

## **STURTON BY STOW PARISH COUNCIL COMPLAINTS POLICY**

The council's complaints procedure should be accessible to the complainant. It should be well publicised and accessible via the council's publication scheme.

A formal complaint against the parish council must be communicated in writing and sent to the clerk at the publicised address. If the complaint refers to the Clerk, then the complaint should be sent to the Chairman.

The complainant must be asked at the outset to confirm if he wants the complaint to be treated confidentially; if they do the council must comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.

The receipt of the complaint will be acknowledged within 7 working days and will confirm whether the matter will be treated as confidential. The next steps will be confirmed.

The complaint will be dealt with by the council.

The complaint will be investigated within 15 days and a meeting held within 4 weeks of receipt of letter.

There will be an opportunity for the complainant to make verbal representations. The complainant will be invited to a meeting with the council, and may bring a friend, if required. Up to a week before the meeting, the complainant shall provide the clerk with any new information relevant to the complaint and the clerk will provide the complainant with any new information resulting from the investigation.

At the meeting, the Chairman will explain how the meeting will proceed. The complainant will be asked to outline the grounds for the complaint and questions may be asked by the council. The Chairman will explain the council's position and questions may be asked by the complainant.

The Complainant will be offered the opportunity to summarise his/her position.

The complainant will then be advised that the complaint will now be discussed by the council and a decision made, the complainant will be asked to leave the meeting. The complainant to be advised the decision will be communicated to them within 7 working days.

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The council will write with their decision giving reasons together with any action to be taken by the council, if appropriate.

Any complaint must involve more than a disagreement with the Council and needs to show that something went wrong and an injustice was caused.

For example it might be maladministration if the Council:

- made a mistake
- took too long to do something
- did not follow its own rules or the law
- broke its promises
- gave you wrong information; or

Did not make a decision in the right way-that is, if it:

- \*did not follow the right procedures when making the decision;
- \*did not consider all the relevant information; or
- \*wrongly considered irrelevant information.

You might have been caused an injustice by the Council's maladministration if, for example you:

- did not get the service or benefit you were entitled to or there was a delay before you got it:
- suffered financial loss: or
- were put to a lot of avoidable expense, trouble or inconvenience, or suffered avoidable uncertainty or stress.

Other bodies have responsibility for certain types of complaint. These are:

Alleged financial irregularity:      Local electors have a statutory right to object to a Council's audit of accounts (S16 Audit Commission Act 1998)

Alleged criminal activity              The Police

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Members' conduct alleged to breach the code of conduct adopted by the Council

The district council is responsible for handling complaints that relate to a member's failure to comply with the council's code of conduct.

Adopted: Dec 2014

Last reviewed: May 2019

Reviewed: June 2021

Reviewed: May 2022

Reviewed: May 2023

Reviewed: May 2024