



## FOREST ROW PARISH COUNCIL COMPLAINTS POLICY & PROCEDURE

### 1. INTRODUCTION

1.1 This Policy sets out procedures for dealing with complaints that anyone may have about the Parish Council's administration and procedures. The Local Government Ombudsman has no jurisdiction over Parish, Town and Community Councils in England and Wales.

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

Type of conduct	Refer to
Financial irregularity	Local elector's statutory right to object to Council's audit of accounts pursuant to s.16 Audit Commission Act 199. On other matters, Councils may need to consult with their auditor / audit commission
Criminal activity	The police
Councillor conduct	A complaint relating to a Councillor's failure to comply with the Code of Conduct must be submitted to Wealden District Council, Monitoring Officer
Employee conduct	Dealt with by internal disciplinary procedure

1.3 The procedure that follows is therefore aimed at those situations where a complaint is made about the administration of the Council or about its procedures. It is not an appropriate forum for a complaint against individuals, as the provisions above cover these situations.

### 2. PROCEDURE

2.1 If a complaint about procedures or administration as practised by the Council's employees is notified orally to a Councillor or the Clerk, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.

2.2 If the complainant prefers not to put the complaint to the Clerk he or she should be advised to put it to the Chairman of the Council.

2.3 a) On receipt of a written complaint the Chairman of the Council or the Clerk (*except where the complaint is about his or her own actions*) shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person complained against and giving him or her an opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.

b) Where the Clerk or the Chairman of the Council receives a written complaint about the Clerk's own actions, he or she shall refer the complaint to the Chairman of the Council. The Clerk shall be notified and given an opportunity to comment.

2.4 The Clerk or Chairman of the Council shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

2.5 The Clerk or Chairman of the Council shall bring any written complaint that has not been settled at the next meeting of the Council. The Clerk shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint orally. (Unless such a matter may be related to Grievance, Disciplinary or Standard Board proceedings that are taking, or likely to take place when such a hearing may prejudice those hearings when the complaint will have to be heard under Exempt Business to exclude any member of the public or press, or deferred on appropriate advice received.

2.6 The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public

2.7 As soon as may be after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.

2.8 A Council shall 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 shall be dealt with at the next meeting after the advice has been received.

Policy due for review: May 2021
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