



Complaints Procedure

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Complaints about an employee of the council (i.e., the Clerk or Support Officer) will be dealt with as an employment matter. Full details of the complaint should be put in writing and sent to the Chairman of the Parish Council. An acknowledgement letter will be sent to the complainant within five days working of receipt and assurances given that the matter will be dealt with internally and appropriate action taken as required.

Complaints about a Councillor are now subject to the jurisdiction of Calderdale Council and the Hearing Panel of the Standards Committee. Complainants are advised to contact the Monitoring Officer at Calderdale Council for further information. The Parish Council holds relevant information and contact details, which can be given to the complainant as follows:

The Monitoring Officer
Calderdale Council
Chief Executive's Office
Democratic and Partnership Services
Town Hall
Crossley Street
Halifax
HX1 1UJ

Telephone Number: 01422 393011

The code of practice within this guidance is therefore aimed at those situations where a complaint has been made about the **administration** of the council or about its **procedures**. It is not really an appropriate forum for a complaint against individuals, as the provisions available above should cover these situations.

For the benefit of good local administration, Stainland & District Parish has adopted a standard and formal procedure for considering complaints either made by complainants direct or which have been referred back to the Council from other bodies. Such a procedure is needed as a way of ensuring that complainants can feel satisfied that at least their grievance has been properly and fully considered.

Stainland & District Parish Council views the adoption of a complaint's procedure as an efficient way of dealing with complaints received and a means of preserving the good reputation of the council through a transparent process. If the Council fails to deal with complaints directly, they may have to utilise other resources in dealing with outside bodies, which the complainant has engaged to further highlight their dissatisfaction.

The Council has instructed the Policy & Finance Committee to deal with complaints. This avoids the need for Full Council having to assemble and also makes the process less daunting for a complainant if they choose to attend a meeting in person. The Committee will report its conclusions to the next Council meeting.



In accordance with the Parish Council's adopted Code of Conduct, the Monitoring Officer and Standards Committee of the Principal Authority are empowered to promote and maintain high standards of conduct by the Members of the Parish. All complaints alleging a failure to comply with this Code will be considered in accordance with the procedure adopted by Calderdale Council.

If a complaint about procedure or administration practised by the Parish Council is notified orally or in writing to the Clerk/proper officer, every effort will be made to settle the complaint directly with the complainant without instigating the provisions of this Complaints procedure.

The procedure is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk/proper officer. It may be that the Clerk/proper officer at the meeting represents the position of the Council. If the Clerk/proper officer is putting forward the justification for the action or procedure complained of, he or she should not advise the council or committee.

At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

CODE OF PRACTICE

Before the Meeting

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or other nominated proper officer.
2. If the complainant does not wish to put the complaint to the Clerk/proper officer, they may be advised to put it to the Chairman of the Council.
3. The Clerk/proper officer shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the Grievance Committee.
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. **Seven** clear working days prior to the meeting, the complainant shall provide the Committee with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Committee shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.



At the Meeting

1. The Committee 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.
2. The Chairman will introduce everyone.
3. The Chairman will explain procedure.
4. The Complainant (or representative) will outline grounds for complaint.
5. Members will ask any question of the complainant.
6. The Clerk or other proper officer, if appropriate will be asked to explain the Council's position.
7. Members will ask any question of the Clerk or other proper officer.
8. The Clerk or other proper officer and complainant will be offered opportunity of last word (in this order).
9. The Clerk or other proper officer and complainant to be asked to leave room while Members decide whether or not the grounds for the complaint have been made. (If a point of clarification is necessary, both parties are to be invited back).
10. The Clerk or other proper officer and complainant return to hear decision, or will be advised when a decision will be made.

After the Meeting

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

Adopted 1st April 2021