

## **Langham Parish Council Complaints Procedure**

### **Definition of a Complaint**

A complaint is an expression of dissatisfaction by one or more members of the public about the action or lack of action or about the standard of service provided by the Council itself or a person or body acting on behalf of the Council.

### **General**

All complaints will be deemed to be informal complaints unless a written complaint states that it is a formal complaint.

The complaints procedure will not be implemented for complaints made anonymously.

The following are excluded from the complaints procedure

Type of Conduct	Refer to
Financial Irregularity	Complaints about financial irregularity should be referred to the Council's auditor; contact information can be obtained from the Parish Clerk.
Criminal Activity	The Essex Police

### **Complaints against an employee of the Council**

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 must be made in writing to the Chairman, who will liaise with the Parish Council Staffing Committee.

### **Complaints against Parish Councillors**

If your complaint is about a Parish Councillor's failure to comply with the Council's Code of Conduct and it cannot be satisfactorily resolved through an informal process, you should contact the Monitoring Officer at Colchester Borough Council:

Chairman of the Allegations Sub-Committee  
C/O the Monitoring Officer  
Colchester Borough Council  
Town Hall  
High Street  
Colchester CO1 1FR

Tel: 01206 282213

Email: [andrew.weavers@colchester.gov.uk](mailto:andrew.weavers@colchester.gov.uk)

### **Complaints about the administration/ procedures of the Parish Council**

This procedure is therefore aimed at situations where a complaint has been made about the administration of the Council or about its procedures and which cannot be satisfactorily resolved with less formal measures or explanations provided to the complainant by the Clerk. It is not an appropriate forum for a complaint against individuals, as the provisions available above should cover these situations.

The Council receives queries, problems and comments as part of its day-to-day operation and it is not appropriate for every problem or criticism to be treated as a formal complaint. Every effort will be made to deal with these issues immediately, either by providing information, instigating the appropriate action or explaining a decision.

### **Informal Complaints**

An informal complaint may be made by telephone, email, in person or in writing to the Clerk. If the complainant prefers not to put the complaint to the Clerk (because the matter relates to the Clerk, for example) the complainant should contact the Chair of the Parish Council.

If a complaint is made to a Councillor, it is their duty to notify the Clerk or Chairman of the Parish Council immediately.

The Clerk or the Chairman will contact the complainant and will attempt to resolve the complaint and ensure that the complainant feels satisfied that their grievance has been fully considered, taken seriously and acted upon accordingly.

If the Clerk or Chairman cannot satisfy a complainant in an informal way, then the formal complaints procedure will be instigated.

### **Formal Complaints**

The complainant will be asked to put their complaint about the Council's procedures or administration in writing to the Clerk. If the complainant does not wish to put the complaint to the Clerk, they should be advised to address it to the Chairman of the Parish Council. Following receipt of the complaint the Parish Council will issue a formal complaints form which should request the following information:

- Name, address, and telephone contact information of the complainant.
- Details of the complaint about the Council's procedures or administration.
- How the issue has affected the complainant
- Copies of any relevant documents or other evidence
- Details of third parties and their involvement
- What action the complainant believes will resolve the complaint

The Clerk or Chair will acknowledge receipt of the complaint within three working days and will advise the complainant when the Council will convene a meeting to consider the matter.

The complainant shall be advised who will be dealing with the complaint (title of person, a particular committee or sub-committee).

The complainant shall be invited to attend the meeting and to bring with them a representative if they wish.

A referenced log all of complaints will be held by the Parish Council.

## **Before the Meeting**

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**

The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.

Any decision on a complaint shall be announced at the next Council meeting in public.

The Chairman should introduce everyone and explain the procedure.

The Complainant (or representative) should outline the grounds for the complaint and afterwards the Clerk and members may ask questions.

If relevant, Clerk or a nominated Councillor should explain the Council's position and afterwards the complainant and members of the committee may ask any question of the Clerk or Councillor.

The Clerk/nominated Councillor and complainant will be offered the opportunity to summarise their position.

The Clerk/nominated Councillor and complainant to be asked to leave the room while 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).

The Clerk/nominated Councillor and complainant should return to hear the decision, or to be advised when the decision will be made and when it will be communicated to them.

## **After the Meeting**

The decision should be confirmed in writing within seven working days, together with details of any action to be taken.

## **Appeals**

Should the complainant not agree with the decision they are entitled to appeal the decision within 14 days of receipt of the result of proceedings. The Councillors nominated to handle the appeal should, within 21 working days, examine the way in which the Council dealt with the complaint. If procedures were correctly handled by the Council, then the appellant should be notified that the appeal has not been successful. If the complaint was not handled correctly, it will be referred back for consideration using the correct procedure. The appellant will be notified of the result of the appeal process, including any further review, within 14 days.

**Contact details**

Clerk Langham Parish Council	Chairman Langham Parish Council
<p>Carol Harbach The Gem Nayland Road Gt Horkesley Colchester Essex CO6 4HA</p> <p>Tel: 07837 714615 email: clerk@langhamparishcouncil .co.uk</p>	<p>Martin Bottwood Marylee Crown Street Dedham Colchester CO7 6AW</p> <p>Tel: 07834 760277 email: m.bottwood@langhamparishcouncil.co.uk</p>

Signed : ..... at: Langham Parish Council meeting

Chairman Langham Parish Council

Date: March 2024

Agreed March 2024

Review March 2025