



Waldringfield Parish Council

Complaints Policy

Adopted 14 November 2023

Waldringfield Parish Council

Complaints Policy

1. Introduction

- 1.1. Waldringfield Parish Council is committed to open and transparent governance, having put into place the necessary safeguards to ensure that its activities are conducted in a lawful, open and prudent manner.
- 1.2. However, there may be occasions that the Council's actions will be the subject of a complaint. It is important, therefore, that the Council provides proper and fair mechanisms for handling those complaints.
- 1.3. The Parish Council has looked to the National Association of Local Councils for guidance in this matter and has chosen to adopt a Code of Practice based on NALC Legal Topic Note 9E issued 14 October 2022. A copy of that document is published alongside this one on the Parish Council section of the Waldringfield website.
- 1.4. Drawing from the recommendations in that document, the following procedures will apply to all complaints addressed to the Council.

2. Scope

- 2.1. This policy sets out how to raise a complaint with the Council and our procedures for dealing with such complaints. A complaint under this policy will be regarding the administration of the Council or about its procedures.
- 2.2. The Council would consider a complaint to be defined as 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 service provided by the Council itself or a person or body acting on behalf of the Council.¹
- 2.3. Complaints under this policy must be made within 12 months of the matters which are subject to the complaint occurring.
- 2.4. Complaints about the Clerk, who is an employee of the Council, will be dealt with internally as an employment matter, and through the Council's employment policies.²
- 2.5. Complaints about a Councillor are subject to the jurisdiction of the Monitoring Officer at East Suffolk Council, and they should be contacted for such complaints.³

¹ 2022 NALC Legal Topic Note 9E para 2

² 2022 NALC Legal Topic Note 9E, para 7

³ 2022 NALC Legal Topic Note 9E, para 8

3. Receiving a complaint

- 3.1. The Complainant shall be asked to put the complaint about Waldringfield Parish Council's procedures or administration in writing to the Clerk or other nominated officer.
- 3.2. Complaints should be sent to the Clerk to the Parish Council,
 - by post to Low Farm, Ipswich Road, Waldringfield, Woodbridge Suffolk IP12 4QU
 - by e-mail to pc.waldringfield@googlemail.com.
- 3.3. If the Complainant does not wish to put the complaint to the Clerk or other nominated officer, he or she shall be advised to address it to the Chairman of the Council.
- 3.4. The complaint should be brought to the attention of the Council within 12 months
- 3.5. The Clerk or other nominated officer shall acknowledge receipt of the complaint within 10 working days and advise the Complainant when the matter will be considered by the Council or by a panel established for the purposes of hearing the complaint. Wherever practicable, this shall be within 2 months.
- 3.6. The Complainant shall be advised that the complaint will be treated as confidential unless otherwise agreed by the Complainant and that the Council will comply with its obligations under the Data Protection Act 2018.

4. Complaints Process

4.1 Informal Resolution

- 4.1.1 The Clerk is responsible for managing the complaints process. It is always recommended that complaints about administration or procedures of the Council should be brought to the attention of the Clerk informally, as mistakes and misunderstandings can often be resolved at this stage.

4.2 Formal process

- 4.2.1 The Complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
- 4.2.2 Seven clear working days prior to the meeting, the Complainant shall provide the Council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the Complainant the opportunity to read the material in good time for the meeting.

4.3 At the Meeting

- 4.3.1. The Council shall consider, subject to Para 3 above, whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.
- 4.3.2. The Chairman shall introduce everyone and explain the procedure.
- 4.3.3. The Complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.
- 4.3.4. The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the Complainant and (ii), members.
- 4.3.5. The Clerk or other nominated officer and then the Complainant shall be offered the opportunity to summarise their position.
- 4.3.6. The Clerk or other nominated officer and the Complainant shall be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
- 4.3.7. The Clerk or other nominated officer and the Complainant shall be given the opportunity to wait for the decision but, if the decision is unlikely to be finalised on that day, they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

4.4. After the complaint has been decided

- 4.4.1. Within four weeks of receipt of the complaint, the Chair and/or nominated officer(s) should write to the complainant with the outcome of the complaint, to include the following:-
 - Whether it has upheld the complaint, together with reasons for the decision
 - Details of any action to be taken
 - That there is no right of appeal