

# **Kempsey Parish Council**

## **Complaints Procedure**

**Document revisions**

<b>Revision</b>	<b>Description</b>	<b>Adopted</b>
2.2.0	Complaints Procedure update, approved and adopted	01/05/2013

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# 1. Kempsey Parish Council Complaints Procedure

This complaints procedure intends to deal with external complaints made against Kempsey Parish Council and its employees. If complaints internal to the Council cannot be resolved informally, then those made against employees by Councillors will be dealt with by the appropriate disciplinary procedure, and those made against Councillors by employees the appropriate grievance procedure.

This complaints procedure does not prevent any person from exercising their right to complain to the Council's monitoring officer, as defined in Kempsey Parish Councils Standing Orders, in the case of an allegation of breach of the Council's Code of Conduct.

- a. Complaints against individual Councillors will be made in accordance with Kempsey Parish Council Standing Orders.
- b. Complaints in regard of the Clerk, as the Parish Council's Proper Officer, or other member of staff will be made in writing.
- c. All written complaints will be made to the Proper Officer. On receipt of a written complaint the Proper Officer will endeavour to settle the complaint directly with the complainant but will not do so in respect of a complaint against the Proper Officer or other members of staff.
- d. If a complaint is notified orally to a Councillor or to the Proper Officer, the complainant will be asked to put their complaint in writing to the Proper Officer and be assured that it will be dealt with promptly after receipt.
- e. The Proper Officer or the Council Chairman will report to the next meeting of the Parish Council any complaint disposed of by direct action with the complainant.
- f. The Proper Officer or the Council Chairman will bring any written complaint which cannot be settled by the Proper Officer to the next Parish Council meeting and the Proper Officer will notify the complainant of the date on which the complaint will be heard, but will not do so in respect of a complaint against the Proper Officer or other member of staff.
- g. The Parish Council will consider whether the circumstances pertaining to any complaint warrant the matter being discussed in the absence of the press and public, however, any decision will be announced at a Parish Council meeting in public session.
- h. Complaints against the Proper Officer or other members of staff will be brought before the Staff Committee. The Proper Officer or member of staff will be notified of any complaint made against them and the date of the Staff Committee meeting where the complaint is to be heard. In the case of a complaint against the Proper Officer, the Chairman of the Staff Committee will notify the Proper Officer.
- i. The Proper Officer and members of staff will have the right of reply in response to complaints made against them. Responses will be made in writing and submitted to the Staff Committee for consideration at the Staff Committee meeting where the complaint is to be heard.
- j. The Staff Committee will consider whether the circumstances pertaining to any complaint warrant the matter being discussed in the absence of the press and public,

however, any decision will be announced at a Staff Committee meeting in public session.

- k. If the Proper Officer or member of staff does not agree with any decision or action recommended by the Staff Committee, they may lodge an appeal with the Staff Committee Chairman within 10 days of the Staff Committee meeting where the complaint was heard. An appeal meeting will be conducted by three members of the Parish Council who do not sit on the Staff Committee. The appeal hearing will comprise of two Councillors chosen by the Staff Committee Chairman and one Councillor by the complainant. The appeal meeting will be held at the first opportunity and will decide if the appeal is upheld.
- l. Any decision or action recommended by the Staff Committee and any subsequent appeal decision made in response to a complaint against the Proper Officer or member of staff will be notified to the Parish Council by the Chairman of the Staff Committee at the next meeting of the Parish Council.
- m. The Parish Council will consider any decision or action recommended by the Staff Committee and will vote to accept or reject the recommendation.
- n. After a complaint has been heard and a decision has been made, at the first opportunity the decision and the nature of any action to be taken will be communicated in writing to the complainant.
- o. If a complaint has been made against the Proper Officer or a member of staff, as soon as possible after a decision has been made, the decision and the nature of any action to be taken will be communicated in writing to the Proper Officer or member of staff. In the case of a complaint against the Proper Officer, the Chairman of the Staff Committee will notify the Proper Officer.