

## COMPLAINTS PROCEDURE

This procedure explains how members of the public may raise complaints about the administration, procedures, services or actions of the Parish Council and how such complaints will be handled fairly, consistently and promptly.

This procedure does not apply to:

- Complaints regarding councillors acting in their official capacity. These are dealt with under the adopted Code of Conduct and should be referred to the Monitoring Officer of the relevant principal authority.
- Complaints relating to financial irregularities, which are subject to separate audit procedures.
- Complaints involving criminal activity, which should be referred to the police.
- Employment matters concerning Council employees, which are dealt with through internal staffing and grievance procedures.

The appropriate time for influencing Council decision-making is before the Council debates and votes on a matter. Members of the public may do this by writing to the Council in advance of the meeting or by speaking during the public participation section of a Council meeting where permitted.

If a person is dissatisfied with a Council decision, concerns may be raised with the Council. However, Standing Orders prevent the Council from re-opening issues within six months of a decision unless exceptional circumstances apply and the process within the Standing Orders is followed.

### Informal Resolution

The Council encourages concerns to be resolved informally wherever possible.

- Members of the public should raise concerns with the Clerk in the first instance.
- The Clerk will attempt to resolve the matter promptly, normally within 10 working days.
- If the complaint concerns the Clerk, the matter should be referred to the Chair of the Council.

Where an issue cannot be resolved informally, a formal complaint may be submitted.

### Submitting a Formal Complaint

A formal complaint must be submitted in writing by letter or email to the Clerk, or to the Chair if the complaint concerns the Clerk.

The complaint should include:

- The complainant's name and contact details
- A clear description of the complaint
- Relevant dates, correspondence or supporting evidence
- Details of the outcome sought

The Council will acknowledge receipt of the complaint within 5 working days.

Anonymous complaints will normally only be considered where there is a significant public interest concern.

### **Initial Assessment**

The Clerk or Chair will:

- Review the complaint
- Determine whether it falls within the Council's remit
- Decide whether the matter may be resolved informally or requires formal investigation

If the complaint falls outside the Council's jurisdiction, the complainant will be advised of the appropriate organisation or procedure where possible.

### **Investigation**

Where a formal investigation is required:

- Relevant information, documentation and statements will be gathered.
- The complainant may be asked to provide clarification or additional evidence.
- The Council will seek to complete investigations within 20 working days where reasonably practicable.
- If additional time is required, the complainant will be informed of the reason and likely timescale.

### **Hearing by Council or Committee**

If the complaint cannot be resolved by the Clerk or Chair, the matter may be referred to:

- A Complaints Committee (where established); or
- A panel of councillors; or
- Full Council, excluding any councillors with a conflict of interest or prior involvement.

The complainant may be invited to attend and present their complaint if considered appropriate.

### **Decision**

After considering all relevant information, the Council or Committee will determine whether the complaint is:

- Upheld
- Partially upheld
- Not upheld

The Council may determine appropriate actions including:

- An apology
- A review or change of procedures
- Staff training
- Mediation or further discussion
- No further action

The decision will normally be communicated in writing within 10 working days of the meeting or determination.

### **Unreasonable or Vexatious Complaints**

The Council reserves the right to refuse to investigate complaints which are considered:

- Vexatious
- Abusive
- Persistent without new evidence
- Harassing
- Manifestly unreasonable

Any such decision will be made by the Clerk in consultation with the Chair and recorded appropriately.

### **Record Keeping and Data Protection**

The Clerk will maintain a confidential record of complaints, investigations, decisions and any resulting actions in accordance with the Council's data retention policies.

Personal information provided as part of a complaint will be processed in accordance with the Council's Data Protection and Privacy policies.

### **Right of Appeal**

If the complainant is dissatisfied with the outcome, they may submit a written request for appeal within 10 working days of the decision.

The appeal will be considered by councillors who have had no prior involvement in the matter.

The decision of the appeal panel shall be final and concludes the Council's complaints procedure.

### **Review**

This procedure shall be reviewed periodically by the Parish Council to ensure it remains effective and compliant with current legislation and guidance.

**This document was reviewed and adopted by Hutton Parish Council on 1<sup>st</sup> June 2026**

**Next review: June 2027**