

# **RUYTON XI TOWNS Complaints Code & Procedure**

## **Making a complaint**

Under the Local Government Act 2000, the standards committee of the principal authority is empowered to promote and maintain high standards of conduct by the members of the parish town. Whilst this does not necessarily affect complaints about maladministration and procedure, the local council may consider it good practice to notify the standards committee that a local code for such complaints has been adopted. Every effort must be made not to confuse this procedure with that available for complaints against individual members.

There are principally three types of complaints:

- **Complaints about an employee of the council** (i.e. the clerk) that will be dealt with as an employment matter by the council and should be directed to the Chairman of the Council. The complainant can be assured that the matter will be dealt with internally as such and appropriate action taken as required. The Chair of the council will respond to the complainant on the matter
- **Complaints of a personal nature directed at a particular parish councillor(s)** which should be formally notified to the Standard Board via the local authority's Monitoring Officer.
- **Complaints about maladministration and procedure**, should be directed to the Parish Clerk who will formally acknowledge the complaint on behalf of the Parish Council. This formal acknowledgement will be sent within 15 working days of receipt of the complaint and will include the details of action to be taken.

In the event that the complaint is of a serious or complex nature, a Complaints Committee which is made up of 3 councillors who have no interest in the complaint will be appointed to investigate the issue. The Committee will provide a full response to the complainant within a total of 28 working days of receipt of the complaint. Where this is not possible an extension of time will be recorded by the Parish Clerk who will send a letter to the complainant providing the reasons for the extension.

The outcome of all complaints will be on completion of being fully investigated be reported to the full Parish Council. At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

## **CODE OF PRACTICE**

As adopted at RXI PC meeting 13-2-2017

## **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 or other nominated proper officer.
2. If the complainant does not wish to put the complaint to the clerk or other proper officer, they may be advised to put it to the chairman of the council.
3. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the council's complaints committee established for the purposes of hearing complaints.
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. 7 clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

## **At the Meeting**

6. 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's complaints committee meeting in public.
7. Chairman to introduce everyone.
8. Chairman to explain procedure.
9. Complainant (or representative) to outline grounds for complaint.
10. Members to ask any question of the complainant.
11. If relevant, clerk or other proper officer to explain the council's position.
12. Members to ask any question of the clerk or other proper officer. Clerk or other proper officer and complainant to be offered opportunity of last word (in this order).
13. Clerk or other proper officer and complainant to be asked to leave room while 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).
14. Clerk or other proper officer and complainant return to hear decision, or to be advised when decision will be made.

## **After the Meeting**

15. Decision confirmed in writing within seven working days together with details of any action to be taken.
16. Complaints committee minutes to be circulated to full council and reported at main council meeting by Chair.