



# COMPLAINTS POLICY & PROCEDURE

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Brantham Parish Council

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# Procedure for Dealing with Complaints against the Council and its staff

## Introduction

The Parish Council provides many services to community groups, sports teams, companies and individuals. We try to get our service delivery right every time, but there are occasions when users of our services maybe dissatisfied with our performance, for any number of reasons. This policy sets out how to raise a complaint with the Parish Council.

The following procedure should be followed by anyone wishing to make a complaint against the Parish Council's procedures or administration.

The complaints procedure is not a means of redress for members or staff.

If you have a complaint against a Parish Councillor you should write to:

*The Monitoring Officer  
Babergh and Mid Suffolk District Councils  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX*

If you have a complaint against an employee of the Parish Council, you should write to the Chair:

*Chair Mr Mal Bridgeman  
c/o Brantham Parish Council, 34 Sycamore Way, Brantham, CO11 1TL  
Marked: PRIVATE & CONFIDENTIAL*

If you have any other complaint you should write to the Proper Officer to the Council:

*Mrs Sarah Keys  
Brantham Parish Council, 34 Sycamore Way, Brantham, CO11 1TL*

## Informal Complaint

It is hoped that most complaints can be resolved quickly and amicably through this route.

Informal complaints can be made by telephone, email or a visit to the Council offices. The complaint will be handled and resolved by the Clerk, depending on the nature of the complaint.

Complaints should always be directed through the Council offices, not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.

It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

## Formal Complaint

To allow your formal complaint about the Parish Council's procedures or administration to be dealt with, the Parish Council has adopted the following procedure which will be followed where complaints cannot be resolved less formally by the Clerk to the Council or the prevailing Chairman.

The Parish Council will not deal with anonymous complaints.

Complaints made to the Proper Officer are complaints made to the Council. The Proper Officer will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal

liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities is reserved.

### **Before processing a complaint**

1. All formal complaints against the Council must be communicated in writing.
2. The complainant must indicate at the outset to confirm if they want the complaint to be treated confidentially. It is unlikely that the complainant will waive confidentiality but, even if they do, the Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
3. Complaints should normally be sent to the Clerk to the Parish Council, by e-mail to [clerk@branthamparishcouncil.co.uk](mailto:clerk@branthamparishcouncil.co.uk) If the complaint concerns the Clerk then it should be addressed to the Chairman of the Parish Council at the same address (marked 'Confidential') or by e-mail to [mal.bridgeman@branthamparishcouncil.co.uk](mailto:mal.bridgeman@branthamparishcouncil.co.uk)

### **Receipt of the complaint**

1. Receipt of a complaint will be acknowledged in writing within seven days, indicating the following information:
  - Who will be dealing with the complaint (e.g. title of member of staff, a particular committee or sub-committee)
  - The timeframe for investigating the complaint
  - Whether there will be an opportunity for the complainant to make verbal representations (and bring a friend when doing so) and when this will occur
  - The timeframe for determining the complaint
  - Whether there is an opportunity to appeal the outcome of the complaint and an explanation of the appeal process
  - Whether the complaint will be treated as confidential (most likely)
  - Confirm the next steps in the complaints procedure

### **Investigating the complaint**

1. A Review Panel will be formed as a temporary committee of the Parish Council. The panel will be constituted of three members of the Council. The Review Panel has delegated authority from the Parish Council to review and decide on complaints.
2. Three members will review a complaint; this will ensure the panel is quorate and that the number of members present is not excessive.
3. The panel is subject to all of the normal meeting notification, agenda and minute requirements, as laid down in the Parish Council's Standing Orders. Arrangements for minute taking will be reviewed when a Review Panel meeting is called.
4. The Review Panel will investigate the facts of the complaint and collate relevant evidence.

### **Meetings with the complainant (if applicable)**

1. If the complainant is to be invited to make verbal representations they will be invited to a meeting with the Clerk (or other nominated officer) or to attend a meeting of the Review Panel. Before the meeting, and within a specified period, the complainant shall provide the Clerk (or nominated officer or the Review Panel as applicable) with any new information or other evidence relevant to the complaint, and the Clerk (or nominated officer), or the Chairman of the Review Panel shall provide the complainant with new information or evidence relevant to the complaint.
2. If the complainant is invited to a meeting, the Clerk, nominated officer or chairman of the meeting should explain how the meeting will proceed.
3. The complainant should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk (or other nominated officer), or by members of a meeting of the Review Panel.
4. The Clerk (or other nominated officer) or the Chairman of the Review Panel will have an opportunity to explain the Council's position and questions may be asked by the complainant.

5. The Clerk (or other nominated officer), or the Chairman of the Review Panel, and then the complainant should be offered the opportunity to summarise their respective positions.
6. The complainant should be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

### **Parish Council Staff**

A formal complaint is a serious matter. A complaint involving a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment.

The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

### **After the complaint has been decided**

Within four weeks of receipt of the complaint, the Council should write to the complainant with the outcome of the complaint, to include the following:-

- Whether it has upheld the complaint, together with reasons for the decision
- Details of any action to be taken
- That there is no right of appeal