

Middleton cum Fordley Parish Council: Complaints Procedure

The procedure set out below was adopted at a meeting of the Parish Council on 8 December 2015.

1. Scope

This procedure will be adopted for dealing with complaints about the Council's administration, corporate processes or decision-making procedures. It does not cover complaints about the conduct of a Parish Councillor or an employee of the Parish Council.

Complaints about the conduct of Councillors are dealt with as set out in the Standing Orders of the Council which include the requirement that all members must observe the Suffolk Local Code of Conduct, adopted by the Council on 14th June 2012, for the purposes of discharging its duty to promote and maintain high standards of conduct within its area.

Complaints of a criminal nature should be referred to the police.

2. Action on initial receipt of complaint

If a complaint within the scope of this procedure is notified orally to a Parish 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 by letter, e-mail or otherwise to the Clerk to the Council.

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 he or she should be advised to write to the Chairman of the Parish Council.

3. Action on receipt of written complaint

On receipt of a written complaint, the Clerk to the Council or the Chairman of Council 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.

The Clerk to the Council or the Chairman will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.

4. Action if complaint cannot be resolved directly with complainant

The Clerk to the Council or the Chairman will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Council orally.

The Council may consider whether the circumstances of any 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.

The Council may refer the complaint for consideration by an independent third party such as a local District or County Councillor, but shall be under no obligation to do so.

The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.

As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.

The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.

5. Time limit

The Council will seek to address complaints as quickly as possible which will normally be within 21 days of written advice of the complaint if the complaint can be resolved directly with the complainant. In cases which cannot be resolved directly with the complainant the complaint will be referred to the next scheduled meeting of the Council as set out in paragraph 4 above.