



Shevington Parish Council

# COMPLAINTS PROCEDURE

**Adopted: .....04/02/16.....**

**Reviewed & Approved: .....07/09/22.....**

**.....WR McKnight.....**

**Chairman**

## **INTRODUCTION**

### **Employees**

Complaints about an employee of Shevington Parish 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 will be taken as required.

### **Councillors**

Complaints about a councillor are subject to the jurisdiction of the Standards Committee at Wigan Council. Complainants should be advised to contact the Monitoring Officer at Wigan Council for further information.

### **The Council and Its Procedures**

The code of practice within this document is aimed at those situations where a complaint has been made about the administration of Shevington Parish Council or about its procedures. It is not really an appropriate forum for a complaint against individuals, as the provisions available above should cover these situations.

The procedure is designed for those complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk or the Chairman.

Formal complaints will normally be considered by the full Council. However, the Council may, at its discretion, set up a Committee, which will meet, when necessary, to hear specific complaints against the Council or its procedures.

It may be that the Clerk will represent the position of the Council at the meeting. If the Clerk is putting forward the justification for the action or procedure complained of, he/she should not advise the Council or the Committee.

At all times, the rules of natural justice will apply. In other words, all parties should be treated fairly and the process should be reasonable, accessible and transparent.

### **In All Cases**

The Clerk or the Chairman of the Council will notify the complainant within 20 working days of the outcome of his/her complaint and of what action (if any) the Council proposes to take as a result of his/her complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, the complainant will be kept informed.)

# CODE OF PRACTICE

## 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.
2. If the complainant does not wish to put the complaint to the Clerk, he/she may be advised to put it to the Chairman of the Council.
3. The Clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the Council or by the committee established for the purposes of hearing complaints.
4. The complainant shall be invited to attend the relevant meeting and bring with him/her such representative as he/she wishes.
5. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which he/she wishes to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which he/she wishes to rely at the meeting.

## At the Meeting

6. 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.
7. The Chairman to introduce everyone.
8. The Chairman to explain the procedure.
9. Complainant (or his/her representative) to outline the grounds for complaint.
10. Members to ask any question of the complainant.
11. If relevant, the Clerk to explain the Council's position.
12. Members to ask any question of the Clerk.
13. The Clerk and complainant to be offered the opportunity of a last word (*in this order*).
14. The Clerk and complainant to 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 are to be invited back.*)
15. The Clerk and complainant return to hear the decision, or to be advised when the decision will be made.

## **After the Meeting**

16. The decision is to be confirmed in writing within seven working days together with details of any action to be taken.