

## **BARKWAY PARISH COUNCIL COMPLAINTS PROCEDURE**

This Code of Practice for handling complaints was formally adopted by Barkway Parish Council on 14<sup>th</sup> September 2010.

### **Introduction**

1. It is recommended in the interests of transparency in local government, and for the benefit of good local administration, that Barkway Parish Council should adopt a standard formal procedure for dealing with complaints. The Council will do its utmost to settle complaints and satisfy complainants in the interest of the good reputation of the Council.
2. A complaint is an expression of dissatisfaction by one or more members of the public about the Parish Council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council.
3. The Council will bear in mind the provisions of the Data Protection Act 1998 as well as the Freedom of Information Act 2000 in dealing with complaints.
4. In the event of a seemingly serious or malicious complaint, the Parish Council may consider taking legal advice.

### **Complainants**

Complainants can be members of the public, councillors, or employees/contractors of the Council.

### **Confidentiality**

The identity of a complainant will only be made known to those who need to consider a complaint. Care will be taken to maintain confidentiality where circumstances demand, e.g. where matters concern financial or sensitive information or where third parties are concerned.

### **Complaints Officer**

The Chairman of the Parish Council will act as Complaints Officer or in his absence, the Vice Chairman.

### **Complaints**

1. If a complaint about procedures or administration is notified orally to a Councillor or to the Clerk and they cannot satisfy the complainant fully the complainant shall be asked to put the complaint in writing to the Clerk or the Chairman and the complainant assured that it will be dealt with promptly after receipt
2. On receipt of a written complaint the Clerk or Chairman shall (except where the complaint is about his/her own actions) try to settle the complaint directly. If the complaint is about the actions of another Councillor they must be informed and given an opportunity for comment on the manner in which it is intended to attempt to settle the complaint.

3. Where the Clerk or Chairman receives a written complaint about his or her own actions he/she shall forthwith refer the complaint to the Council and a Councillor will be nominated to deal with it.
4. The Clerk, Chairman or nominated Councillor shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
5. The Clerk, Chairman or nominated Councillor shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.
6. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
7. Once a decision has been made, the complainant must be informed as soon as possible in writing of the decision and the nature of any action taken.
8. The complainant must be made aware of the code of conduct that both the Clerk and Councillors have adopted and the official complaints procedure through the Standards Committee.
9. The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary from any recognised source of legal advice. The complaint shall be dealt with at the next meeting after the advice has been received.
10. A summary of complaints received during the year will be included in the Annual Report.