



CHERITON FITZPAINE PARISH COUNCIL

COMPLAINTS PROCEDURE

Adopted by Cheriton Fitzpaine Parish Council May 2019

Last Reviewed: 21st May 2024 (no amendments made)

1. **CHERITON FITZPAINE PARISH COUNCIL** is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If a person (complainant) is dissatisfied with the standard of service they have received from the council, or is unhappy about an action or lack of action by the council, this Complaints Procedure sets out how a complainant may complain to the council and how we shall try to resolve any complaint.

2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with any concerns.

3. This Complaints Procedure does not apply to: a. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures. b. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council and, if a complaint against a councillor is received by the council, it will be referred to the Monitoring Officer at Mid Devon District Council.

4. The appropriate time for influencing Council decision-making is by raising any concerns before the Council debates and votes on a matter. This may be done by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise any concerns in the public participation section of Council meetings. If a complainant is unhappy with a Council decision, the complainant may raise any concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

5. A complainant may make a complaint about the council's procedures or administration to the Clerk, either in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.

6. Wherever possible, the Clerk will try to resolve any complaint immediately. If this is not possible, the Clerk will normally try to acknowledge the complaint within five working days.

7. If a complainant does not wish to report any complaint to the Clerk, they may make their complaint directly to the Chairman of the Council who will report the complaint to the Council.

8. The Clerk or the Council will investigate each complaint, obtaining further information as necessary from the complainant and/or members of the Council.

9. Where the Clerk receives a written complaint about the Clerk's actions, the Clerk shall refer the complaint to the Chair of the Council. The Clerk will be given the opportunity to comment.

10. The Clerk will report any complaint resolved at the next meeting of the Council.

11. The Clerk will report any complaint that has not been resolved at the next meeting of the Council. The Clerk will advise the complainant when the matter will be considered by the council or by the committee established for the purposes of hearing complaints. The complainant will also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee). Page 2 of 2
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12. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.

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

14. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.

15. The chairman should introduce everyone and explain the procedure.

16. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated person and then (ii), members.

17. The Clerk or other nominated person will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.

18. The Clerk or other nominated person and then the complainant should be offered the opportunity to summarise their position.

19. The Clerk or other nominated person and the complainant should be asked to leave the room while 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.

20. The Clerk or other nominated person 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 is likely to be made and when it is likely to be communicated to them. After the Meeting

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