

Complaint Policy

1. Initiating the Complaint Policy

If a complaint cannot be satisfied in full immediately, the complainant will be asked to put the complaint in writing to the Clerk of the Council, or the Council Chairman, if it is indicated the complainant would prefer not to submit it to the Clerk.

To differentiate, consider the type of complaint being submitted and follow the actions below:

1.1 Council business or Council employee Complaint

A complaint regarding Council business or Council employee, should be directed to the Clerk / Chairman for consideration and discussion with the Complainant.

If a complaint put to the Chairman regarding an employee is unresolved it may be referred on to the parish council committee.

1.2 Councillor conduct and behaviour Complaint

All complaints regarding conduct or behaviour of a Councillor should be directed to the Monitoring Officer at Chorley council.

The Monitoring Officer is a statutory officer appointed by a local authority and that officer holds a legal responsibility to ensure the authority acts lawfully and ethically and manages all Councillor conduct issues.

Reference: Local Government and Housing Act 1989 England and Wales, Section 5.

2. Written complaint options

2.1 On receipt of a written complaint, the Clerk / Chairman, shall (except where the complaint is about his own actions) try to settle the complaint directly with the complainant.

2.2 If the complaint is in respect of a complaint about the behaviour of an employee of the Council, then it shall not be settled without first notifying the employee complained of and giving them an opportunity to comment on the manner in which it is intended to attempt to settle the complaint.

2.3 Where the Clerk to the Council or Chairman receives a written complaint about his own actions, they shall immediately refer the complaint to the parish council Committee.

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

2.5 The Clerk / Chairman shall bring any written complaint, which has not been settled, to the next meeting of the parish council, and the Clerk to the Council shall notify the complainant of the date on which the complaint will be considered.

2.6 If, the Council decides the circumstances of any complaint warrant the matter being discussed in the absence of the press and the public then it will exclude these from the meeting and quote the exemption clause.

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- 2.7 If the matter is a complaint of such that the Council believes the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded. In this event, if the complaint is about an employee, even if the matter is being dealt with initially out of the context of a formal disciplinary hearing, then the employee is entitled to be able to attend and have a representative present/or to act. Reference: as set out in the Employment Relations Act 1999 s.10. The matter before the council in this case will be to establish whether there is a factual basis to the complaint and the route or action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner in accordance with the specific Council policy.
- 2.8 If legal, procedural or other advice is needed before a decision can be formed, this will be sought and the complaint heard at a later date, following receipt of the advice.
3. Decision notification
- The decision of the Parish Council will be notified in writing to the complainant within twenty working days, a letter will be sent to explain if there will be a delay.
4. Dealing with serial facetious, vexatious or malicious complaints
- In the event of serial facetious, vexatious or malicious complaints from a member of the public the Council should consider taking legal advice before writing any letters to the complainant and refer to its Vexatious Complaint Policy.
5. Closed complaints
- The Parish Council will not reconsider a complaint, which it has already investigated, and for which no new information or factors are submitted.