



## Complaints Procedure

### 1. Introduction and duties

- 1.1 Plaistow and Ifold Parish Council is committed to providing the best service it can for the benefit of the people who live or work in its area or are visitors to the locality. This Complaints Procedure sets out how any dissatisfaction regarding the standard of the service that has been received from this Council or any action, or lack of action, by this Council can be brought to their attention and how the Council will try to resolve any issues.
- 1.2 It remains the position that the Local Government Ombudsman has no jurisdiction over Parish, Town and Community Councils in England and Wales. The National Association of Local Councils (NALC) in Legal Topic Note 9 has issued guidance (February 2013) for local councils.

### 2. Guidelines

- 2.1 It will not be appropriate to deal with all complaints from members of the public under a Complaints Procedure. Councils should consider engaging other procedures/bodies in respect of the following types of complaint:

Type of conduct	Refer to
Financial irregularity	Local elector's statutory right to object to Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, Councils may need to consult with their auditor / audit commission.
Criminal activity	The police
Councillor conduct	Complaints against Councillors are covered by the Code of Conduct for Members. If a complaint against a Councillor is received by the Council, it will be referred to <b>Nicholas Bennett, Monitoring Officer</b> at Chichester District Council; (contact details can be found at the end of the document). Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer.
Employee conduct	Dealt with by internal disciplinary procedure

- 2.2 This Complaints Procedure does not apply to complaints from one Council employee against another Council employee, or between a Council employee and the Council as an employer.

- 2.3 The code of practice that follows is therefore aimed at those situations where a complaint is made about the administration of the Council, or about its procedures. It is not an appropriate forum for a complaint against individuals, as the provisions above cover these situations.
- 2.4 The code of practice is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk.

### **3. The code of practice**

- 3.1 The aims of the code of practice are:
- To provide a standard and formal procedure for considering complaints either made by complainants directly, or which have been referred back to the Council from other bodies.
  - To ensure that complainants feel satisfied that their grievance has been properly and fully considered.
  - To make the process reasonable, accessible, and transparent.
  - At all times, the rules of natural justice will apply, and all parties shall be treated fairly.
  - All complaints shall be heard by the Council's complaints panel, which shall consist of 3 Councillors, and shall report its findings to **Plaistow and Ifold Parish Council**.
- 3.2 In the first instance a complaint should be notified to the Clerk, or a Councillor. This can be orally or written. On receipt of a complaint, the Clerk or Chair of the Council, whichever is applicable, shall (except where the complaint is against their own actions) try to settle the complaint directly with the complainant in a timely and efficient manner. If the complainant is not satisfied with the action taken, the complainant will be asked to put the complaint officially in writing to the Clerk. This may be by letter or by e-mail. The Clerk will usually acknowledge receipt of the complaint within five working days.

### **4. Before the meeting**

- 4.1 The complainant shall be asked to put the complaint about the Council's procedures in writing to the Clerk.
- 4.2 If the complainant does not wish to put the complaint to the Clerk (as it may relate directly to the Clerk), they may be advised to put it to the Council's Chair in writing, marked private and confidential.
- 4.3 The Clerk/Council's Chair shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the complaints panel.
- 4.4 The complainant shall be invited to attend the relevant meeting (hearing) and bring with them such representatives as they wish.
- 4.5 Seven (7) clear working days prior to the meeting (i.e. excluding weekends and public holidays), the complainant shall provide the Council with copies of any documentation or other evidence, which they intend to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.

## **5. At the meeting**

- 5.1 The complaints panel shall consider whether the circumstances of the meeting warrant the exclusion of the press and public. Any decision on a complaint shall be announced at the next Council meeting in open session.
- 5.2 The panel Chair to introduce everyone.
- 5.3 The panel Chair to explain the procedure.
- 5.4 Complainant (or representative) to outline grounds for complaint.
- 5.5 Panel Members to ask questions of the complainant.
- 5.6 If relevant, the Clerk or other nominated officer, to explain the Council's position.
- 5.7 Panel Members to ask questions of the Clerk, or other nominated officer.
- 5.8 The Clerk, or other nominated officer and complainant to be offered the opportunity of the last word (in this order – i.e. Clerk/officer followed by complainant).
- 5.9 The Clerk, or other nominated officer and complainant to be asked to leave the room while the panel Members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties to be invited back.
- 5.10 The Clerk, or other nominated officer and complainant return to hear the decision, or to be advised when the decision will be made.

## **6. After the meeting**

- 6.1 Decision confirmed in writing within seven (7) working days together with details of any action to be taken.

## **7. Contacts**

### **7.1 Clerk & RFO**

Catherine Nutting  
Plaistow and Ifold Parish Council  
Email: [clerk@plaistowandifold.org.uk](mailto:clerk@plaistowandifold.org.uk)  
Phone: 07798 631410  
Website: [www.plaistowandifold.org.uk](http://www.plaistowandifold.org.uk)  
Please contact Clerk for postal address

### **7.2 Chair of Plaistow and Ifold Parish Council**

Cllr. Alan Pearson

*Date adopted: 5th May 2021*

*Review Date – May 2022*

[alan.pearson@plaistowandifold.org.uk](mailto:alan.pearson@plaistowandifold.org.uk)

### **7.3 Monitoring Officer**

Nicholas Bennett, Divisional Manager, Democratic Services, Chichester District Council

Email: [nbennett@chichester.gov.uk](mailto:nbennett@chichester.gov.uk)

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