

## **Bickenhill & Marston Green Parish Council**

### **COMPLAINTS PROCEDURE**

#### **1. Complaints Procedure for Bickenhill & Marston Green Parish Council**

- 1.1 This procedure covers complaints about the administration, procedures or services of Bickenhill & Marston Green Parish Council (the "Council").
- 1.2 Complaints about individuals are a separate matter; complaints about an employee would be dealt with as an employment issue and complaints about a Councillor should be made to the Standards Board for England. Complaints against policy decisions made by the Council shall be referred back to Council (taking note of Standing Order 14).

#### **2. Before the Meeting**

- 2.1 The complainant shall be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or other nominated officer and should provide the following information:
  - Name, address, and telephone number of the complainant.
  - How the issue has affected the complainant.
  - Details of third parties and their involvement.
  - What action the complainant believes will resolve the complaint.
- 2.2 If the complainant does not wish to put the complaint to the Clerk or other nominated officer, he or she should be advised to address it to the Chairman of the Council.
- 2.3 The Clerk or other nominated officer shall acknowledge receipt of the complaint and inform the complainant that a mutually convenient date for a Complaints Hearing will be scheduled within 28 days when the matter will be considered by the Council or by the Committee established for the purposes of hearing complaints. The complainant shall 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 (if, for example, the complaint is to be heard by a Committee).
- 2.4 The Clerk will issue an agenda for the Complaints Formal Hearing not less than three days before the formal hearing of the Complaints Committee.
- 2.5 The complainant shall be invited to attend a meeting and to bring with them a representative, if they wish, who may speak on their behalf.
- 2.6 Not later than seven clear working days prior to the meeting, the complainant and the Council will exchange copies of any documentation or other evidence to be relied on.
- 2.7 If either party provides details, documentation or evidence less than seven days before the meeting, the Chairman of the Complaints Committee will decide whether to admit it.

Adopted at the Annual Parish Council meeting on 1 May 2024 (minute no. ACM 24-015 d)

### **3. At the Meeting**

- 3.1 The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
- 3.2 The Chairman of the meeting shall introduce everyone and explain the procedure.
- 3.3 The complainant (or representative) shall outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.
- 3.4 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 (or representative) and (ii), members.
- 3.5 The Clerk or other nominated officer and then the complainant will be offered the opportunity to summarise their position.
- 3.6 The Clerk or other nominated officer and the complainant (and representative) shall 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.
- 3.7 The Chairman may adjourn the meeting if wished in order that specialist advice may be sought.
- 3.8 The Clerk or other nominated officer and the complainant (and representative) shall return to hear the decision but if a decision cannot be reached at the meeting, the Chairman will advise when the decision will be made and communicated to them.

### **4. After the Meeting**

- 4.1 Any recommendation on a complaint will be minuted and announced at the next meeting of the Council in public.
- 4.2 The decision shall be confirmed in writing to the complainant within seven working days together with details of any action to be taken.
- 4.3 If a complaint cannot be settled by the Council, it cannot refer the complaint to any other body for settlement.
- 4.4 All records of complaints are to be kept by the Clerk, in accordance with the Council's Retention of Documents Policy and General Data Protection Regulations Policy.