

Complaints Procedure

COMPLAINTS PROCEDURE

The following is the Parish Council's procedure for dealing with complaints about the Council's administration or its procedures, a complaint against the Clerk or a complaint against a Parish Councillor. Complaints about a policy decision made by the Council will be referred back to the Council for consideration.

The procedure is based on the framework suggested by the National Association of Local Councils.

Definition of a complaint?

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.

Complaints should always be directed through the Clerk (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. However, if you wish to use the procedure, please read on.

Making a complaint

We cannot please everyone all the time. What we can promise is to listen and to do what we can to deal with your problem.

It is not appropriate to deal with all complaints from members of the public under the formal complaints procedure. The Parish Council receives queries, problems and comments as part of its day-to-day business and they should not all be regarded as complaints. It is hoped that less formal measures or explanations provided to the complainant by the Clerk will resolve most issues.

Formal Complaints

If you make a formal complaint about procedures, administration or the actions of the Council's employee you will be asked to put your Complaint in writing (letter or e-mail) to the Clerk to the Council. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.

When your complaint has been received, two Councillors will consider it and reach a decision:-

1. Either that the complaint is justified, in which case they will advise the Clerk how to rectify it.

2. The complaint is not upheld, or complaint is unjustified
3. If it is a serious complaint, the two Councillors may decide it needs to go to Full Council for a decision.
An external body/individual may need to be brought in eg in cases of fraud, financial irregularity, bullying or professional misconduct issues etc.

Generally speaking, complainants can expect to receive a response in full within a month of the complaint, however there are circumstances when it may take longer, if additional information is needed for Council to reach a decision or external bodies are involved.

After the meeting

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

What to do

Complaints can be made in any of the following ways –

Write or telephone the Clerk to the Parish Council (see Website for details). If you wish to write rather than e-mail, please contact the Clerk for her address.

Write to the Chairman of the Parish Council (see Website for details)

If the complaint is about the Clerk, telephone or write to the Chairman.

What happens next?

On receipt of your written complaint, the Clerk to the Council will seek to settle the complaint directly with you by explaining the Parish Council's position, if this is appropriate. Attempts will be made to resolve the complaint informally at this stage.

Complaint about the Clerk

If the complaint is about the Clerk to the Council, you should write to the Chairman. The Clerk will be formally advised of the matter and given an opportunity to comment.

Complaint about the ethical behaviour of a Parish Councillor

Members of Parish Councils sign a declaration to abide by a Code of Conduct and if they breach that code, there are consequences. A complaint alleging a breach of the Code of Conduct should be made in writing and addressed to Buckinghamshire Council's Monitoring Officer at

The Monitoring Officer
Buckinghamshire Council
Walton Street Offices
Walton Street

Aylesbury
HP20 1UA

Email monitoringofficer@buckinghamshire.gov.uk

Unreasonable and Vexatious Complaints

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 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.

Anonymous Complaints

Anonymous complaints will be disregarded.

Complaints relating to the Clerk

These will be dealt with either 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.

What to do if you are still not satisfied

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.