

NASH MILLS PARISH COUNCIL

Complaints Policy

Adopted 8th April 2019

Minute Ref 19/058FPC

Review Date February 2020

Applicable statute

Freedom of Information Act 2000 Section 14

Health and Safety at Work Act 1974

Data Protection Act 1998/2018

GDPR 2018

The purpose of this policy.

To provide a consistent and fair approach in addressing any expression of dissatisfaction brought to the Council by a third party.

Introduction

Complaints about an employee of the Council (e.g. the Clerk or the Warden) should be dealt with as an employment matter and the complaint should be addressed in writing to the Personnel Committee. Appropriate investigation and action will then be taken under our disciplinary procedures.

Complaints about a Councillor are subject to the jurisdiction of the Monitoring Officer at Dacorum Borough Council. Complainants should be advised to contact the Monitoring Officer for further information.

This guidance is therefore aimed at those situations where a complaint has been made about the administration of the Council or about its procedures. It is not an appropriate route for a complaint against individuals, as the provisions above should cover those situations.

- 1) If a complaint about procedures or administration is notified orally to a Councillor or the Clerk and they cannot satisfy the complainant informally and fully forthwith the complainant shall be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with under the timescale listed below. The complaint shall include the following:
 - Name of the complainant
 - Address of the complainant
 - Telephone number, fax number and/or email address
 - Details of the complaint
- 2) On making a complaint the complainant should be given a copy of the complaints policy and the contact details of the Chair or Clerk.
- 3) If a complainant prefers not to put the complaint to the Clerk, he or she shall be advised to put it to the Chairman.
- 4) A notification of receipt of the complaint will be sent to the complainant within 5 working days of receipt and will outline the follow up actions in line with the steps below.
- 5) On receipt of a written complaint the Clerk or Chairman, as the case may be, shall try to settle the complaint directly with the complainant.
- 6) The Clerk or Chairman shall report to the next meeting of the Council any written complaint resolved directly with the complainant.
- 7) The Clerk or Chairman 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. 7 working days prior to this meeting the complainant will be asked to provide any supporting documents or evidence that they wish to refer to in this meeting. Only documentation provided in advance will be open for discussion or reference at this meeting.
- 8) The Council shall consider whether the nature of the complaint warrants the matter being discussed in the absence of the press and public but any decision on a complaint shall be made public.
- 9) As soon as possible after the decision has been made, the decision and any action to be taken shall be communicated in writing to the complainant. Should there be a delay in reaching a conclusion a letter must be sent within 7 working days of the relevant meeting

taking place explaining the cause of any delay (eg whilst additional evidence or information is obtained).

- 10) A 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 the Hertfordshire Association of Parish and Town Councils, or if the complaint is deemed to be covered under the Freedom of Information Act 2000, section 14.

The complaint shall be dealt with at the next meeting after the advice has been received.