

# BARNBY IN THE WILLOWS PARISH COUNCIL

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## COMPLAINTS POLICY

1. Definition.
  - 1.1 A complaint is defined as an expression of dissatisfaction by one or more members of the public about the council's action or lack of action, or about the standard of service.
  - 1.2 This policy does not cover financial irregularity, criminal activity or member conduct. These matters should be referred to the council's external auditor, the police and the District Council Chief Executive respectively.
  - 1.3 If no previous correspondence has been received on a potential complaint, communication will be entered into to try to resolve the matter amicably before following the formal process set out below.
2. Notification.
  - 2.1 Complaints should be made in writing, addressed to the Clerk.
  - 2.2 If the complainant does not wish to inform the Clerk, the complaint should be addressed to the Chairman.
  - 2.3 Receipt of the complaint will be acknowledged, and the complainant informed of when the matter will be considered by the council, either in confidence or as an agenda item.
3. Procedure.
  - 3.1 A complaint will be heard by full council or by nominated councillors who are authorised to deal with complaints but are not involved with the case.
  - 3.2 If the complaint is heard by the full council, three nominated councillors will not take part in the proceedings. They will be available to handle an appeal if required.
  - 3.3 The complainant will be invited to attend the meeting and bring a representative with them if they wish.
  - 3.4 Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or evidence relied on, and the council shall provide the complainant with any documentation to be referred to at the meeting.
4. At the Meeting.
  - 4.1 The council shall consider whether the matter warrants the exclusion of the public and the press.
  - 4.2 The Clerk will normally represent the council through the proceedings, but a nominated councillor may act instead.
  - 4.3 The complainant or their representative will outline the grounds for the complaint. Questions may be asked by the Clerk or other nominated representative, followed by any other questions by members.
  - 4.4 The Clerk or other nominated representative will explain the council's position, and questions may be asked by the complainant and by members.
  - 4.5 Both parties will be offered the opportunity to summarise their position.
  - 4.6 The complainant will be asked to leave the room while members decide whether or not the complaint is justified. If further clarification is needed, the complainant will be invited back into the meeting
5. After the Meeting.
  - 5.1 The council's decision will be confirmed in writing to the complainant within 5 working days, with details of any action to be taken and information on how to appeal.
  - 5.2 If the complainant feels strongly that a decision of the council is unlawful, they may apply to the courts for a judicial review of the council's decision.