

## **Chelford Parish Council**

### **Complaints Procedure**

1. Chelford Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
  - a. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
  - b. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Cheshire East Council.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. Members of the public may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise concerns in the public participation section of Council meetings. If members of the public are unhappy with a Council decision, they may raise concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. Members of the public may make a complaint about the council's procedures or administration to the Clerk. This can be done in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
6. 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.
7. The complainant will be asked to put the complaint in writing (letter/e-mail/standard form) to the Clerk to the Council at the address below. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is.
8. If you prefer not to put the complaint to the Clerk to the Council (because the matter relates to the Clerk, for example,) you should be advised to write to the Chairman.
9. Receipt of a complaint
  - a. On receipt of a written complaint, the Clerk to the Council (except where the complainant is about his or her own actions) or Chairman of Council (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 opportunity to comment. Efforts should be made to resolve the complaint at this

stage. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.

- 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 Council. The Clerk to the Council will be formally advised of the matter and given opportunity to comment.
10. The Clerk to the Council (or Chairman) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
11. The Clerk to the Council (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 and the Clerk or the Complaints Committee of the Council or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from the complainant and/or from staff or members of the Council.
12. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance and disciplinary procedures.
13. 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.
14. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
15. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the outcome of the complaint and of what action (if any) the Council proposes to take as a result of the complaint.
16. 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.
17. If the complainant is dissatisfied with the response to the complaint, they may ask for the complaint to be referred to the Complaints Committee of the Parish Council or to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.