

# **MIDDLE RASEN PARISH COUNCIL COMPLAINTS POLICY**

Middle Rasen Parish Council is committed to providing a quality service for the benefit of the people who live and work in its area, or are visitors to the locality. This procedure is for use in complaints against the Council and has been produced in line with the NALC Legal Topic Note 9E – December 2018 and in conjunction with model policies produced by LALC.

It will not be appropriate to deal with all complaints from members of the public under a complaints procedure. Middle Rasen Parish Council will consider engaging other procedures/bodies in respect of the following types of complaint:

<b>Type of conduct</b>	<b>Refer to</b>
Alleged Financial irregularity	Local elector's 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 auditor / Audit Commission
Criminal activity	The Police
Member conduct	In England a complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the standards committee of the relevant principal authority.
Employee conduct	Internal disciplinary procedure

## **Definition of a complaint**

A complaint is 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 itself or a person or body acting on behalf of the council.

The complaints procedure is not an appeal system to question council decisions. All complaints are initially dealt with by the parish clerk and you can contact the Parish Clerk on 07960 411602 or by email [middlerasenparishcouncil@gmail.com](mailto:middlerasenparishcouncil@gmail.com), with details of your complaint.

## **Stage 1: Informal complaint**

Middle Rasen Parish Council will first try to deal with your complaint informally. As this is an informal stage you will not be required to put your complaint in writing and we may either respond via e-mail or will ring you back to let you know how your informal complaint has been dealt with. We will aim to get back to you within 7 working days with either a resolution or an update.

## **Stage 2: Formal complaint (Investigation)**

Formal written complaints should be addressed to the Parish Clerk as follows:

Middle Rasen Parish Clerk  
1 Cow Lane  
Tealby  
Lincolnshire  
LN8 3YB  
[middlerasenparishcouncil@gmail.com](mailto:middlerasenparishcouncil@gmail.com)

Middle Rasen Parish Council will acknowledge your written complaint within 7 working days and will send you a written response within a further 10 working days, following an investigation by the parish clerk. You will be asked if you wish for the complaint to be treated confidentially, even if you waive your confidentiality rights, the council will still comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.

## **Stage 3: Formal complaint (Review)**

If you remain dissatisfied with the result of your complaint, you can request that the Parish Council reviews the complaint at the next full council meeting.

### **Before the Meeting**

1. The complainant shall be asked to put the complaint about the council's procedures or administration in writing to the parish clerk.
2. If the complainant does not wish to put the complaint to the clerk, he or she should be advised to address it to the chairman of the council.
3. The clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council. The complainant will be advised that the council will consider the complaint in closed session, unless the complainant has waived this right.
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence 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 claimant the opportunity to read the material in good time for the meeting.

### **At the Meeting**

6. The council shall exclude the public and press whilst discussion of the matter takes place. Any decision on a complaint shall subsequently be announced at a meeting in public, whilst taking into account any duties to safeguard personal data as under (4) above.
7. The Chairman will introduce everyone at the meeting, and explain the procedure to be followed.
8. The complainant will be asked to outline the grounds for the complaint, and thereafter, questions may be asked by (i) the Clerk and (ii) members of the Council.
9. The Clerk to the Council will then have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and then (ii) members.
10. The complainant will be offered the opportunity to summarise their position.
11. The Clerk will be offered the opportunity to summarise the position on behalf of the Council.
12. The Clerk and complainant will both be asked to leave the room whilst members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
13. The complainant will be given the opportunity to await the outcome but if a decision is unlikely to be finalised quickly, will be advised when a decision is likely to be made and communicated to them.

### **After the meeting**

14. Any decision will be confirmed to the complainant within seven working days, together with details of any further action to be taken.
15. The Council's decision on the matter will be final, and no further appeal process will be offered.