

FLETCHING PARISH COUNCIL

Clerk: Gabriella Paterson-Griggs

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E-mail: clerk@fletching-pc.gov.uk

Website www.fletching-pc.gov.uk



FPC COMPLAINTS PROCEDURE

1. Definition of a complaint

- 1.1 Generally, this will be about the Parish Council's procedures or administration. It will be an expression of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of a service - whether the action was taken (or the service provided by the Council) by the Parish Council or a person or organisation acting on behalf of the Council.

2. Making a complaint

- 2.1 Complaints should always be directed through the Clerk in writing or e-mail (except for complaints about the Clerk, in which case, the Chairman takes the place of the Clerk in managing the process). It may be that the matter you are concerned about could be dealt with in a less formal manner.
- 2.2 Anonymous complaints will be disregarded.
- 2.3 When your complaint has been received, the clerk will write to you within seven days to let you know:
- Who is responsible for dealing with the complaint
 - How it will be dealt with
 - When the complaint is likely to be dealt with
- 2.4 In certain circumstances, procedures/bodies other than the Parish Council may be appropriate in respect of the following types of complaint:

| Type of conduct | Refer to |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Financial irregularity | Local elector's statutory right to object to the Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, the Council may need to consult with their auditor / audit commission. |
| Criminal activity | The police |
| Councillor conduct | Members of the Parish Council sign a declaration to abide by a Code of Conduct and if they breach that code, there can be consequences. A complaint alleging a breach of the Code of Conduct should be submitted to Wealden District Council, Monitoring Officer, Council Offices, Vicarage Lane, Hailsham BN27 2AX |
| Conduct of the Clerk | If the complaint is about the Clerk to the Parish Council, you should write to the Chairman. The clerk will be formally advised of the matter and be given an opportunity to comment. |

3. Unreasonable and Vexatious Complaints

- 3.1 There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should, or has been taken. These matters will be referred to the Parish Council by the Clerk with a summary of the issues and of the attempts made to resolve the

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complaint. The Parish Council may, in such circumstances, decide that no further action can usefully be taken in response to the complainant and inform the complainant so, making it clear that only new and substantive issues will merit a response.

4. How will the procedure operate?

- 4.1 Complaints about the Council's procedures, administration or policies will be dealt with by the Parish Council. The outcome of the complaint will be published.
- 4.2 The Clerk will acknowledge receipt of your complaint within seven working days and will also advise when the matter will be dealt with by the Complaints Committee which shall consist of 3 parish councillors and shall report its findings to Fletching Parish Council.
- 4.3 You will be invited to attend the meeting and to bring any representative if you wish
- 4.4 Seven clear working days prior to the meeting, you are requested to provide the Parish Council with copies of any documentation or other evidence which you wish to refer to at the meeting. Similarly, the Parish Council will provide you with copies of any documentation which it wishes to rely on at the meeting.
- 4.5 The code of practice is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk.

5. Procedure at the meeting

- 5.1 The Complaints Committee will consider whether the circumstances of the meeting warrant the exclusion of the press and public. Any decision on a complaint shall be announced at the next Council meeting in open session.
- 5.2 The Committee Chairman will introduce everyone and explain the procedure.
- 5.3 You, as the complainant, or your representative, will outline the grounds for complaint.
- 5.4 Members of the Complaints Committee will ask questions of you or your representative.
- 5.5 If relevant, the Clerk will explain the Parish Council's position.
- 5.6 Members of the Committee will be able to ask questions of the Clerk to the Council.
- 5.7 The Chairman of the Committee will summarise the Parish Council's position and then you will be offered the opportunity of summing up.
- 5.8 You will be asked to withdraw from the meeting (together with your representative or anyone accompanying you) whilst Members reach a decision on whether or not the grounds for the complaint have been made. It may be appropriate in some circumstances for the Clerk also to withdraw from the meeting whilst Members reach a decision.
- 5.9 If any points of clarification are required, you will be invited to re-join the meeting whilst clarification is sought and then asked to withdraw again.
- 5.10 You will then re-join the meeting to be advised of the decision of the Committee, together with reasons for the decision, or, if necessary, to be advised when a decision will be made. Dependent on the detail of the reasons for the decision, it might only be possible to give you the decision at the meeting, with the detailed reasons following in the decision letter.

6. After the meeting

- 6.1 The decision will be confirmed in writing within seven (7) working days, together with details of any action to be taken.

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7. Complaints relating to the Clerk

- 7.1 These will be dealt with by the Parish Council as an employment matter. Such complaints could result in disciplinary action or, in cases of gross misconduct, dismissal from the Council's employment. The matter will be dealt with internally to protect the employment rights to which employees of the Parish Council are entitled. The complainant will be informed of action taken.

8. What to do if you are still not satisfied

- 8.1 The decision of the Parish Council is final with no appeal process as the Local Government Ombudsman does not consider complaints in respect of Parish Councils.