



## Complaints Procedure Policy

### 1. To determine whether a complaint procedure is appropriate:

- a. It will not be appropriate to deal with all complaints from members of the public under a complaint's procedure. The Council may need to refer to or use other policies and procedures where the complaint is in relation to financial irregularity, criminal activity or that of a members or employees conduct.

Type of Conduct	Refer to
Financial Irregularity	Local Electors statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, Councils may need to consult their appointed auditor or the Audit Commission.
Criminal Activity	The Police
Member Conduct	A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the Monitoring Officer at North East Lincolnshire Council
Employee Conduct	Internal disciplinary procedure

- b. A member of the public may also consider criticism about a service (e.g. untidy park area) to be a complaint, but these do not fall within the formal complaints procedure unless the Council has acted improperly and should be treat as normal service requests.

### 2. Prior to the meeting where any complaint is to be heard:

- a. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Clerk. The Clerk will provide reasonable assistance to the complainant, to accurately record the complaint, where the complainant cannot or has difficulty in setting out a written complaint.
- b. If the complainant does not wish to put the complaint to the Clerk, he/she will be asked to address the complaint to the Chair of the Council.
- c. The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council. The complainant should also be advised whether the complaint will be treated as confidential or whether the notice of it will be given in the usual way.
- d. Seven clear working days prior to the meeting, the complainant shall provide the Clerk with copies of any documentation or other evidence. The council shall provide the complainant

with copies of any documentation upon which they wish to rely at the meeting, and shall do so to allow the complainant opportunity to read the material prior to the meeting. The Clerk shall provide reasonable assistance to the complainant in accessing any written documentation or materials.

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

- a. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the council meeting in public.
- b. The Chair shall introduce everyone and explain the procedure.
- c. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by the i) Clerk and ii) Members.
- d. The Clerk will have the opportunity to explain the Council's position and questions may be asked by the i) complainant and ii) Members.
- e. The Clerk and complainant should then be offered the opportunity to summarise the position.
- f. The Clerk (if relevant) and complainant should be asked to leave the room while members decide whether or not the grounds for complaint have been made. If a point of clarification is necessary, then both parties shall be invited back.
- g. The Clerk (if relevant) and complainant should be given the opportunity to wait for the decision, however if this is unlikely to be finalised on the day, they should be advised of when the decision is likely to be made and when it is likely to be communicated to them.

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

- a. The decision should be confirmed in writing within seven working days, together with details of any action to be taken.

### **Protocols for Complaints during Covid19 Pandemic from March 2020**

- a. The Parish Council will follow Government guidance in regards to the pandemic.
- b. The Parish Council will follow legal advice from NALC in regards to the operating protocols of the Council.
- c. All relevant information and documentation that needs to be considered should accompany the complaint.
- d. The Clerk will acknowledge receipt of the complaint and advise of when the decision is likely to be made and when it is likely to be communicated to them.
- e. The complaint will be considered following the emergency decision making protocols in place, and the outcome relayed to the complainant within 7 working days of the decision being made.