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Harwell Parish Council

Complaints Procedure

Introduction

This Complaints Procedure is to be used in cases of complaint by the public about the Council's procedures and their implementation and administration.

Harwell Parish Council will not acknowledge or consider, under any circumstances complaints that are submitted anonymously.

A. Complaints handled by the Parish Clerk

1. It is hoped that most complaints can be resolved quickly and amicably through this route.
2. Initial complaints can be made by telephone, email or letter. The complaint will be handled by the Clerk.
3. Complaints should always be directed through the Council offices, not through individual Councillors.
4. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.
5. It is expected that most complaints can be resolved through this route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

B. Complaints handled by the Parish Council

1. The Clerk is responsible for managing the complaints process. The Clerk is the Proper Officer of the Council. However, if a formal complaint is being raised against the Clerk, then the process should still be followed, but the Chair of the Council will take the place of the Clerk in managing the process.
2. A formal complaint must be submitted in writing, by email or letter, to the Council offices, addressed to the Clerk or Chair as appropriate. The complaint should cover as much detail as possible and enclose any relevant supporting documentation.
3. The Clerk or Chair will acknowledge receipt of the complaint within five working days.
4. The Clerk or Chair will carry out an initial investigation into the complaint and will within ten working days provide the complainant with an update on progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint is closed.
5. The Clerk or Chair will report to the Council, summary details of the complaint and a brief summary of its resolution. This summary report will exclude the names of the complainants and any Council staff involved.
6. If the Clerk or Chair is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to the next Council meeting.

C. At the Meeting

1. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, may require the exclusion of the press and public.
2. The Chair shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting will be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.
 - a. The complainant (or representative) shall be invited to outline the grounds for complaint and members given the opportunity to ask any question of the complainant.
 - b. If relevant, the Clerk will explain the Council's position and the Council shall ask any questions of the Clerk.
 - c. The complainant is to be offered the opportunity of a last word as a means of summing up their position.
 - d. The Clerk is to be offered the opportunity of a last word as a means of summing up their position.

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3. The Clerk and complainant shall be asked to leave the room while members decide whether or not the grounds for the complaint have been made, and what redress or other action should be made. If a point of clarification is necessary, both parties should be invited back. In any case both parties return to hear the decision, or to be advised when the decision will be made.
4. The decision will be confirmed in writing within seven working days together with details of any action to be taken.
5. The announcement of any decision will be made in public, at the next Council meeting.

Action against Council Staff

A complaint against a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment. The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

Complaints against Councillors

This complaints policy does not cover complaints against an individual Councillor.

Allegations of breaches of the code of conduct are covered in Paragraph 31 of the Standing orders. Alternatively, to complain about the behaviour of an individual Councillor, contact The Monitoring Officer of the Vale of White Horse District Council.

The Monitoring Officer can only deal with complaints about the behaviour of a Councillor. It will not deal with complaints about matters that are not covered by the Councillors Code of Conduct. Complaints must be about a Councillor's failure to follow the Code of Conduct.

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