

WOLSTON PARISH COUNCIL

Model complaints procedure from WALC. This is the model they recommend for use when there have been complaints about administration and how the council is run - as parish councils are not subject to the Local Government Ombudsman.

Complaints Procedure

Policy adopted by Wolston Parish Council on 2nd May 2019, agenda item 9.

Re-adopted by Wolston PC on 4th May 2023, at minute 9a

This procedure is for dealing with complaints about the Parish 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.

1. If a complaint about procedures, administration of the action of any of the Council's employees is notified orally to a Councillors, or to the Clerk to the Council, a written report of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
2. The complainant will be asked to put the complaint in writing to the Clerk of the Council. A response will be given to the complainant within 15 working days of receipt. Refusal to put the complaint in writing does not necessarily mean the complaint cannot be investigated.
3. If the complaint is about the Clerk, the letter can be addressed to the Chair of the Parish Council.
4. a) On receipt of a written complaint, the Clerk to the Council (except where the complaint is about the actions of the Clerk) or the 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 them an opportunity to comment. Efforts should be made to resolve the complaint at this stage. The complainant can also be offered to meet with the Clerk, Chair and another Councillor/s to discuss the matter further should they wish.
b) Where the Clerk to the Council or a Councillor receives a written complaint about the Clerk's actions, they shall refer the complaint to the Chair of the Council. The Clerk to the Council will be formally advised of the matter and given the opportunity to comment.
5. The Clerk or Chair will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
6. The Clerk or Chair will report any complaint that has not been resolved to the next meeting of the Council. The complainant will then be offered the opportunity to formally meet with members of the Parish Council to discuss the complaint.

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Before the Meeting

1. If they have not already done so, the complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk or other nominated officer.
2. If the complainant does not wish to put the complaint to the clerk or other nominated officer, he or she should be advised to address it to the Chairman of the council.
3. The clerk or other nominated officer shall acknowledge receipt of the complaint and 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 should 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).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. 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 they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

6. 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.
7. The chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
9. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
10. The clerk or other nominated officer and then the complainant should be

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offered the opportunity to summarise their position.

11. The clerk or other nominated officer 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.
12. The clerk or other nominated officer 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

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