

# **NETTLEHAM PARISH COUNCIL**

## **COMPLAINTS PROCEDURE**

The Council's Complaints Procedure below relates to complaints received against the Council as a body and not in relation to individual members or employees. This procedure encompasses complaints arising from the handling of matter by the Council, being the process by which a decision is taken by it as opposed to the decision itself.

### **Before the Meeting**

1. The complainant should be asked to put the complaint in writing to the clerk or other nominated officer.
2. If the complainant does not wish to put the complaint to the clerk or other nominated officer, he or she should be advised to address it to the chairman of the council.
3. The clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. 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 at least three working days prior to the meeting to allow the claimant the opportunity to consider the material in good time for the meeting.

### **At the Meeting**

6. The council shall consider 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.

7. The chairman should introduce everyone and explain the procedure.
8. 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.
9. 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.
10. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
11. The clerk or other nominated officer and the complainant should 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.
12. The clerk or other nominated officer and the complainant should 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.

### **After the Meeting**

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

### **Review by Independent Adjudicator**

If a complainant is still not satisfied, the matter would be referred to an independent Adjudicator who would review all the information relating to the complaint and make recommendations as to any further action which the Council should take in the matter.

### **Persistent Complainants**

The Council recognises that on occasions there are a small number of complainants who, because of the frequency of their contact with the Council, hinder our consideration of their or other people's complaints. We will take action to limit their contact with our office.

The decision to restrict access to our office will be made by the Parish Council and any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:-

- Requesting contact in a particular form (for example, letters only)
- Requiring contact to take place with the Clerk with a Councillor also in attendance.

In all cases where the Council decide to treat someone as a persistent complainant, we will write to tell the person why we believe his or her behaviour falls into that category, what action we are taking and the duration. The situation will be reviewed in three months and if there are no issues for two clear reviews (i.e. six months) then they will no longer be classed as a persistent complainant.

If a persistent complainant whose case is closed persists in communicating with the Council about it, the Council may decide to terminate contact with them. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complainant we will simply place it on file with no acknowledgement.

New complaints from people who have come under the persistent complainants policy will be treated on their merits.