

# **Stonham Aspal Parish Council**

## **Procedure for Dealing with Complaints against the Council**

### **Before processing a complaint**

1. All formal complaints against the Council must be communicated in writing. A form for this purpose is available on the Council's website under the link 'Making a Complaint'.
2. Complaints relating to any individual councillor in relation to the code of conduct should be referred to the Monitoring Officer at MSDC [Mid Suffolk District Council making a complaint about a councillor](#) A copy of the code of conduct can be found on the Parish Council website [Stonhamaspal.onesuffolk.net](http://Stonhamaspal.onesuffolk.net).
3. The complainant must be asked at the outset to confirm if he/she wants the complaint to be treated confidentially. This is included as a question on the complaint form. It is unlikely that the complainant will waive confidentiality but, even if they do, the Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
4. Complaints should normally be sent to the Clerk to the Parish Council, by e-mail to [sapc.clerk@yahoo.co.uk](mailto:sapc.clerk@yahoo.co.uk). If the complaint concerns the Clerk then it should be addressed to the Chairman / HR representative at the council who will be named under councillor responsibilities on the Parish Council website, at the contact address or email shown on the website. (marked 'Confidential').

### **Receipt of the complaint**

5. Receipt of a complaint will be acknowledged in writing within seven days, indicating the following information:-
  - Who will be dealing with the complaint (e.g. title of member of staff, a particular committee or sub-committee)
  - The timeframe for investigating the complaint
  - Whether there will be an opportunity for the complainant to make verbal representations (and bring a friend when doing so) and when this will occur
  - The timeframe for determining the complain
  - Whether there is an opportunity to appeal the outcome of the complaint and an explanation of the appeal process
  - Whether the complaint will be treated as confidential (most likely)
  - Confirm the next steps in the complaints procedure

### **Investigating the complaint**

6. The Council will investigate the facts of the complaint and collate relevant evidence.
7. If the complainant is to be invited to make verbal representations they will be invited to a meeting with the Clerk (or other nominated officer) or to attend a meeting of the Complaints Committee. Before the meeting, and within a specified period, the complainant shall provide the Clerk (or nominated officer or the Complaints Committee as applicable) with any new information or other evidence relevant to the complaint, and the Clerk (or nominated officer), or the Chairman of the Complaints Committee shall provide the complainant with new information or evidence relevant to the complaint.

### **Meetings with the complainant (if applicable)**

8. If the complainant is invited to a meeting, the Clerk, nominated officer or chairman of the meeting should explain how the meeting will proceed.
9. The complainant should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk (or other nominated officer), or by members if a meeting with the Complaints Committee.
10. The Clerk (or other nominated officer) or the Chairman of the Complaints Committee will have an opportunity to explain the Council's position and questions may be asked by the complainant.
11. The Clerk (or other nominated officer), or as the case may be, the Chairman of the Complaints Committee, and then the complainant should be offered the opportunity to summarise their respective positions.
12. The complainant should be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

### **After the complaint has been decided**

13. Within four weeks of receipt of the complaint, the Council should write to the complainant with the outcome of the complaint, to include the following:-
  - Whether it has upheld the complaint, together with reasons for the decision
  - Details of any action to be taken
  - That there is no right of appeal