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# **Complaints Procedure**

## **November 2015**

This Policy sets out procedures for dealing with complaints that anyone may have about the Parish Council's Administration or Procedures only. It does NOT cover:

### **Complaints about policy decisions**

If you are unhappy about a Council decision, you may raise your concerns with the Council, but the Council will not reopen issues for 6 months from the date of the decision unless there are exceptional grounds for earlier reconsideration.

### **Complaints about Councillors**

Such complaints are dealt in the first instance by the Monitoring Officer at North East Derbyshire District Council. More information can be found at <http://www.ne-derbyshire.gov.uk/council-democracy/tell-us-what-you-think/complaints-against-councillors/>.

### **Complaints about employees**

Complaints about employees are dealt with as an employment matter. The complainant can be assured that the matter will be dealt with internally and appropriate action taken as required.

## **How to complain about the Parish Council's administration and procedures**

Eckington 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. However, you may feel you need to complain about the Council's administration and procedures, for example you may be dissatisfied with the standard of service you have received, are unhappy about an action or inaction by the council or how council employees have dealt with your complaint.

In the first instance complaints to the Clerk will be dealt with informally or explanations will be provided by the Clerk or Chair. If you are still not satisfied then the following procedure applies.

- 1 You may make your complaint to the Clerk. You may do this by letter or by email. Contact details can be found at the end of this document.
- 2 If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chair of the Council. The Chair will report your complaint to the relevant committee or the council (as appropriate). Contact details can be found at the end of this document
- 3 Your complaint will be acknowledged within 5 working days
- 4 On receipt of a written complaint the Chair of the Council, the relevant committee or the Clerk to the Council shall try to settle the complaint directly with you.
- 5 The Chair of the Council, the relevant committee or the Clerk to the Council will report to the next meeting of the Council on any written complaint that has been resolved by direct action with you.

- 6 The Chair of the Council, the relevant committee or the Clerk to the Council will bring any written complaint that has not been settled, to the next meeting of the Council or relevant committee. The Clerk to the Council will notify you of the date on which the complaint will be considered. You will be offered an opportunity to explain the circumstances of the complaint orally to the Members of the Council or of the relevant committee. If deemed necessary a separate meeting (see 'The meeting' below) will be called to discuss the complaint with you.
- 7 The Council or relevant committee will consider whether the circumstances surrounding any complaint warrant the matter being discussed in the absence of the press and public, however, any decision regarding a complaint will be announced during the public session of a Council meeting.
- 8 Within 7 working days the decision and the nature of any action to be taken will be communicated to you in writing.
- 9 The Council will defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint will be dealt with at the next meeting after the advice has been received.
- 10 The decision of the Council or relevant committee is final
- 11 A summary of complaints received during the year will be included in the Chair's Annual Report

## THE MEETING

Seven clear working days prior to the meeting you will be asked to provide to the Council or relevant committee with copies of any documentation or any other evidence, which you wish to refer to at the meeting. The Council shall similarly provide you with copies of any documentation upon which they wish to rely at the meeting.

- The Chair will introduce everyone
- The Chair will explain the procedure
- You or your representative will outline the grounds for the complaint.
- The Members may ask you any question
- If relevant, the Clerk or other proper officer will explain the Council's position.
- The Members may ask any question of the Clerk or proper officer.
- The Clerk or other proper officer and you will be offered an opportunity for a 'last word', in that order.

- The Clerk or other proper officer and you will be asked to leave the room whilst Members decide whether or not the grounds of the complaint have been made. If clarification is necessary, both parties will be invited back to the meeting.
- You and the Clerk or other proper officer will be asked to return to hear the decision which will also be communicated to you in writing within 7 working days.

## Notes

It may be that the Clerk or other proper officer at the meeting represents the position of the Council. If the Clerk or other proper officer is putting forward the justification for the action or procedure complained of, he/she should not advise the Council.

All parties should be treated fairly and the process should be reasonable, accessible and transparent.

The Council will bear in mind the provisions of the Data Protection act 1998 and the Freedom of Information Act 2000 in dealing with complaints.

In the event of a seemingly serious or malicious complaint, the Parish Council may consider taking legal advice.

## Contact Details

Clerk to the Eckington Parish Council  
Civic Centre  
Market Street  
Eckington  
S21 4JG  
Tel 07715668815  
Email [clerk@eckington-pc.gov.uk](mailto:clerk@eckington-pc.gov.uk)

Chair of Eckington Parish Council  
c/o Civic Centre  
Market Street  
Eckington  
S21 4JG