

Carham Parish Council

COMPLAINTS POLICY

1. INTRODUCTION

This Policy applies to complaints about council administration and procedure and may include complaints about how council members or employees have dealt with your concerns. The Council will apply the following definition of “complaint” for the purposes of this policy:

A complaint is an expression of dissatisfaction by one or more members of the public about the Council’s action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council.

This Complaints Policy does not apply to:

- Complaints between a council employee and the Council as employer. These matters are dealt with under the Council’s disciplinary and grievance procedures.
- Complaints against councillors: these are covered by the Code of Conduct for members and should be referred to the Monitoring Officer for Northumberland County Council at the address below.

All complaints received by the Council will be treated as confidential. The Council will initially deal with complaints informally as set out in Section 3 unless otherwise stated.

2. HOW TO COMPLAIN

You may make your complaint about council administration or procedure to the Parish Clerk. You should provide your name and address and any relevant information to help us deal with the complaint. You may do this by email: Email: Carhamparishcouncil@gmail.com

A written record of your complaint, including your name and contact details, and the outcome will be kept for six years.

If you have a complaint against a Parish Councillor, you should contact: The Monitoring Officer

Legal and Democratic Services

Northumberland County Council County

Hall

Morpeth NE61 2EF

Email: legal.services@northumberland.gov.uk

3. STAGE 1 – INFORMAL PROCEDURE

On receipt of a complaint falling within the definition set out above, the Parish Clerk will try to resolve your complaint immediately and informally. If this is not possible, the Parish Clerk will normally acknowledge your complaint within five working days. If your complaint is not clear, the Parish Clerk will seek to clarify it with you.

The Council will then investigate, obtaining further information as necessary from you and/or from staff or members of the Council.

Within twenty working days the Council will send you a full written reply. If the investigation or written response will take longer than twenty working days, the Council will let you know, explaining the reason for the delay and giving you a new timescale.

If the Council does not hear from you within ten working days of its response, your complaint will be closed.

If you are dissatisfied with the Council's response to your complaint, then you may ask for it to be considered under the formal procedure. You should notify the Parish Clerk that you are dissatisfied with the response given and give the reason(s) why you remain dissatisfied. The Parish Clerk will acknowledge this and will instigate Stage 2.

4. STAGE 2 – FORMAL PROCEDURE

At Stage 2, the Complaints Committee will hold a formal hearing to review the complaint. The Complaints Committee will consist of all members of the Parish Council, five of whom will attend the formal hearing and make a decision on the complaint. The Complaints Committee will elect a Chairman at the start of the hearing from those members in attendance.

The Parish Clerk will attempt to agree with you a mutually convenient date for the hearing and you will be invited to attend if you so wish. You may bring one representative with you who you may ask to speak on your behalf. The hearing will usually be within four weeks of the instigation of Stage 2.

An agenda will be published giving notice of the hearing, but your complaint and identity will be treated as confidential unless you waive the right to confidentiality. The public and press will therefore normally be excluded from the hearing.

Any additional information or documents must be submitted as soon as possible to the Parish Clerk in advance of the meeting. If there are less than seven days to the date of the hearing, the Chairman of the Complaints Committee will decide whether the new information or documents should be admitted and considered.

At the Meeting

The Chairman will introduce everyone and explain the procedure.

You and/or your representative (if any) will detail the complaint to the Committee. If you have chosen not to attend, the Parish Clerk will read out the original complaint.

Members of the Committee may ask questions relating to the complaint.

The Clerk or a Councillor will present and explain the Council's position relating to the complaint (if necessary).

Members of the Committee may ask any question of the Parish Clerk or other members.

The Clerk or a Councillor (first) and then you (second) will be offered the opportunity to make any final comments.

You and the Clerk or Councillor will then leave the room while the Complaints Committee meet in private to consider its decision.

If clarification of any point is necessary, all parties will be invited back into the meeting.

All parties will be invited back into the meeting to hear the decision. If a decision cannot be reached at the meeting the Chairman will advise you when this will be made and communicated to you. The Chairman may adjourn the meeting if the Council needs to wait for legal or other specialist advice or if further information is needed.

The decision will be confirmed to you in writing within twenty working day, giving reasons for the decision together with details of any actions to be taken.

The outcome of the complaint will be reported at the next Council meeting.

The Council aims to complete the whole Stage 2 procedure within eight weeks.

If you are still dissatisfied with the outcome of your complaint following the completion of Stage 2, you may appeal the decision by notifying the Parish Clerk. The Parish Clerk will instigate an Appeal.

5. STAGE 3 – APPEAL

At Stage 3, those Councillors who were not in attendance at the hearing will review the following:

Your complaint, together with any supporting information and documents submitted by you during Stages 1 and 2. You will not be permitted to submit new information or documents at this stage.

The response given by the Council at Stage 1.

The decision taken by the Complaints Committee at Stage 2.

Whether the Complaints Committee followed the correct procedures.

The Appeal Councillors will then decide whether to uphold the decision taken at Stage 2 or whether to recommend some other course of action to the Council.

6. ABUSIVE, PERSISTENT OR VEXATIOUS COMPLAINTS

From time to time a complainant, either individually or as part of a group, or a group of complainants, might be considered to be habitual or vexatious. In such cases, the Council may decide to apply its Abusive, Persistent or Vexatious Complaints Policy to that complainant or group of complainants.

A copy of the Council's Abusive, Persistent or Vexatious Complaints Policy can be obtained via the Council's website or by application to the Parish Clerk.

Adopted by Carham Parish Council.

Date _____

Signed _____

Name _____

Position _____
