

# **Sprotbrough & Cusworth Parish Council**

## **COMPLAINTS POLICY**

### **CONTENTS**

	<b>PAGE</b>
<b>1. Introduction</b>	<b>2</b>
<b>2. Complaints Not Covered By This Policy</b>	<b>2</b>
<b>3. Submitting A Complaint</b>	<b>3</b>
<b>4. Investigating The Complaint</b>	<b>3/4</b>
<b>5. Meeting With The Complainant – Making a Decision</b>	<b>4</b>
<b>6. After The Complaint Has Been Decided</b>	<b>5</b>

## 1. Introduction

- 1.1 This policy details how Sprotbrough & Cusworth Parish Council will handle any formal complaint it receives about its procedures and administration. Any complaint made against the Council should be treated as a complaint against the corporate body of the Council.
- 1.2 The policy is for use by individuals and organisations that are within the Parish area and affected by the Council's decisions. Most complaints can be resolved informally through normal methods of communication, and it is in the interests of both parties that such methods be fully explored first before deferring to the formal procedure.

## 2. Complaints Not Covered By This Policy

2.1

### TYPE OF CONDUCT

### REFER TO

Alleged financial irregularity	Local electors have statutory rights –Local Audit & Accountability Act 2014
Alleged criminal activity	The Police
Alleged misconduct by a member of staff	The Parish Council
Members' conduct alleged to breach the code of conduct adopted by the Parish Council	The Principal Authority (Doncaster MBC – Monitoring Officer –is for responsible handling complaints that relate to a Member's failure to comply with the Parish Council's Code of Conduct)

2.2 This policy is for use by the public.

### **3. Submitting A Complaint**

3.1 All formal complaints must be submitted in writing (letter or email) to the Clerk (the Deputy Clerk will progress matters in the Clerk`s absence) as below:-

If the complaint is against the Clerk the complaint should be addressed to the Chair of Council:

By post: Sprotbrough & Cusworth Parish Council  
Goldsmith Centre  
Sprotbrough Rd  
Sprotbrough  
Doncaster  
DN5 8BP

or

By email: [sprotcuspc@bt.connect.com](mailto:sprotcuspc@bt.connect.com)

3.2 The correspondence should detail the nature of the complaint and give as much information as possible (who, what, where, when etc.) along with the perceived impact any actions have had. where possible, the complaint should also outline any remedy that is sought should the complaint be upheld. Irrespective of whether the complainant chooses to waive their right to confidentiality, the council is obliged to comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.

3.3 As far as is operationally practical the receipt of a complaint will be acknowledged in writing within 7 working days along with details of the next steps of the procedure that will be followed. If for operational reasons this time scale cannot be achieved an explanation will be given by the Council and revised timescales will be advised to the complainant.

3.4 All complaints will be taken seriously, but only those which raise a legitimate or genuine concern will be heard or investigated. The Council will not consider any frivolous or vexatious complaints or any repeat matters which have already been responded to.

### **4 Investigating The Complaint**

4.1 The Clerk/Deputy Clerk will forward a copy of the complaint to the Chair of Council and the Chair of the Performance Review Committee.

4.2 If possible, the complaint will be dealt with by The Clerk/Deputy Clerk who will liaise with Chair of Council/Chair of Performance Review, or their Vice Chairs', as appropriate in an attempt to resolve the complaint and reach an amicable solution.

4.3 If the matter is unresolved a copy of the complaint will be circulated by the Clerk to all members of the council.

4.4 If an amicable solution has not been reached, the Council will decide if a meeting of the Performance Review Committee should be convened as soon as reasonably practical. If the Performance Review deem it necessary, the complainant may be invited to attend the meeting in person and if so may be accompanied by an advisor/representative.

4.5 If the Chair of the Performance Review Committee has had prior involvement in the complaint at an earlier stage of the compliant process then the Vice Chair will Chair the meeting & visa versa.

- 4.6 If either the Chair & Vice Chair of Performance Review are either not available and/or precluded as above, then the Chair of Council (who is an ex-officio member of the committee) will Chair the meeting. Similarly if the Chair of Council is not available then the Vice Chair of Council will Chair the meeting.
- 4.7 Should the complaint be against the Clerk, the Deputy Clerk will advise the Committee and the Clerk will be in attendance only for any detailed matters of information or clarification on procedure as required.
- 4.8 Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence specifically relating to the complaint and intended to be relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the complainant the opportunity to read the material in good time for the meeting.

## **5 Meetings With The Complainant (if applicable) – making a decision**

- 5.1 At the opening of the meeting the Chair will introduce everyone and explain the following procedures that will apply:
- 5.2 The Chair will invite the complainant to state in full the details of the complaint and the nature of any remedy being sought.
- 5.3 Questions may then be asked by the Chair of the Performance Review Committee, or members of the Committee or the Clerk/Deputy Clerk if so directed by the Chair.
- 5.4 The Clerk or Deputy Clerk will be invited to answer the complaint on behalf of the Parish Council.
- 5.5 The complainant will be invited to ask questions on the Council's response via the Chair.
- 5.6 The complainant will be invited to briefly summarise their written complaint and outline any remedy, if any, being sought.
- 5.7 The Chair will advise the complainant that a letter giving the Council's findings on the complaint, will be sent to them following the next meeting of the Parish Council.
- 5.8 The complainant will then be asked to leave the meeting and the Performance Review Committee will consider the evidence and arrive at its decision.
- 5.9 (i) If any decision taken by the Performance Review Committee involves further action regarding an employee then matters will be considered in line with appropriate procedures and will be confidential.
- 5.9 (ii) When a complaint is upheld in full or in part the Clerk/Deputy Clerk will ensure that the minutes of the Performance Review Committee are presented to the first available meeting of the Parish Council.
- 5.9 (iii) The Chair of the Performance Review Committee will give a report of the meeting to the next meeting of the Parish Council.
- 5.9 (iv) The decision of the Parish Council will be final.

## **6 After The Complaint Has Been Decided**

- 6.1 The draft (public/confidential) minutes of the Performance Review Committee shall be sent to Parish Council Members, along with details of the complaint and its outcome, in readiness for the next full meeting of the Parish Council.
- 6.2 The Performance Review Committee shall, at its absolute discretion, deal with any matters not specifically covered by this policy, but relevant to its role.

A. Unsworth  
Clerk to the Council  
**Approved by Parish Council**  
**19 January 2017**