



# Yelvertoft Parish Council

## COMPLAINTS POLICY

### 1. Introduction

1.1. This procedure covers routine complaints. A separate policy exists for complaints described as habitual and vexatious. Habitual or vexatious complaints are defined as unreasonable complaints, enquiries or outcomes that are repeatedly or obsessively pursued.

1.2. Some types of complaint are handled outside this procedure: Financial irregularity are handled by the Council's own auditor / Audit Commission; criminal activity by the Police; member conduct by the standards committee of the principal authority; and employee conduct by internal disciplinary procedure.

### 2. Management of Complaints

2.1. Council will handle complaints in Full Council or nominate councillors who are authorised to deal with complaints but are not involved with the case.

2.2. If the complaint is handled by Full Council two nominated councillors should not take part in the proceedings. They will then be available for any appeal, if required.

2.3. The Clerk should normally represent the Council through the proceedings, but a nominated councillor may act instead.

### 3. Procedures

3.1. Before the Meeting:

3.1.1. The complainant should complain in writing to the Clerk or to the Chairman of the Council.

3.1.2. The complainant should be advised when the matter will be considered and whether it will be treated confidentially or heard by a committee. A copy of this procedure should also be given to the complainant. The Policy will be available on the Parish Council website.

3.1.3. The complainant should be invited to attend a meeting with a representative if wished.

3.1.4. Not later than seven clear working days prior to the meeting, the complainant and the Council will exchange copies of any documentation or other evidence to be relied on.

### 3.2. At the Council Meeting or Committee Meeting:

3.2.1. The Chairman of the meeting should introduce everyone and explain the procedure.

3.2.2. The complainant should outline the grounds for complaint before any questions from the Clerk and then from members if present.

3.2.3. The Clerk should explain the Council's position before any questions from the complainant, and from members if present.

3.2.4. The complainant and the Clerk should then summarise their position; they then leave the room while members decide whether the grounds for a complaint have been made.

3.2.5. If the decision is unlikely to be finalised on that day an estimated date will be given.

### 3.3. After the Meeting:

3.3.1. The decision should be confirmed in writing within ten working days together with details of any action to be taken.

3.3.2. The result of the proceedings should be reported at the next Council meeting after the appeal period has passed, ensuring that agreed confidential issues are appropriately respected.

### 3.4. Appeals:

3.4.1. Should the complainant not agree the decision, they are entitled to appeal within five days of receipt of the result of the proceedings.

3.4.2. The councillors nominated to handle the appeal should, within twenty-one days of receiving the appeal, examine the way in which the Council dealt with the complaint.

3.4.3. If procedures were correctly handled by the Council, the appellant should be notified that the appeal has not been successful. If the complaint was not handled correctly it must be referred back for consideration.

3.4.4. The appellant should be notified of the result of the appeals process within fourteen days.

Adopted at the Full Council meeting June 2021  
Reviewed at the Full Council meeting 15.05.23  
Review date: May 2024