

# BRAMERTON PARISH COUNCIL

## COMPLAINTS PROCEDURES

### INTRODUCTION

1. These complaints procedures will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a Council policy decision will be referred back to the Council, or relevant Committee, as appropriate, for consideration.
2. These procedures do not cover complaints about the conduct of a Member or an employee of the Council.
  - a. Complaints about an employee of the Council should be dealt with as an employment matter. The complainant should be assured that the matter will be dealt with internally as such and appropriate action taken as required.
  - b. Complaints about a Councillor may be dealt with by the Monitoring Officer of South Norfolk District Council and relevant contact details will be provided to the complainant.

### COMPLAINTS PROCEDURES

3. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
4. The complainant will be asked to put the complaint in writing by letter or e-mail to the Clerk. The complaint will be dealt with within 21 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is. In such circumstances the Council will send the complainant a copy of the record made as in paragraph 4 above, and will inform the complainant that the Council will treat this as the substance of the complaint.
5. If the complainant prefers not to put the complaint to the Clerk (because, for example, the matter relates to the Clerk) he or she should be advised to write to the Chair.
6. Where the Clerk or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chair. The Clerk will be formally advised of the matter and given an opportunity to comment.
7. On receipt of a written complaint, the Clerk (except where the complaint is about his or her own actions) or Chair (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person implicated in the complaint and giving him/her an opportunity to comment. Every effort should be made to resolve the complaint at this stage.
8. The Clerk (or Chair) will report any complaint disposed of by direct action with the complainant (as outlined in paragraph 7) to the next meeting of the Council.
9. The Clerk (or Chair) will report any complaint that has not been resolved directly (as outlined in paragraph 7) to the next meeting of the Council.
10. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Council orally.

11. The complainant shall be advised that they have seven clear days prior to the date of the meeting to provide the Council with copies of documentation or other evidence that they wish to refer to at the meeting. Similarly the Council shall provide the complainant with copies of any documentation it wishes to rely on at the meeting.
12. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, are to be dealt with in accordance with the Council's Grievance and Disciplinary Procedures.
13. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.
14. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
15. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
16. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.