HANWELL PARISH COUNCIL

COMPLAINTS PROCEDURE

This complaints procedure is designed to deal with complaints made about the Council's action or perceived lack of action, or about the standard of a service, whether the action was taken or the service provided by the Council itself acting as a body corporate, or by a person or body acting on behalf of the Council.

The procedure may also be used to deal with any statutory complaint or appeal process required by law such as the Freedom of Information Act 2000, Data Protection Act 2018 or other legislation.

Any complaint can only be processed by the Council at a properly convened meeting of either the full Council or of a Committee tasked with investigating the matter.

Any complaint that involves one of the Council's employees will be dealt with in the first instance via this complaints procedure, and if any further action is required, then in accordance with the Council's internal employment processes.

Please be aware that there are other bodies with responsibility for certain types of complaint:

Individual member's conduct alleged to breach the Code of Conduct adopted by the Council	*Cherwell District Council's Monitoring Officer should be contacted – the district/ city council has responsibility for such matters*
Alleged financial irregularity or unlawful council activity	*Local electors have a statutory right to object to a Council's Annual Accounts and Governance Statement to the external auditor – S.27 Local Audit and Accountability Act 2014*
Alleged criminal activity	*The Police*

Before the meeting

1. Any complaint about the Council's procedures or administration should be made in writing to the Clerk to the Council (see website for contact details)

2. If the complainant does not wish to make the complaint via the Clerk to the Council, it should be addressed to the Chair of the Council.

3. The Clerk to the Council/ Chair will acknowledge receipt of the complaint and advise when the matter will be considered by either the Council or a nominated Committee working on behalf of the Council.

4. Please be aware that any complaint will be treated as confidential, and that the council is obliged to comply with its duties under the Data Protection Act 2018 at all times to safeguard against the unlawful disclosure of personal data.

5. The complainant will be invited to attend the meeting at which the complaint will be considered, and be offered the opportunity to be accompanied by a representative, if required.

6. Seven clear working days prior to the meeting, the complainant is required to provide the Council with copies of any documentation or other items on which the complaint is based.

7. The Council will provide the complainant with copies of any documentation upon which it wishes to rely at the meeting and shall do so promptly, allowing the opportunity to read all material in good time for the meeting.

Unreasonable or Vexatious Complaints

8. The Council will not tolerate abusive, threatening, or unreasonably persistent behavior.

9. If a complainant behaves in a vexatious or harassing manner, the Council reserves the right to restrict contact in line with its Vexatious Complaints Policy.

10. The Council will not take action on anonymous complaints, though potentially criminal matters will be passed to the police.

At the meeting

11. The Council /Committee shall exclude the public and press whilst discussion of the matter takes place. Any decision on a complaint shall subsequently be announced at a meeting in public, whilst taking into account any duties to safeguard personal data as under (4) above.

12. The Chairman will introduce everyone at the meeting and explain the procedure to be followed.

13. The complainant will be asked to outline the grounds for the complaint, and thereafter, questions may be asked by (i) the Clerk and (ii) members of the Council.

14. The Clerk to the Council will then have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and then (ii) members of the Council.

15. The complainant will be offered the opportunity to summarise their position.

16. The Clerk will be offered the opportunity to summarise the position on behalf of the Council.

17. The Clerk and complainant will both be asked to leave the room whilst 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.

18. The complainant will be given the opportunity to await the outcome but if a decision is unlikely to be finalised quickly, will be advised when a decision is likely to be made and the arrangements in place to communicate the decision to them.

After the meeting

19. Any decision will be confirmed to the complainant within seven working days, together with details of any further action to be taken.

20. The Council's decision on the matter will be final, and no further appeal process will be offered.