



## **CLIFFE AND CLIFFE WOODS PARISH COUNCIL**

### **COMPLAINTS PROCEDURE**

Complaints about the Parish Council's **procedures or administration** should be submitted in writing to the Clerk of the Parish Council detailing the nature of the complaint, the subject, i.e. member, Clerk etc and the action required.

In all cases the Clerk will send a copy of the complaint to the Chair (or the Vice Chair) if the complaint is against the Chair.

The Chair (or Vice Chair if the complaint is about the Chair) in consultation with the Clerk will contact the parties concerned in an effort to reach an amicable solution to the complaint.

A copy of the written complaint will be circulated by the Clerk to a Complaints Panel consisting of a minimum of three Parish Councillors, none of whom will be the subject of the complaint.

If an amicable solution cannot be reached by the above means, a meeting with the Complaints Panel will be convened as soon as is reasonably practicable at a date, time and place determined by the Chair in consultation with the Clerk.

If possible the complaint will be dealt with by way of consideration of written representations. If this is not possible both parties to the complaint will be invited to attend in person and they may be accompanied by an advisor/representative.

Seven clear working days prior to the meeting, the complainant shall provide the Parish Council with copies of any documentation or other evidence relied on. The Parish Council shall provide the complainant with copies of any documentation upon which they wish to rely on at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time.

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

The Chair of the Complaints Panel should introduce everyone and explain the procedure.

The complainant (or representative) should outline the grounds for the complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii), members.

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

The Clerk and then the complainant should be offered the opportunity to summarise the position.

The Clerk 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 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.

The decision should be confirmed in writing within seven working days together with details of any action to be taken.

**Notifications to the Parish Council of complaints received by the Monitoring Officer at Medway Council:**

- a) When the Monitoring Officer at Medway Council receives a parish complaint, the Monitoring Officer is required to notify the Parish Council of certain information at various stages of the case handling process.
- b) The purpose of the notifications is to know whether further evidence or the preservation of evidence is necessary
- c) What appropriate arrangements should be made.

**Legal issues** include issues of confidentiality, obligations under the Human Rights Act 2000, Data Protection Act 1998 and Freedom of Information Act 2000. Statutory provisions regarding public access to information in agendas, minutes and meetings must be considered.

**Notification procedures:**

- a) The Clerk and/or the Chair should be informed of and deal with such notifications when received.
- b) They should not be included on a meeting Agenda.
- c) The Clerk or the Chair will provide further evidence or information.
- d) Having appropriate arrangements in place will ensure that the rights of all concerned in a complaint are considered, and ensure that complaints are dealt with lawfully, effectively and fairly.

**Complaints about Breaches of Conduct by members:**

All complaints received against members will be referred to Medway Council Monitoring Officer and the complainant so advised.

The Chair of the Parish Council should be advised of any complaints made about a member.

**Complaints about Officers:**

All complaints received against an Officer will be dealt with under the Parish Council's Disciplinary Procedure.

This policy was adopted by the Parish Council on 15/5/2025

*This Procedure is based on the National Association of Local Council's (NALC) model.*