

Escrick Parish Council

Complaints Procedure

1. All formal complaints against the council must be communicated in writing to the clerk of the council (or the chairman if it concerns an officer of the council).
2. If sent by e-mail the complaint must be acknowledged by the council to ensure it has been received. The complainant is recommended to use the read receipt facility and recognise that the clerk's post is part time.
3. The complainant should indicate if the matter should be dealt with confidentially. If there is uncertainty the clerk shall ascertain if the complainant wishes the matter to be confidential. In any case the council must comply with the data protection act 1998 to safeguard against the unlawful disclosure of personal data.
4. If the matter concerns an officer of the council the matter will be dealt with using the staff disciplinary process.
5. If the matter concerns a member this will be dealt with under code of conduct and ethics legislation (Localism Act 2011 Sections 26 to 37).
6. The complainant will supply a postal address or e-mail address for the council's response.
7. The council will acknowledge receipt of the complaint within 7 days of opening the letter or e-mail.
8. The clerk will investigate and clarify any facts in writing to the complainant within 21 days and check if the complainant still wishes that the matter be referred to council. The clerk will inform the chairman and vice chairman of the complaint and any facts communicated.
9. If the complainant still wishes to pursue the complaint, the clerk will refer the matter to the next meeting of staffing and complaints committee called within one month.
10. The complainant will be told the time and place of this meeting and be given the opportunity to attend, with a friend, and make verbal representations.
11. The chairman of the committee will explain how the meeting will proceed. Standing orders re behaviour in meetings will apply. The clerk will outline the facts, the complainant will be given 10 mins to make his case. The committee then asks questions.
12. The committee may adjourn to research further information or resolve to go into confidential session (Public Bodies Admission to Meetings Act 1960) or stay in public session as appropriate. In confidential session complainant (and friend) may be asked to withdraw whilst a response is agreed. The committee will meet the complainant as soon as possible to try to agree a way forward. The time scale will be agreed at the meeting.
13. If agreed the details will be put in writing by the clerk to the complainant.
14. If there is no agreement the complainant may appeal to the appeals committee within 3 months.

Policy adopted on 9th May 2016, Minute No:

Signed: Name:

Chairman, Escrick Parish Council