

HINDLIP, MARTIN HUSSINGTREE AND SALWARPE

PARISH COUNCIL

Clerk to the Council Mrs E Gallagher, PO Box 6986, Kidderminster DY11 9FB,

Tel: 07846 125405

email hmhspc@gmail.com

www.worcestershire.gov.uk/myparish

COMPLAINTS PROCEDURE

The following procedure deals with complaints about the 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. The Council will do its utmost to settle complaints in a timely manner and satisfy complainants in the interests of the good reputation of the Council.

Local councils are not subject to the jurisdiction of the Local Government Ombudsman. For the benefit of good local administration, the Council has adopted a standard and formal procedure for considering complaints, therefore every complaint will be dealt with according to the formal procedure.

This procedure does not cover complaints about the conduct of a member of the Parish Council. If there is a complaint about the conduct of a member, this should be referred to Wychavon District Council's monitoring officer.

Procedure

1. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk to the Council, a written record 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 to the Council. The Clerk will acknowledge receipt and assure the complainant that the matter will be dealt with in a timely manner.
3. If the complainant prefers not to put the complaint to the Clerk to the Council (because the matter relates to the Clerk, for example,) he or she should be advised to write to the Chairman.
 - (a) On receipt of a written complaint, the Clerk (except where the complaint is about his or her own actions) or Chairman (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 him or her an opportunity to comment. Efforts will be made to resolve the complaint at this stage.

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- (b) Where the Clerk to the Council or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chairman of the Council. The Clerk to the Council will be formally advised of the matter and given an opportunity to comment.
4. If the complaint about the Clerk is such that the Council or the Clerk to the Council believes that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded. In this event, if the complaint is about any employee, even if the matter is being dealt with initially out of the context of a formal disciplinary hearing, then the employee is entitled to have a representative present to act as set out in the Employment Relations Act 1999 s.10. The matter before the Council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner in accordance with the Council's grievance and disciplinary procedures
5. The Clerk or Chairman will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
6. The Clerk or Chairman will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered.
7. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public. The Council will bear in mind the necessity to maintain confidentiality if it has been requested, and to comply with the requirements of Data Protection legislation regarding personal information
8. As soon as possible after the decision has been made, the complainant will be notified in writing of the decision and any action to be taken.
9. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at the next meeting after the advice has been received.

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10. In the event of repeated facetious, vexatious or malicious complaints from a member of the public, the Council should consider taking legal advice before contacting or responding to the complainant.
11. The Parish Council will bear in mind the provisions of the Data Protection Act 2018 and the Freedom of Information Act 2000 in dealing with complaints.

Procedure Adopted Date