



# Cantley with Branton Parish Council

[www.cantleywithbrantonparish.co.uk](http://www.cantleywithbrantonparish.co.uk)

## **CODE OF PRACTICE FOR HANDLING COMPLAINTS**

This procedure will be applied where a complaint cannot be satisfied by less formal means e.g. an explanation provided to the complainant by the Clerk or Chairman/Vice-Chairman.

A complaint is defined as an expression of dissatisfaction by one or more members of the public about the administration of the council or its procedures. This could relate to action/lack of action taken by the council, failure to follow agreed procedures or about a standard of service (whether the action was taken or whether the service is provided by the council itself or on behalf of the council. It should be noted that the Local Government Ombudsman has no jurisdiction over parish councils.

Complaints against the council that relates to the conduct of its employees will be handled in accordance with this procedure and where disciplinary action is deemed necessary then in accordance with the council's disciplinary procedure.

It is not appropriate for all complaints from the public to be dealt with under this procedure. Alternative procedures will apply in respect of the following types of complaints.

<b>Type of Conduct</b>	<b>Refer To</b>
Financial Irregularity	Local elector's statutory right to object to Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. For other matters refer to Internal Auditor or Audit Commission
Criminal Activity	The Police
Member Conduct	A complaint that relates to a parish councillor's failure to comply with the Code of Conduct must be submitted to the standards team of the relevant Principal Authority, in this case the Monitoring Officer at Doncaster Metropolitan Borough Council.
Employees Conduct	Internal Disciplinary Procedures if deemed necessary

It should be noted that where the Clerk is putting forward the justification for the action or procedure complained of he/she should not advise the council or committee when the complaint is being considered.

The identity of the complainant will only be made known to those who need to consider the complaint. At all times the rules of natural justice will apply and all parties will be treated fairly and the processes will be reasonable, accessible and transparent.

Any complaint to be dealt with in accordance with this procedure will be considered where possible within one month of receipt unless it is received after one week prior to the 1<sup>st</sup>

Wednesday in July in which case it will be considered within two months of receipt. Where the complaint is of a more complex nature every effort will be made to consider the matter within three months of receipt.

The procedures that will be adopted for dealing with the complaint are contained in the Appendix attached and will be in accordance with the guidance provided by NALC in its Legal Topic Note LTN9E.

Details on how to contact the Clerk are contained on the council's website and on the parish notice boards.

Adopted by the Parish Council on 1 September 2021.

## APPENDIX 1

### 1) Before processing a complaint

All formal complaints must be communicated in writing to the Clerk (or the Chairman if the complaint relates to the Clerk).

Mrs B Walton, Clerk to Cantley with Branton Parish Council, Kilham Hall Kilham Lane, Branton, Doncaster, DN3 3PF, Telephone 07761525584 Email: cwbpc@outlook.com

The Complainant will be asked to confirm whether the complaint is to be treated as confidential.

### 2) Receipt of the Complaint

The Clerk shall acknowledge receipt and advise the complainant when the matter will be considered by the council, whether it will be treated as confidential and state the next steps in complaints procedure.

### 3) Investigating the Complaint

The Council will investigate the facts and collate relevant evidence.

### 4) Meeting with the Complainant

The complainant shall be invited to attend the meeting and bring with them a representative, If the complainant wishes to be accompanied by more than one representative the details of the representatives should be forwarded to the Clerk prior to the meeting who will confirm agreement of those able to attend.

At least seven clear days before the meeting copies of any documentation or other evidence that will be referred to at the meeting shall be made available to relevant parties. This includes copies of any documentation or other evidence that will be relied on by both parties, the Complainant and the Parish Council.

### 5) At The Meeting

The council shall determine to exclude the press and public unless the complainant confirms to waive the right to confidentiality.

The Chairman will introduce those present

The Chairman will outline the procedure

The complainant (or representative) will outline the grounds for the complaint.

Members will ask any questions of the complainant

If relevant the Clerk will explain the Council's position.

Members ask questions of the Clerk

The Complainant and the Clerk should be offered the opportunity to summarise their position.

The Clerk and the complainant withdraw from the meeting whilst members consider their decision. If a point of clarification is required both parties are invited to return to the meeting.

The Clerk and complainant return to the meeting to be informed of the decision. If a decision is unlikely to be finalised on that day the Clerk and Complainant should be advised when the decision is likely to be made and when it is likely to be communicated to them.

6) After The Meeting

The Clerk confirms the decision in writing including details of any action to be taken within seven days of the meeting.