

COLTON PARISH COUNCIL

CODE OF PRACTICE FOR COMPLAINTS AGAINST THE COUNCIL

(modified with reference to NALC Legal Topic Note LTN 9E June 2014, Handling Complaints)

- i) This procedure is for complaints against the council's procedures or administration.
- ii) This procedure will be well-publicised and accessible to the complainant.
- iii) The council will comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
- iv) If a complaint about procedures or administration is notified orally to a councillor or the clerk and they cannot satisfy the complainant informally, then the following procedure shall apply:

Procedure for Formal Complaints

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.
2. If the complainant does not wish to put the complaint to the clerk, they may be advised to put it to the chairman or vice-chairman of the council.
3. The clerk 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 also will be asked to confirm if he or she wants the complaint to be treated confidentially.
4. The council will investigate the facts of the complaint and collate the relevant evidence.
5. The complainant will be invited to attend the relevant meeting and bring with them a representative should they so wish.
6. Seven clear days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

7. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.
8. The chairman shall introduce everyone and explain the procedure.
9. The complainant (or representative) will be invited to outline the grounds for complaint.
10. Questions may be asked by i) the clerk and then ii) members.
11. The clerk will have an opportunity to explain the council's position and questions may be asked by i) the complainant and ii) members.
12. The clerk and then the complainant will be offered the opportunity to summarise their position.
13. The clerk and the complainant will be asked to leave the room while members decide whether or not the ground for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
15. The clerk and the complainant will 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 will be communicated to him.

After the complaint has been decided

16. The decision will be confirmed in writing within seven working days, together with details of any action to be taken.

Adopted as part of Colton Parish Council Standing Orders, Supplementary Document 3., July 2015, Min 113/15