

ASH-CUM-RIDLEY PARISH COUNCIL COMPLAINTS PROCEDURE

Ash-cum-Ridley Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

This Complaints Procedure does not apply to:

- Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council. Further information on the process of dealing with complaints against councillors may be obtained from the Clerk.
- Complaints about formal decisions of the Parish Council. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed, or by asking a Councillor to put your concerns to the meeting. Council meetings are held in public, but members of the public are not allowed to speak except with the permission of the Chairman or the Council. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed. If you are unhappy with a decision by a **Committee** of the Parish Council you should raise your concerns before the meeting of the full Parish Council at which the Committee decision will be reported.
- Complaints which amount to a claim which will be covered by the Council's insurance. These will be referred to the insurers for investigation by them.

You may make your complaint about the council's procedures or administration to the Clerk. You may do this in person, by phone, or by writing to or emailing the Clerk. The addresses and numbers are set out below.

Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will normally try to acknowledge your complaint within five working days.

If you do not wish to report your complaint to the Clerk, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Personnel Committee

Approved and adopted on 20 October 2011, reviewed 28 October 2015, May 2018, May 2019, May 2020, May 2021, May 2023, May 2024

The Clerk will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council. If the complaint has been made to the Chairman of the council and the nature of the complaint is such that it would be inappropriate for the Clerk to investigate it, the Chairman, or a Councillor nominated by the Chairman, will investigate the complaint, and in this case, the Chairman or Councillor who investigates the complaint will not be a member of the Complaints Committee at any subsequent hearing of the complaint.

The Clerk or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to an oral hearing by the Personnel Committee. The Council gives the Personnel Committee delegated authority to investigate the complaint and determine whether it is upheld and /or make any recommendations to Council. The Committee may wish to convene a Complaints Working Group to investigate the complaint and make recommendations to Personnel, the working group may comprise of both committee and non-committee members, if it is felt appropriate to do so. Any documentation that you or the Council wishes to rely on at the hearing should be exchanged seven clear days before the hearing. At the hearing you will have the right to be accompanied by a friend, and to put questions to the Clerk or to members of the Committee, and the Clerk or the Committee members may ask you questions. The Committee will make its decision in the absence of the Clerk and the complainant, but will if possible announce its decision on the day, and in any event confirm its decision in writing within 7 days, together with details of any action to be taken. The procedure of a hearing of the Complaints Committee is outlined as an appendix to this document.

If you are dissatisfied with the decision of the Personnel Committee you may write to the Parish Council, with such further documentary evidence as you consider necessary. A decision by the full Council to uphold or vary the decision of the Complaints Committee will be final.

Contacts

The Clerk of Ash-cum-Ridley Parish Council
Address: The Parish Office
Ash Green Sports Centre
Ash Road
New Ash Green
Longfield
Kent
DA3 8JZ

The Chairman of Ash-cum-Ridley Parish Council
Address: c/o The Parish Office
Ash Green Sports Centre
Ash Road
New Ash Green
Longfield
Kent
DA3 8JZ

Telephone: 01474 702760
Email: enquiries@ashcumridley-pc.gov.uk

APPENDIX – Procedure at a hearing by the Personnel Committee

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

The Chairman should introduce everyone and explain the procedure.

The complainant (or representative) should outline the ground for complaint and, thereafter, questions may be asked by (1) the clerk or other nominated officer and the (ii), members.

The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.

The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.

The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.

The clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.