

PRESTON UNDER SCAR PARISH COUNCIL

COMPLAINTS PROCEDURE FOR USE IN COMPLAINTS AGAINST THE COUNCIL

This Procedure has been developed from the NALC Legal Topic Note 9E. Councillors and Clerk are recommended to consult that Note if any complaint goes further than is envisaged in the following procedure.

This procedure was considered and adopted by the Parish Council at their meeting on the 16th September, 2018

1. Before processing a complaint

1. The Council's Complaints Procedure may be downloaded from the Council's website at www.prestonunderscarpc.co.uk or may be obtained from the Clerk to the Council.
2. All formal complaints **must** be communicated in writing. The Council has prepared a standard form setting out the information which it expects the Complainant to provide, see Appendix 1 of the Councils' Complaints Procedure.
3. If confidentiality is waived, the Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
4. A complaint may be sent by email to prestonunderscarpc@gmail.com, or may be addressed to the Clerk or any one of the Councillors.

2. Following Receipt of a Formal, Written Complaint

The Clerk or a Councillor nominated by the Council shall:

- within 7 working days, acknowledge in writing receipt of the complaint.
- confirm to the Complainant whether the complaint is to be treated as confidential
- confirm who will be dealing with the complaint
- confirm the timeframe for investigating the complaint

- confirm whether or not there will be an opportunity for the complainant to make verbal representations (and bring a friend when doing so) and when this will occur
- confirm the timeframe for determining the complaint.
- confirm the next steps in the complaints procedure.

Investigating the complaint

- The Council shall investigate the facts of the complaint and collate relevant evidence.
- If the complainant is permitted to make verbal representations, the complainant will be invited to a meeting with the Clerk or nominated Councillor(s),
- Before such meeting and within the period specified for the investigation the complainant shall provide the Clerk or nominated Councillor(s), with any new information or other evidence relevant to the complaint and the Clerk or nominated Councillor(s), shall provide the Complainant with any new information or evidence relevant to the complaint.

Meetings with the Complainant (if applicable)

If the Complainant is permitted to make verbal representations at a meeting with the Clerk or nominated Councillor(s), the clerk or a nominated Councillor shall explain how the meeting will proceed including the times allowed for the several stages of the meeting:

- The Complainant will be offered an opportunity to present the grounds and evidence for the complaint and, thereafter, questions may be asked by the Clerk or nominated Councillor(s)
- The Clerk or other nominated Councillor will have an opportunity to explain the Council's position and questions may be asked by the Complainant.
- The Clerk or nominated Councillor(s), and then the Complainant will be offered the opportunity to summarise their respective positions.
- The Complainant will be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to the Complainant.

After the complaint has been decided

- Within the timeframe specified, the Council will write to the Complainant to confirm whether or not it has upheld the complaint.
- The Council will give reasons for its decision together with details of any action to be taken by the Council.

Signed.....

Date.....

Name and Position.....

Appendix 1

Preston under Scar Parish Council Information to be provided to the Council by a Complainant

Name of Complainant

Contact details:

- Postal Address,
- email address,
- telephone number

Does the Complainant wish to waive confidentiality: Yes or No

Details of the complaint (please use additional sheets if necessary)

Evidence in support of the complaint, including, but not limited to, such as relevant events, dates, names, additional papers, etc. (please use additional sheets if necessary)