

MUNDESLEY-on-SEA PARISH COUNCIL

COMPLAINTS POLICY

Mundesley-on-Sea Parish Council (MPC) is committed to providing its services efficiently and to as high a standard as possible. However, we do encourage individuals to bring shortcomings to our notice so that we may:

- Have the opportunity to resolve any issues
- Learn from our mistakes in order to prevent them occurring in future
- Review policies and procedures where necessary

The Council views the use of the Complaints Policy as an efficient way of dealing with contact from the public about the Council's procedures and administration and as a means of preserving the good reputation of the Council through a transparent process.

1. Complaints about an Employee

If a member of the public has a complaint about an employee of the Parish Council, they should contact the Chairman of the Parish Council. The matter will be dealt with internally as an employment matter by the Employment Committee and appropriate action taken as required.

2. Complaints about a Councillor

Complaints about Councillors are covered by the Code of Conduct for Members and complainants should contact the Monitoring Officer of North Norfolk District Council whose usual course of action may be to view on the complaint before it is assessed and then will decide if any action is necessary and investigate accordingly.

3. Complaints about Procedures or Administration

If a member of the public has a complaint about procedures or the administration of the Parish Council, they should contact the Clerk of the Parish Council.

4. Handling Complaints about an Employee or Procedure / Administration

If a complaint is notified directly to a Councillor or the Clerk of the Council and it is not possible to satisfy the complainant in full immediately, the complainant should be asked to put the complaint in writing to the Clerk. If the complainant does not wish to put the complaint to the Clerk, they may be advised to put it to the Chairman of the Council. The Clerk shall acknowledge receipt of the complaint. If the complaint can be dealt with straightaway, the Clerk to the Council or the Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant. If the complaint cannot be dealt with straightaway, the Clerk shall advise the complainant when the matter will be considered by the Council. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

5. At the Meeting

The Council shall consider whether the circumstances of the meeting warrant exclusion of the public and press. Any decision on a complaint shall be announced at the Council meeting in public.

If the matter is against the Clerk to the Council such that the Council or the Clerk to the Council believe that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded. In this event, if the complaint is of any employee, even if the matter is being dealt with initially out of the context of a formal disciplinary hearing, then the employee is entitled to have a representative present to act as set out in the Employment Relations Act 1990 s.10. The matter before the Council in this case will be to establish whether there is a factual base to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner.

- i. The Chairman shall introduce everyone and explain the procedure
- ii. The complainant (or representative) shall outline the grounds for the complaint
- iii. Members to ask any questions of the complainant
- iv. If relevant, the Clerk can explain the Council's position
- v. Members to ask any question of the Clerk or employee against whom the complaint has been made.
- vi. The complainant and the person against whom the complaint has been made should be offered the opportunity of the last word.
- vii. The complainant and the person against whom the complaint has been made should be asked to leave the room while Members decide whether or not sufficient grounds for the complaint have been made. If a point of clarification is required, both parties to be invited back.
- viii. The complainant and the person against whom the complaint has been made shall return to hear the decision or be advised when the decision shall be made.

6. After the Meeting

The decision reached and the nature of any action to be taken shall be communicated in writing to the complainant within seven working days. The Investigation and Report should contain:

- i. Full details of the outcome of the investigation
- ii. A recommendation whether they believe the complaint is upheld/partially upheld/not upheld.
- iii. Any actions proposed to deal with the issues raised and necessary to avoid this happening in the future.

7. Responses

The following range of responses will enable the Council to ensure that responses are fair and impartial, and demonstrates to users that it welcomes comments on the quality of service:

- Expression of regret whenever possible and appropriate
- Apology when a fault on the part of the Council is identified
- Correction of organisational deficiency where appropriate, which will be recognised in the response, where appropriate

8. Serial Facetious, Vexatious or Malicious Complaints

In the event of serial facetious, vexatious or malicious complaints from a member of the public, the Council should consider taking legal advice before writing any letters to the complainant.

9. Complaints that are not the Parish Council's Responsibility

This policy is in relation to dealing with complaints about Council's administration or its procedures. If the complaint is about anything that is not the Parish Council's responsibility, it will be passed on to the appropriate authority/organisation.

10. Employee/Employer Complaints

These matters should be dealt with under the Council's Disciplinary and Grievance Policy.

11. Allegations of Financial Irregularity

Local electors may object to the Council's Annual Accounts under Section 16, Audit Commission Act 1998. On other matters, the Council may need to consult its Internal Auditor or the Audit Commission.