

## **OTTERBOURNE PARISH COUNCIL FORMAL COMPLAINTS PROCEDURE**

The following deals with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, for consideration. This procedure does not cover complaints about the conduct of a Member of the Parish Council which is covered by the Council's adopted Code of Conduct.

If a complaint is notified orally to a Councillor or to the Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.

Efforts should be made to resolve the complaint by informal discussion with the complainant. The Chair of the Finance and Administration Committee will nominate a Councillor and/or the Clerk to undertake this. No informal discussion with the complainant should take place without the Finance and Administration Chair having first notified any person involved in the undertaking of the procedure or the making of the decision complained about and giving that person an opportunity to comment. The date and record of all conversations and meetings should be noted.

Any complaint resolved informally will be brought to the attention of the Council at the next Council meeting. Where a complaint cannot be resolved the following procedure will be followed.

### **Before the Meeting**

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or Finance and Administration Chair.
2. If the complainant does not wish to put the complaint to the Clerk or Finance and Administration Chair, he or she should be advised to address it to the Chair of the Council.
3. The Clerk or Finance and Administration Chair shall acknowledge receipt of the complaint within 21 days 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.
4. The complainant shall be invited to attend a meeting of the Council and to bring 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 upon.
6. The Council shall provide the complainant with copies of any documentation upon which it wishes to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

### **At the Meeting**

7. 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.
8. The Chair should introduce everyone and explain the procedure.
9. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by i) the Clerk or Finance and Administration Chair and then ii), members.
10. The Clerk or Finance and Administration Chair will have an opportunity to explain the Council's position and questions may be asked by i) the complainant and ii), members.
11. The Clerk or Finance and Administration Chair and then the complainant should be offered the opportunity to summarise their position.
12. The Clerk or Finance and Administration Chair 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.
13. The Clerk or Finance and Administration Chair 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**

14. The decision should be confirmed in writing within seven working days together with details of any action to be taken.
15. Should a complainant not be satisfied with the decision of the Parish Council, he/she may appeal to the Monitoring Officer, Winchester City Council, City Offices, Colebrook Street, Winchester SO23 9LJ.

**Adopted : Otterbourne Parish Council meeting 16 May 2023**