

## SHOTLEY PARISH COUNCIL

### Complaints Procedure Agreed at SPC meeting 20 July 2006



1. This Code of Practice does not specifically focus upon complaints about an employee of the Council that are appropriate to be dealt with as an employment matter and in accordance with the approved disciplinary procedure. Similarly complaints that an employee may have about a colleague or an elected member must be conducted in accordance with the official grievance procedure.
2. Complaints concerning an elected Member (for example their conduct or failing to declare an interest) are subject to Standards Board of England jurisdiction. Any complainant should be advised to contact the Standards Board direct. Their address is 1st Floor, Cotton Centre, Cotton Lane, London SE1 2QG. Their telephone number is 0845 078 8181. Their e-mail address is [enquiries@standardsboard.co.uk](mailto:enquiries@standardsboard.co.uk) and their web site is [www.standardsboard.co.uk](http://www.standardsboard.co.uk).
3. As policy every effort should be made to resolve complaints to the satisfaction of the complainant prior to the involvement of elected Councilors in the formal complaints procedure process by raising the matter with the Clerk. Should this not be possible then it will be necessary for Councilors to become involved. In such circumstances the usual practice is for a panel comprising three members of the Council, and the Clerk to make a note of the meeting, to meet with the complainant in an attempt to resolve the matter to mutual satisfaction.
4. Prior to any complaints panel meeting the complainant is required to put his detailed complaints and concerns about the Councils procedures and/or administration in writing to the Clerk. Receipt of this will be formally acknowledged in writing and the complainant advised of when the Panel will meet and who will be sitting on it. The complainant will be invited to bring a friend with them either to represent or to give moral support. A minimum two weeks prior notice of such a panel will be given. At the time the complainant is notified in writing of the panel date they will also be requested to present any material/documentation that they wish to give in evidence to the meeting no later than 7 days prior to the meeting and the Council will confirm that it will present any material it intends to present to the complainant within the same time scale.
5. As general policy the public and press are not permitted attendance at such complaints panel meetings although the Chairman of the panel will report on the outcome of the panel meeting at the following full Council meeting. The order of business for the complaints panel meeting is in accordance with the National Association of Local Council's guidance as set out in Legal Topic Note 56 as follows:

- (i) Chairman to introduce everyone.
- (ii) Chairman to explain procedure.
- (iii) Complainant (or representative) to outline grounds for complaint.
- (iv) Members to ask any question of the complainant.
- (v) If relevant, the Clerk or other proper officer or member in attendance to explain the Council's position.
- (vi) Members to ask any question of the Clerk or other proper officer.
- (vii) The Clerk or other proper officer or member and the complainant to be offered opportunity of last word (in this order).
- (viii) The Clerk or other proper officer or member 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).
- (ix) Clerk or other proper officer and complainant return to hear decision, or to be advised when decision will be made.

6. Following conclusion of the meeting the complainant will be advised that the decision of the panel, which is final with no right of further appeal, will be confirmed in writing within 7 days together with details of any action to be taken.