

## EARNLEY PARISH COUNCIL COMPLAINTS POLICY

1. Earnley Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. This Complaints Policy applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.
3. This Complaints Policy does not apply to:
  - 3.1. Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
  - 3.2. Complaints against councillors. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council on 14<sup>th</sup> May 2015 and, if a complaint against a councillor is received by the council, it will be referred to the Standards Committee of Chichester District Council. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer of Chichester District Council.
4. 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, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
5. You may make your complaint about the council's procedures or administration to the Clerk. All formal complaints against the council must be communicated in writing or by emailing the Clerk. The addresses are set out below. Please confirm if you wish the complaint to be treated in confidence.
6. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.
7. If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Complaints Committee of the Council.

8. The Clerk or the Complaints Committee of the Council will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council. You will be offered the opportunity to make verbal representation (and bring a friend when doing so). Before the meeting and up to three days prior to the meeting (i) the complainant shall provide the Clerk, or as the case may be, the Complaints Committee with any new information or other evidence relevant to the complaint and (ii) the Clerk, or the Complaints Committee shall provide the complainant with new information or evidence relevant to the complaint.
9. The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)
10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Complaints Committee of the Parish Council or to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

### Contacts

The Clerk of Earnley Parish Council

Address: 1 Charlmead,  
East Wittering,  
Chichester,  
West Sussex,  
PO20 8DN

Email: [clerk@earnleypc.org](mailto:clerk@earnleypc.org)

Adopted on : 20<sup>th</sup> July 2017

Review Date: July 2018

The Chairman of Earnley Parish Council

Address: Oak Lodge  
Manor Farm Barns  
Earnley  
West Sussex  
PO20 7FB

Email: [k.martin@earnleypc.org](mailto:k.martin@earnleypc.org)

Minute No: 70.17(2)

## Appendix 1

### **Before processing a complaint**

1. All formal complaints against a local council must be communicated in writing.
2. The complainant must confirm at the outset if he wants the complaint to be treated confidentially. In the unlikely event that the complainant will waive confidentiality. The Council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
3. The council's written complaints procedure should be accessible to the complainant. In any event, it should be well publicised and accessible via the council's publication scheme.

### **Receipt of the complaint**

4. The clerk (or if the complaint concerns them, the Chairman of the Council's Complaints Committee) shall:
  - Acknowledge receipt of the complaint in writing within the timeframe specified in the council's complaint's procedure
  - Confirm to the complainant if the complaint will be treated as confidential
  - Confirm the next steps of the complaints procedure

### **Investigating the complaint**

5. The council will need to investigate the facts of the complaint and collate relevant evidence.
6. If the council's complaints procedure permits the complainant to make verbal representations, the complainant should be invited to a meeting with the Clerk or as the case may be, a meeting of the complaints committee. Before the meeting and with the period specified in the council's complaints procedure (i) the complainant shall provide the clerk, or as the case may be, the complaints committee with any new information or other evidence relevant to the complaint and (ii) the clerk or nominated officer, as the case may be, complaints committee shall provide the complainant with new information or evidence relevant to the complaint.

### **Meeting with the complainant**

7. The Clerk or, as the case may be, Chairman of the meeting should explain how the meeting will proceed.
8. The complainant should outline the grounds for complaint and, thereafter, questions may be asked by the clerk or by members if this is a meeting of the complaints committee.
9. The Clerk (or if the complaint concerns them a member) will have an opportunity to explain the council's position and questions may be asked by the complainant.
10. The Clerk or, as the case may be, the complaints committee and then the complainant should be offered the opportunity to summarise their respective positions.

11. The complainant should be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

**After the complaint has been decided**

12. Within the timeframe specified in the council's complaint's procedure, the council should write to the complainant to confirm whether or not it has upheld the complaint. The council should give reasons for its decision together with details of any action to be taken by the council if this is appropriate. If the council's complaints procedure includes an appeal stage, the council should notify the complainant in writing of the right to appeal its decision.