

## **Complaints Procedure**

**Contact Details:** Parish Clerk, Anne Tait, 23 The Street, Albury, Guildford Surrey GU5 9AB

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**Email:** clerk@stmarthaparishcouncil.co.uk

1. St Martha Parish Council is committed to providing its services efficiently and to a high standard for the benefit of the people who live, work in or are visitors to the Parish. Nonetheless, we encourage individuals to bring any shortcomings to our attention so that we may:

- Have the opportunity to resolve the issue quickly and amicably
- Learn from our mistakes so that they may be prevented in future
- Review policies and procedures where necessary

2. If you are dissatisfied with the standard of service you have received from the Council this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.

We take all complaints very seriously. Depending on the nature of the complaint it will be handled in various ways.

When a complaint is received, either verbally or in writing, the Clerk will discuss the matter with the Chairman of the Parish Council and respond within seven working days. Anonymous complaints will be dealt with by the Clerk, in consultation with the Chairman who will decide if it is appropriate to respond. If that response is not considered satisfactory, the complainant may ask for it to be referred to a Complaints Committee of the Chairman, Vice-Chairman and one other Parish Councillor. To be considered the complaint must be put in writing and sent to either the Clerk or the Chairman.

### **Complaints about an employee**

Complaints about the Clerk should be addressed to the Chairman of the Council. Complaints by a Council employee against the Council as an employer are dealt with under the Council's disciplinary and grievance procedures.

### **Complaints about a councillor**

Complaints against Councillors are covered by the Code of Conduct for Members adopted by the Council at the Meeting on 16<sup>th</sup> December 2020 and, if a complaint against a Councillor is received by the Council, it will be referred to the Standards Committee of Guildford Borough Council.

Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer of Guildford Borough Council.

### **Financial irregularity**

Alleged financial irregularity. Local electors have a statutory right to object to the Council's audit of accounts (Local Audit and Accountability Act 2014).

### **Alleged criminal activity**

Alleged criminal activity. This should be reported to Surrey Police.

3. This Complaints Procedure applies to complaints about Council administration and procedures and includes complaints about how Council employees have dealt with your concerns.

## Complaints Procedure

The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council. Standing Orders prevent the Council from re-opening issues for six months from the date of the decision. Only in exceptional circumstances can Councillors initiate the special process set out in the Standing Orders that allows a Council decision to be revisited within the six-month decision period.

**5.** Complaints about procedures or administration should be raised with the Clerk who is the Proper Officer of the Council. Mistakes and misunderstandings are normally resolved informally at the outset.

However, if the Clerk cannot resolve the concern or issue to your satisfaction, please follow the steps detailed below.

Please put your complaint in writing to the Clerk, detailing the procedure or administration you wish to complain about. If you do not wish to send the complaint to the Clerk, it may be sent to the Chairman.

- a) The Clerk shall acknowledge the receipt of your complaint and advise you of the date of the meeting when the Council will consider the matter.
- b) You will be invited to attend the meeting and may bring with you such representatives as you wish.
- c) At least 7 clear days before the meeting, you will need to provide St Martha Parish Council with copies of any documentation or other evidence, which you may wish to refer to at the meeting. The Council will similarly provide you with copies of any documentation upon which you may wish to rely at the meeting.
- d) The Council shall consider whether the nature of the complaint warrants the exclusion of the public and press from the meeting. The meeting will be as informal and friendly as possible, without prejudicing the need to properly consider the matter under discussion.
- e) The following procedure will be followed:
  - i. The Chairman will introduce everyone.
  - ii. The Chairman will explain the procedure.
  - iii. You will be asked to outline the grounds of your complaint.
  - iv. If relevant, the Clerk will explain St Martha Parish Council's position.
  - v. Councillors will then have the opportunity to question you and the Clerk.
  - vi. You and the Clerk will then be offered the opportunity of any last words.
  - vii. You and the Clerk will be asked to leave the room whilst the Councillors decide whether the grounds for the complaint have been made, (if a point of clarification is necessary, both parties are to be invited back).
  - viii. You and the Clerk return to hear the decision, or to be advised when the decision will be made.
- f) The announcement will be made in public.

Following the meeting, the decision shall be confirmed in writing within 20 working days, together with details of any action to be taken.

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6. If a complainant has threatened to take legal action against the Council or legal proceedings have already begun, the Council will seek professional legal advice as to how to deal with the situation.

The Parish Council's complaints procedure is intended to ensure that a satisfactory resolution or remedy is found when dealing with complaints. Where a complaint is found to be justified, an apology will always be made, and the Council will consider what remedy is appropriate, even if this is different from what the claimant was originally seeking.

As with any item on the Agenda, provided notice has been given to either the Clerk or the Chairman, before the meeting, the complainant and any member of the public may make a statement about it, not exceeding two minutes at the beginning of the Parish Council meeting.

**Date of review: March 2022**