parish Council, including the actions of the Clerk. This procedure does not cover complaints about the conduct of a Member of the Parish Council. These are covered by the Council's Code of Conduct.

2. Before processing a complaint

2.1 All formal complaints against the Parish Council must be communicated in writing to the Clerk. If the complaint is about the actions of the Clerk, it should be addressed to the Chairman.

2.2 The complainant will be asked at the outset to confirm if he wants the complaint to be treated confidentially. It is unlikely that the complainant will waive confidentiality. Even if he does so, the Parish Council will ensure compliance with its obligations under the Data Protection Act 1998 and *General Data Protection Regulation* to safeguard against the unlawful disclosure of personal data.

2.3 The Clerk (or, if the complaint is about the Clerk, the Chairman) shall acknowledge the receipt of the complaint usually within 7 days with details of when the matter will be considered by the Parish Council.

3. Investigating the complaint

3.1 The Parish Council will investigate the facts of the complaint and collate relevant evidence.

3.2 If, in the judgement of the Clerk and Chairman, the complaint is of a minor nature, it should be resolved at the earliest possible opportunity and reported back to the Council at the next Parish Council meeting. For all other complaints, the following steps should be followed.

3.3 The complainant shall be invited to attend a meeting with the Parish Council and may be accompanied by a representative whose role will be to assist the complainant to express their thoughts and concerns.

3.4 The Council may consider whether the circumstances of the complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.

- 3.5 The complainant shall provide the Parish Council with copies of any documentation or other evidence 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.
- 3.6 At the meeting itself, the Chairman will first introduce everyone and will then outline the procedure to be followed. The complainant (or representative) will then outline the grounds for the complaint, after which Councillors and the Clerk may ask any question of the complainant. The Clerk (or, if the complaint is about the Clerk, the Chairman) will have an opportunity to explain the Parish Council's position and questions may be asked by the complainant. The Chair will invite the Clerk and the complainant to make any final comments.
- 3.7 The Parish Council, having heard the evidence, shall choose whether to make a decision immediately or to hold a separate special meeting, which may be in private, at which it will make a decision, and shall inform the complainant accordingly.

4. After the complaint has been decided

- 4.1 Within 14 working days of a decision being made, the Parish Council will write to the complainant to confirm whether or not it has upheld the complaint. The parish Council will ensure that reasons are given for its decision, together with details of any action to be taken by the Parish Council.
- 4.2 The outcome of the complaint will be reported at the next meeting of the Parish Council.

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