

Ettington Parish Council

Complaints Procedure

Date Adopted: 11 December 2013

Readopted May 2015

June 2016

May 2017

May 2018

May 2019

Due for review: Annually in May (unless legislative changes require earlier review)

Introduction

1. The intention behind the procedure is to be open, transparent and accountable.
2. This procedure provides the basis upon which member of the public can make complaints with regard to Ettington Parish Council's administration or procedures.
3. The procedure does not cover complaints about the conduct of a Member of the Parish Council which should be made to:

The Monitoring Officer

Stratford-on-Avon District Council

Elizabeth House

Church Street

Stratford-upon-Avon

Warwickshire

CV37 6HX

Process

4. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk at:

The Clerk

Ettington Parish Council

PO Box 6271

STRATFORD ON AVON

CV37 1NX

5. If the complainant does not wish to put the complaint in writing this does not preclude its investigation but it does provide clarity.
6. A verbal complaint will be dealt with in exactly the same way as a letter of complaint but the person to whom the complaint is made (the clerk or the chairman) will need to ensure absolute clarity with regard to the complaint by producing a written report of the details of the complaint and asking the complainant to confirm that all details of the complaint are included.

7. If the complainant does not wish to put the complaint to the clerk (if, for example, the complaint is in respect of that person), s/he will be advised to address it to the chairman of the council, marked "Strictly Private and Confidential" to the above address (the Clerk will forward items marked in this way direct to the chairman without opening).
8. The clerk (or the chairman) shall acknowledge receipt of the complaint within 10 working days, using the template at Appendix 1, in writing 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 whether, for example, notice of it will be given in the usual way (ie as an agenda item at the next meeting of the Council).
9. If the complaint is about the Clerk then the chairman will provide the Clerk with the opportunity to comment.
10. In all instances of complaint the aim will be to resolve the complaint without recourse to its discussion at a meeting of the Parish Council without disadvantaging the complainant in any way. The complainant may, at any point, decide that they wish the complaint to be considered at a Parish Council meeting.

Informal Resolution

11. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
12. Two Council representatives will meet with the complainant and his/her representative, with the aim of resolving the complaint without its formal consideration at a Parish Council meeting.
13. Any complaint resolved in "informally" will be reported at the next Parish Council meeting. The complainant will have the right to remain anonymous in the reporting process.

Formal Consideration

14. If the matter cannot be resolved using stages 11-13 then the complaint will progress to being considered at a Parish Council meeting.
15. The complainant will be informed of the arrangements using the letter at Appendix 2.
16. Seven clear working days prior to the Parish Council 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 at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.
17. The council shall consider whether the circumstances of the complaint warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.
18. The chairman should introduce everyone and explain the procedure.
19. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
20. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
21. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
22. The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
23. 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.

After the Meeting

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

Appendix 1

date

Dear

Complaint received on dd/mm/20yy

I write to confirm receipt of your complaint and to explain to your options for progressing this.

The Council are concerned to ensure that any complaints are dealt with fairly in an open and transparent way and to learn from such complaints. I am attaching a copy of the Council's complaints procedure which goes through the process in detail. Please do not hesitate to contact me by phone or in writing if you require clarification of the procedure. My contact details are included at the top of this letter.

I would like to offer you the opportunity of an informal meeting to seek resolution of the complaint with xx and myself. You would be free to bring a representative with you to the meeting. If resolution cannot be reached at that meeting or, if any point you wish the complaint to be considered at a Parish Council meeting the matter will be considered at the meeting to be held on dd/mm/yy.

Please confirm whether or not you would like to have an informal meeting and I will contact you to make arrangements.

Yours sincerely

name

Chairman/Clerk to Ettington Parish Council

Enc (complaints procedure)

Appendix 2
date

Dear

Complaint received on dd/mm/20xx

I write further to my letter of dd/mm/20yy and/or our meeting held on dd/mm/20xx.

You have asked that your complaint be considered at a Parish Council meeting. The next meeting will be held on dd/mm/20yy and your complaint will be an agenda item at that meeting. You are welcome to attend the meeting and are asked to provide any written materials upon which your complaint is based at least seven days prior to the meeting. The Council will provide you with any written materials it will use in response to your complaint within the same timescale.

The Council will make a decision, prior to its consideration of the complaint, whether or not it should be considered as a confidential matter. If this decision is made then members of the public and press will be excluded for that part of the meeting.

In addition to providing written materials you will be given the opportunity to outline the grounds for your complaint and the Clerk/Chairman will give the Council's position.

You will then be asked to leave the meeting (as will the person who gave the Council's position) while the Council consider their response.

You will then be invited back to the meeting to hear the outcome of the Council's consideration.

Within seven days of the meeting you will be provided with a written response including any follow up actions that will be taken.

If you have any queries, please feel free to contact me.

Yours sincerely