

## **Complaints Procedure**

The following code of practice is designed for complaints that cannot be satisfied by less formal measures or explanations provided to the complainant by the Clerk or Chairman.

### **CHAGFORD PARISH COUNCIL – Complaints Procedure**

All formal complaints against Chagford Parish Council must be communicated in writing.

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

Chagford Parish Council will always seek to resolve issues quickly and without recourse to formal procedures in the first instance. This procedure is for use when such informal actions have not achieved a satisfactory resolution for all parties.

The Complaints Procedure is available to all parishioners and other individuals, businesses and organisation that are affected by the Council's decisions.

A complaint is an expression of dissatisfaction about Chagford Parish Council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council. A complaint may also be triggered by an allegation of administrative fault, such as not following procedures or standing orders, or making a mistake.

#### **Submission of Complaint**

- All formal complaints must be submitted in writing to the Clerk, unless the Complainant is unwilling to approach the Clerk in which case it may be submitted in writing to the Chair.
- The receipt of the complaint will be acknowledged in writing within one week giving a timeframe of when the matter will be considered by the Council.
- The Complainant will be asked to decide if they want the complaint to be treated confidentially.

#### **Investigation**

- The complaint will be investigated by the Clerk (or if the complaint is about the Clerk, the Chair) who may seek additional evidence whether documentary, through interviews or meeting with the Complainant and other individuals. The Complainant may bring a friend to any meeting or interview. The Claimant must disclose all documentation and other

evidence which they may wish to rely on or refer to at the subsequent Council Meeting.

- Once the claim has been investigated, the Clerk (or Chair) will prepare and submit a report to Council.
- The Clerk's (or Chair's) report will be considered by Chagford Parish Council at its next monthly meeting, or at an extraordinary meeting if deemed appropriate.

#### At the Council Meeting

- If the investigation has been conducted by the Chair, the Vice Chair must preside at the meeting.
- The Complainant shall be invited to attend the relevant Parish Council meeting and bring a friend or representative with them.
- The Chair will determine whether the public and press are to be excluded from the meeting during discussions.
- At the Meeting the Chair will introduce everyone and explain the procedure
- The complainant will be invited to make a statement to outline the grounds for complaint, or they may agree the Clerk's report as an accurate record.
- The Clerk or Chair will then summarise the report of the investigation and subsequent recommendations to the Council.
- Members will then ask any questions of the Complainant and Clerk or Chair.
- The Chair may at their discretion invite the Complainant to leave the room while members deliberate whether the complaint is to be upheld and, if so, what remedies are to be offered.
- The Council may decide to reject the complaint; ask for further investigation; adjourn the meeting to consult professional legal advisors or the Council's insurers; or uphold the complaint.

#### After the Meeting

- The Council will write to the Complainant within one week of its decision to confirm whether or not it has upheld the complaint, the reasons for its decision with details of any action to be taken by the Council.