

SWANWICK PARISH COUNCIL FORMAL COMPLAINTS PROCEDURE



INFORMAL/INITIAL COMPLAINT

If a complaint is received verbally by Councillors or Clerk, then this shall be initially dealt with by the Councillor or Clerk as appropriate. If the complainant is not satisfied with the outcome then they shall be asked if they wish to instigate the Formal Complaints Procedure. A copy of which shall be given to them.

FORMAL COMPLAINTS PROCEDURE

Code of Practice – this complaints procedure forms part of the Council's Standing Orders item 64. Code of conduct/complaints.

Before the Meeting to consider the complaint:

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Parish Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, they can be advised to address the complaint to the Chair of the Council.
3. The Clerk shall acknowledge receipt of the complaint and advise the complainant when the Council will consider the complaint.
4. The complainant shall be invited to attend the relevant meeting and bring with them, such representation as they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, that they wish to refer to the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

At the meeting:

6. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the Council meeting in public.
7. The Chair to introduce everyone.
8. The Chair to explain the procedure.
9. The Complainant to outline the grounds for complaint.
10. Members to ask questions of the complainant.
11. If relevant, the Clerk to explain the Council's position.
12. Members to ask any questions of the Clerk.
13. Clerk and Complainant to be offered the opportunity of the last word (in this order).

14. The Clerk and the Complainant be asked to leave the room (if appropriate) while Members decide whether the grounds of the complaint have been made. (If a point of clarification is necessary, **both** parties to be invited back).

15. The Clerk and the Complainant return to hear the decision, or to be advised when a decision will be made.

After The Meeting:

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

Right of Appeal

17. If an appeal is to be made against the decision, then this should be made to Derbyshire Association of Local Councils', Church Street, Wirksworth, Matlock, Derbyshire DE4 4EY

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