

CHOLESBURY-CUM-ST LEONARDS PARISH COUNCIL – COMPLAINTS PROCEDURE

Introduction

This procedure is adopted by the Council to ensure that complaints received by the Council are dealt with effectively and efficiently.

Definitions

1. Verbal complaint. A comment made to the Clerk or a member of the Council about the Council's activities.
2. Minor written complaint. Written complaint to the Council, the Clerk or any member of the Council about the Council's activities, but with no legal implications.
3. Major written complaint. Any written complaint which refers to a breach of the law, Standing Orders, procedures or codes of practice by the Council, any of its members or the Clerk.

Procedure

1. Verbal complaint. The recipient may, if appropriate, deal with this on the spot. If either complainant or recipient feels it necessary the matter should be referred to the Clerk for discussion at the next Council meeting. In this instance the complainant should be urged to put the matter to the Clerk or Chairman in writing.
2. Minor written complaint. The Clerk may respond in writing, possibly after discussion with the Chairman, or refer the matter to the next meeting of the Council. A written response must always be given. The complainant should be advised that, if not satisfied with the response, he/she may raise the matter at any Council meeting.
3. Major written complaint. This must be acknowledged by the Clerk and referred immediately to the Chairman. The Council must, as soon as reasonably possible, discuss the matter.

Code of Practice for Council Meetings Handling Complaints.

1. The complainant shall be sent a written invitation to attend the meeting, together with a copy of this procedure.
2. The complainant shall be asked to submit copies of relevant documentation or other evidence to the Clerk at least seven days before the meeting.
3. The complainant shall be invited to bring to the meeting such representatives as he may wish.

After the Meeting.

1. The Council should consider whether it is appropriate to exclude members of the public, other than the complainant and his/her representative(s). *Public Bodies (admission to meetings) Act 1960.*

2. The Chairman should ensure that all present are familiar with these procedures and respond to any questions as to procedure.
3. The complainant or representative shall be invited to set out the grounds for complaint and members be given the opportunity to ask questions.
4. The Clerk shall be invited to comment on any points of law raised by the complaint.
5. The complainant (or representative) shall be given an opportunity to sum up his case.
6. The complainant and any representatives shall then be asked to leave the room while the Council discusses the complaint. They may be invited to return if clarification is required.
7. Following discussion, the complainant and any other members of the public shall be invited to rejoin the meeting to hear a summary of the Council's findings and action to be taken.

Exceptions

1. If a complaint relates to an alleged breach of the Council's Code of Conduct, the complainant shall be advised to complain to the Monitoring Officer at Chiltern District Council or the Standards Board for England.
2. If a complaint relates to misconduct by the Clerk in breach of the Council's contract of employment, the Council shall deal with it in closed session as an employment issue. In this case the Council shall ensure that it is properly advised on employment law as pertaining to the case.

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