

	<b>PENKETH PARISH COUNCIL MANUAL</b>	
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## **COMPLAINTS PROCEDURE**

<b>Date Created</b>	<b>Date Adopted</b>	<b>Date Last Reviewed</b>	<b>Next Review Date</b>
June 2021	3 <sup>rd</sup> June 2021	June 2021	TBC

## Penketh Parish Council

### Complaints Procedure

On receipt of a complaint, the Clerk, in consultation with the Chair of Penketh Parish Council, will ascertain the category of the complaint and take the relevant action with reference to the following:

	<b>Complaint Category</b>	<b>Action</b>
A	Financial Irregularity	The Parish Clerk/Responsible Financial Officer should endeavour to provide an explanation of the item. The Clerk/Responsible Financial Officer may need to consult the external auditor / Audit Commission. If the complainant is not satisfied, the Clerk should advise the complainant of the local electors' statutory right to object Councils audit of accounts pursuant to section 16 Audit Commission Act 1998.
B	Criminal Activity	The Clerk should refer the complainant to the Police.
C	Member Conduct	If the complaint relates to failure to comply with the Members Code of Conduct, the complainant should be advised to submit the complaint to Warrington Borough Council Monitoring Officer.
D	Employee Conduct	As an internal disciplinary matter, this should be dealt with under Penketh Parish Councils Disciplinary and Grievance Procedure Any complaint should be put in writing to the Chair of the council to activate this procedure.
E	Other*	Should be dealt with under the complainant's procedure outlined below.

- 1** Category E complaints are expressions of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, procedure or administration, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council.

#### **Before the meeting of the Penketh Parish Council Complaints Committee**

- 2** The complainant should be asked to put in the complaint about the council's procedures or administration in writing to the clerk.
- 3** If the complainant does not wish to put the complaint to the clerk, he or she should be advised to address it to the Chairman of the committee.
- 4** The Parish Clerk or other nominated officer, in consultation with the appropriate Chairman, shall acknowledge receipt of the complaint and attempt to address the complaint. The complainant will be advised of this action; if they still wish to pursue the matter it will be considered by the complaints committee called only for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way on the monthly full council agenda.

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- 5** The complainant shall be invited to attend a meeting of the complaints committee and to bring with them a representative if they wish.
- 6** Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish 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 next monthly parish council committee meeting in public.
- 8** The chairman of the complaints committee should introduce everyone and explain the procedure.
- 9** The complainant (or representative) should outline the grounds for complaint and, thereafter questions maybe asked by (1) the Parish Clerk, and then (ii) members.
- 10** The Parish Clerk will have an opportunity to explain the councils' position and questions may be asked by (1) the complainant and (ii) members.
- 11** The Parish Clerk and then the complainant should be offered the opportunity to summarise their position.
- 12** The Parish Clerk and the complainant should be asked to leave the room while members decide whether the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back
- 13** The Parish Clerk 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.

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### **Complaints Procedure**

#### **Formation of the Complaints Committee**

The complaints committee shall be called to sit in event of Section E above. The committee shall consist of 3 Parish Councillors, to be agreed at the time of calling of the committee. The meetings will be minuted by one of the attending councillors or by another nominated individual and these minutes will be reported back to the next monthly full council meeting.