

# **COMPLAINTS PROCEDURE**

**Adopted by Resolution of the Parish Council  
on 23<sup>rd</sup> May 2017 (reviewed July 13<sup>th</sup> 2021)**

## **Introduction:**

Copythorne Parish Council is committed to providing the residents of Bartley, Cadnam, Copythorne, Newbridge, Ower and Winsor with the highest level of service.

If a resident, other person or organisation is dissatisfied with the Council's action or 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 engaged by or acting on behalf of the Council that person or organisation should raise the matter with the Parish Council.

The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.

If a complaint is about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint

The complainant will be asked to put the complaint in writing to the Clerk to the Council. The complaint will be dealt with within 21 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.

If the complainant prefers not to put the complaint to the Clerk to the Council (because the matter relates to the Clerk, for example,) he or she should write to the Chair.

In many circumstances, it is hoped that the issues raised could be dealt with on an informal basis with information or explanations provided to the person or organisation by the Parish Council resolving the matter to their satisfaction. Although issues might be dealt with on an informal basis, all member of the Parish Council will, in any event, be advised of the matter that has been raised and the resolution.

On receipt of a written complaint, the Clerk to the Council (except where the complainant is about his or her own actions) or Chair of Council (if the complaint relates to the Clerk) will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him, or her, an opportunity to comment. Efforts should be made to resolve the complaint at this stage.

Where the Clerk to the Council or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chair of Council. The Clerk to the Council will be formally advised of the matter and given an opportunity to comment.

Certain types of complaint cannot be dealt with by the Parish Council and should be directed to other bodies/organisations as shown in the table below:

<b><i>Type of allegation/complaint/issue</i></b>	<b><i>Refer to</i></b>
Financial irregularity	PKF Littlejohn LLP (Ref: SBA Team), 15 Westferry Circus, Canary Wharf, London, E14 4HD who are the External Auditor appointed by the Smaller Authorities Audit Appointment Ltd
Criminal activity	The police
Member conduct	If the complaint relates to an alleged failure of a Parish Councillor to comply with the Parish Council's Code of Conduct, the complaint should be addressed to The Monitoring Officer, New Forest District Council, Appletree Court, Beaulieu Road Lyndhurst, Hampshire SO43 7PA

In the event that an issue that can be dealt with by the Parish Council cannot be resolved informally or is of a more serious nature, the following formal complaints procedure will be invoked:

### **Formal Complaints Procedure:**

If an aggrieved party is not satisfied with the outcome of a complaint dealt with on an informal basis then the complaint will be elevated to a formal complaint

The Clerk, Chair or other nominated officer shall acknowledge receipt of the complaint and advise the complainant that the matter will be considered by the Council. The complainant will also be advised as to whether the complaint will be treated as confidential or whether notice of it will be given in public.

The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which professional advice is required.

The complainant will be invited to attend a meeting and to bring with them a representative if they wish.

Seven clear working days prior to the meeting the complainant shall provide the Council with copies of any documentation or other evidence to be relied upon. The Council will provide the complainant with copies of any other documentation upon which it will rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. At any meeting, which is convened to consider the complaint:

- (i) The Chair shall introduce everyone and explain the procedure
- (ii) The complainant (or representative) shall outline the grounds for complaint. Thereafter questions may be asked by (a) the Clerk and then (b) members.
- (iii) The Clerk will have the opportunity to explain the Council's position and questions may be asked by (a) the complainant and (b) members
- (iv) The complainant should be offered the opportunity to summarise their position
- (v) The Clerk and the complainant should be asked to leave the room whilst 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

The Clerk and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day, they should be advised when the decision will likely to be made and when it is likely to be communicated to them.

The decision should be confirmed in writing within seven working days together with any action to be taken. Any decision on a complaint shall also be announced at a Council meeting in public.

### **Unreasonable and Vexatious Complaints**

There may be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken. These matters will be referred to the Council by the Clerk with a summary of the issues and of the attempts made to resolve the complaint. They may, in such circumstances, decide that no further action can usefully be taken in response to the complainant and inform the complainant so, making it clear that only new and substantive issues will merit a response.

### **Anonymous Complaints**

Anonymous complaints will not be considered.