



Darley and Menwith Parish Council – Complaints Procedure

N.B. Complaints about an employee of the Council will be dealt with as an employment matter and complaints about a Councillor are subject to the jurisdiction of the Standards Board. This procedure is therefore aimed at those situations where a complaint has been made about the administration of the council or its procedures.

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

1. Complaints shall ordinarily be dealt with by way of a meeting.

Before the meeting

2. The complainant shall be asked to put the complaint about the Council's procedures or administration in writing to the clerk or other nominated proper officer. This should include details of the complaint, including relevant events, names of relevant Councillors, staff or Contractors of the Council and the complainant's contact details. The complainant should state whether he/she would like the complaint to be treated confidentially.
3. If the complainant does not wish to put the complaint to the clerk or other proper officer, he/she shall be advised to put it to the Chairman of the Council.
4. The Clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the Council or by the committee established for the purposes of hearing complaints.
5. The Council will investigate the facts of the complaint and collate relevant evidence.
6. The Council may be required to notify third parties of the complaint (e.g. its insurers, the police or local district or principal authority) and/or may seek legal advice in relation to the complaint.
7. The complainant shall be invited to attend the relevant meeting and bring with him/her such representative as desired.
8. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which he/she wishes to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which it wishes to rely at the meeting.

At the Meeting

9. The meeting shall ordinarily be treated as confidential unless the complainant waives their right to confidentiality. In such circumstances, the Council shall consider whether the presence of the public and press at the meeting is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons.
10. The Chairman shall introduce everyone.
11. The Chairman shall explain the agreed procedure.
12. The complainant (or representative) shall outline the grounds for complaint.
13. Members may ask any question of the complainant.

14. If relevant, the Clerk or other proper officer shall explain the Council's position.
15. Members may ask any question of the clerk or other proper officer.
16. The Clerk or other proper officer and the complainant shall be offered the opportunity of the last word (in this order).
17. The Clerk or other proper officer (if the complaint concerns his/her administration) and the complainant shall be asked to leave the room while the 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).
18. The Clerk or other proper officer and the complainant shall return to hear the decision, or to be advised when the decision will be made.

After the Meeting

19. The decision will be confirmed in writing within seven working days and sent to the complainant, together with details of any action to be taken.
20. Any decision on a complaint shall be announced at the Council meeting in public.