



# PIRBRIGHT PARISH COUNCIL

## COMPLAINTS POLICY 2012

**Pirbright Parish Council has adopted a standard procedure to provide a transparent process for dealing with complaints made about the administration of the council or its procedures, either directly to the council or referred on by another body.**

1. Every effort should first be made by the Clerk or Chairman to resolve complaints to the satisfaction of the complainant by less formal measures or explanations provided before resorting to the formal complaints procedure. In such circumstances the Finance & General Purposes Committee will meet with the complainant in an attempt to resolve the matter to mutual satisfaction and will report its conclusions to the next full Parish Council meeting.
2. A Code of Practice for such meetings will be employed to ensure that any complaint is properly and fully considered. It should be noted that the procedure is not appropriate for a complaint made against an individual.
3. Complaints about a member of the Parish Council's staff will be dealt with as an employment matter. The matter will be dealt with internally and appropriate action taken as required.
4. Complaints regarding Parish Councillors are currently subject to the jurisdiction of the Standards Board for England. In the first instance complaints should be addressed to the Monitoring Officer, Guildford Borough Council, Millmead House, Guildford GU 2 4BB.
5. ***Before the Meeting***  
The person making the complaint (complainant) should be asked to put the complaint about the Parish Council's procedures or administration in writing to the Parish Clerk.
6. If the complainant does not wish to put the complaint to the Parish Clerk, they may be advised to put it to the Chairman of the Parish Council.
7. The Parish Clerk shall acknowledge the receipt of the complaint and advise the complainant that the matter will be brought to the attention of the full Parish Council, which will determine when the Finance & General Purposes Committee will consider the matter.
8. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
9. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation of other evidence, which they wish to refer to at the meeting. The Parish Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely on at the meeting.
10. ***At the Meeting***  
The Finance & General Purposes Committee must consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the Parish Council meeting in public.
11. The Chairman will introduce everyone.
12. The Chairman will explain procedure.
13. The Complainant (or representative) will outline grounds for complaint.
14. Members may ask any question of the complainant.

15. If relevant, the Parish Clerk will explain the council's position.
16. Members may ask any question of the Parish Clerk.
17. Parish Clerk and complainant will be offered opportunity of last word (in this order).
18. The Parish Clerk and complainant will be asked to leave room while Members decide whether or not the grounds for complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
19. The Parish Clerk or other proper officer and complainant will return to hear decision, or to be advised when decision will be made.
20. ***After the meeting***  
The Finance & General Purposes Committee will report its conclusions and any action recommended to the next full meeting of the Parish Council.
21. The decision will be confirmed in writing within seven working days together with details of any action to be taken.

### ***Procedures to be followed by the Clerk***

1. Clerks are often in the line of fire when the council's processes, decisions or activities displease an interested party; be it a member of the public, individual elected members, the Press or on blogs. This is a guide as to how to cope when criticism is aimed at the Officer.
2. Have **procedures** – agree and make available a **complaints procedure** for those raising criticism from outside of the council.
3. Have agreed **procedures** – a **Disciplinary process** for an internal criticism. Criticisms need not go straight to a full Disciplinary hearing but Members' criticisms need to be directed to the appropriate committee which deals with staffing matters which has the authority to decide whether to investigate allegations or not. (see [www.acas.org.uk](http://www.acas.org.uk) for the Code of Practice on Discipline at Work 2009).
4. Encourage a **Performance Management** process in which the Clerk is given objectives/work standards which are appraised annually and monitored frequently. Establish regular meetings to discuss feedback where criticisms/concerns from both viewpoints can be aired.
5. Get it in **writing** – whether the criticism is from within or outside it needs to be expressed in writing and signed by the complainant if it is to merit investigation. Otherwise the council should not give the criticism the time of day.
6. Get **witnesses** and get statements in writing.
7. Keep a **journal** – if criticisms become part of day-to-day life or a regular feature of council meetings it will help to keep a record of these – in a diary for example, and print off e-mails or blog pages.
8. **Find an ally/Phone a friend** – a problem shared is a problem halved – a councillor, a fellow clerk, your County Support Officer (for new clerks), an Employment Support Officer, your Regional Advisor will be prepared to listen, advise and possibly arrange for someone to accompany you to meetings as an observer.
9. **Don't take it personally** – a technique of assertiveness is to remind yourself that the criticism is being aimed at the role of "*Proper Officer*" not at you as the job-holder and sometimes people just do not like being told that they can't do something they want to do!
10. Remind the council of its **duty of care** – if the council is allowing criticism to cause you harm then it needs to be challenged by way of a formal grievance and put on notice that it needs to take steps to stop the criticism or risk being vicariously liable for a constructive dismissal or personal injury claim.
11. Be prepared to seek **legal intervention** at the council's expense – a solicitor's letter to a serial perpetrator can work wonders and legal action against defamatory/libelous statements or internet service providers who allow bloggers to overstep the mark are becoming more common.