

# **BENTLEY PARISH COUNCIL**

## **COMPLAINTS PROCEDURE**

Complaints about an employee of the council (i.e. the clerk) should be dealt with as an employment matter. The complainant can be assured that the matter will be dealt with internally as such and appropriate action taken as required.

Complaints about a councillor are now subject to the jurisdiction of the Standards Board. Complainants should be advised to contact the appropriate body directly or the Monitoring Officer of Babergh District Council for further information. Contact details of the Monitoring Officer can be obtained from the Parish Council.

This procedure, therefore, is aimed at those situations where a complaint has been made about the administration of the council or about its procedures.

The council will establish a committee to deal with complaints. This avoids the need for full council having to assemble and makes the process less daunting for a complainant if they choose to attend a meeting in person. If a committee is formed, it should report its conclusions to the next council meeting.

The clerk or chairperson designs the procedure for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant. This procedure has been adapted to suit local circumstances from advice offered by the Suffolk Association of Local Councils.

It may be that the clerk at the meeting represents the position of the council. If the clerk is putting forward the justification for the action or procedure complained of, he or she should not advise the council or committee.

At all times, the rules of natural justice will apply. All parties should be treated fairly and the process should be reasonable, accessible and transparent.

### **CODE OF PRACTICE**

#### **Before the Meeting**

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk or other nominated proper officer.

If you would like to report a complaint please write to:

Bentley Parish Council  
Clerk to the Council  
Mrs J Scott  
Whites Cottage Heath Road  
East Bergholt  
CO7 6RJ

E-mail [joy@vscott.fsnet.co.uk](mailto:joy@vscott.fsnet.co.uk)

If the complainant does not wish to put the complaint to the clerk, they may be advised to put it to the chairman of the council.

2. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the committee established for the purposes of hearing complaints will consider the matter.
3. The complainant shall be invited to attend the relevant meeting and bring with them such representative as he or she wishes.
4. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

#### **At the Meeting**

5. The committee will consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint will be reported to the next council meeting in public.
6. The Chairman will introduce everyone.
7. The Chairman will explain the procedure.
8. The Complainant (or representative) to outline the grounds for their complaint.
9. The Committee can ask any question of the complainant.
10. If relevant, the clerk will explain the council's position.
11. The Committee can ask any question of the clerk.
12. The Clerk and complainant to be offered the opportunity of the last word (in this order).
13. The Clerk and complainant will be asked to leave the room while the Committee decides whether the grounds for the complaint have been made. (If a point of clarification is necessary, both parties will be invited back).
14. The Clerk and complainant return to hear the decision, or to be advised when a decision will be made.

#### **After the Meeting**

15. The Council will confirm their decision in writing within seven working days of the meeting with details of any action to be taken.

**The Council at the meeting on 28 May 2009 adopted this Complaints Procedure.**