

Edwinstowe Parish Council

Working to make a difference



Clerk – Alice Dunn

PUBLIC COMPLAINTS PROCEDURE

It is not appropriate to deal with all complaints from members of the public under a complaints procedure. The table below show the types of complaints that Edwinstowe Parish Council should consider engaging other procedures/bodies: -

Type of Conduct	Procedure or Organisation to Refer To
Financial Irregularity	Local elector's statutory right to object to the Parish Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, councils may need to consult their Auditor or the Audit Commission.
Criminal Activity	The Police
Member Conduct	If the complaint relates to a failure to comply with the Code of Conduct, this must be submitted to the principal authority.
Employee Conduct	Internal disciplinary procedure

OTHER COMPLAINTS AGAINST THE COUNCIL

Any other complaint against the council should be dealt with by an Internal Investigation Panel.

Stage 1 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 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 Chair 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 not.
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 on at the meeting giving five clear working days, allowing the Complainant the opportunity to read the material in good time for the meeting.

Stage 2 Meeting

1. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the Council meeting in public.
2. The Chair should introduce everyone and explain the procedure.
3. The Complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk or other nominated officer and then the members.
4. The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by the Complainant and members.
5. The Clerk or other nominated officer and then the Complainant should be offered the opportunity to summarise their position.
6. The Clerk or other nominated officer and the Complainant should be asked to leave the room while the members decide whether or not the grounds for the complaint have been made. If a point or clarification is necessary, **both** parties shall be invited back.
7. 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.

Stage 3 Following the Meeting

1. The decision should be confirmed in writing within seven working days together with details of any action to be taken.
2. The decision on the complaint shall be announced at the next Council meeting in public.

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