Clyffe Pypard Parish Council

COMPLAINTS PROCEDURE

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Author	Naomi Mildenhall (Clerk)	Review Date	2025
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1. The following is the Parish Council's procedure for dealing with complaints about the Council's administration or its procedures, a complaint against the Clerk or a complaint against a Parish Councillor.
2. Complaints about a policy decision made by the Council will be referred to the Council for consideration.

   The procedure is based on the framework suggested by the National Association of Local Councils.

Definition of a complaint?

3. Generally, this will be about the Parish Council's procedures or administration. It will be an expression of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of a service - whether the action was taken (or the service provided by the Council) by the Parish Council or a person or organisation acting on behalf of the Council.
4. Complaints should always be directed through the Clerk (except for complaints about the Clerk, in which case, the Chairman takes the place of the Clerk in managing the process). It may be that the matter you are concerned about could be dealt with in a less formal manner. However, if you wish to use the procedure, please read on.
5. This Complaints Procedure does not apply to:
   a. complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
   b. complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 1 July 2013 and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of Wiltshire Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Wiltshire Council.

Making a complaint

6. You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.
7. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not

possible, the Clerk will normally try to acknowledge your complaint within five working days.

8. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.
9. The Clerk or the Complaints Committee of the Council or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.

When your complaint has been received

10. Two Councillors will consider it and reach a decision:-
    a. Either that the complaint is justified, in which case they will advise the Clerk how to rectify it.
    b. The complaint is not upheld, or complaint is unjustified.

11. If it is a serious complaint, the two Councillors may decide it needs to go to Full Council for a decision. An external body/individual may need to be brought in eg in cases of fraud, financial irregularity, bullying or professional misconduct issues etc.
12. The Clerk or the Chairman of the Council will notify you within 1 month of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. however, there are circumstances when it may take longer, if additional information is needed
13. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Complaints Committee of the Parish / Community Council or to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

After the meeting

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

Complaint about the ethical behaviour of a Parish Councillor

15. Members of Parish Councils sign a declaration to abide by a Code of Conduct and if they breach that code, there are consequences. A complaint alleging a breach of the Code of Conduct should be made in writing and addressed to Wiltshire Council's Monitoring Officer at:

The Monitoring Officer

Wiltshire Council

Trowbridge

Wiltshire

BA14 8JN

Email governance@wiltshire.gov.uk

Unreasonable and Vexatious Complaints

16. There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should, or has been taken. These matters will be referred to the Parish Council by the Clerk with a summary of the issues and of

the attempts made to resolve the complaint. The Parish Council may, in such circumstances, decide that no further action can be taken in response to the complainant and inform the complainant so, making it clear that only new and substantive issues will merit a response.

Anonymous Complaints

17. Anonymous complaints will be disregarded.

Complaints relating to the Clerk

18. These will be dealt with either by the Parish Council as an employment matter. Such complaints could result in disciplinary action or, in cases of gross misconduct, dismissal from the Council's employment. The matter will be dealt with internally to protect the employment rights to which employees of the Parish Council are entitled. The complainant will be informed of action taken.

What to do if you are still not satisfied

19. The decision of the Parish Council is final with no appeal process as the Local Government Ombudsman does not consider complaints in respect of Parish Councils.

Contacts

The Clerk of Clyffe Pypard Parish Council

Email: clerk@clyffepypardbushton.org.uk

The Chair of Clyffe Pypard Parish Council

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