



**Twyford Parish Council**

PO Box 741  
 Winchester  
 SO23 3QA  
[twyfordclerk@gmail.com](mailto:twyfordclerk@gmail.com)  
 07443 598464

Version 1	Author, Parish Clerk	Approved April 2021
		Minute 205/20

**COMPLAINTS PROCEDURE**

1. If a complaint is notified orally to a Councillor Member or Council staff and it is not possible to satisfy the complainant immediately, the complainant will be asked to put the complaint in writing to the Clerk and will be assured that it will be dealt with promptly after receipt.  
 If the complainant prefers not to put the complaint to the Clerk, they will be advised to put it to the Chairman of the Council.
  
2. On receipt of a written complaint, the Clerk or Chairman, as the case may be, will (except where the complaint is about his or her own actions) try to settle the complaint directly with the complainant, but will not do so in respect of a complaint about the behaviour/actions of a Councillor Member or Council staff, without first notifying the person who is the subject of the complaint, and giving an opportunity to comment on the manner in which it is intended to settle the complaint. Where the Clerk or the Chairman receives a written complaint about his/her own actions, they shall immediately refer the complaint to the Council.
  
3. The Clerk/Chairman will report to the next meeting of Council any written complaints which have been disposed of by direct action with the complainant.
  
4. The Clerk/Chairman shall bring any written complaint which has not been settled to the next meeting of Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant will be offered an opportunity to explain the complaint orally.
  
5. The Council will consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on a complaint shall be announced at the Council meeting in public.
  
6. As soon as possible after a decision on a complaint has been made, the nature of any action to be taken will be communicated in writing to the complainant.
  
7. The Council will defer dealing with any written complaint only if it believes issues of law or practice arise on which it is necessary to seek advice. In such circumstances, the complaint will be dealt with at the next meeting after the advice has been received.

8. If the above procedure fails to satisfy the complainant:
  - a. Where the complaint concerns the alleged misconduct by a Councillor, the complainant may wish to refer the matter to the Monitoring Officer at Winchester City Council.
  - b. Where the complaint concerns alleged maladministration by Staff or Members of the Council, the complainant may wish to refer the matter to the independent external auditor whose address will be provided.

## **COMPLAINTS PROCEDURE FOR USE IN COMPLAINTS AGAINST THE COUNCIL (NOT FOR COMPLAINTS ABOUT INDIVIDUALS)**

### **Before the Meeting**

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk or other nominated officer.
2. If the complainant does not wish to put the complaint to the clerk or other nominated officer, he or she should be advised to address it to the chairman of the council.
3. The clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council or by the committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

### **At the Meeting**

6. 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.
7. The chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
9. 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.
10. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.

11. The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
12. 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.

**After the Meeting**

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