

BURSTALL PARISH COUNCIL COMPLAINTS PROCEDURE

The following procedure should be followed by anyone wishing to make a complaint against the Parish Council's procedures or administration.

The complaints procedure is not a means of redress for members or staff.

If you have a complaint against a Parish Councillor you should write to:

*The Monitoring Officer
Babergh District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX*

If you have a complaint against an employee of the Parish Council, you should write to the Chair:

*Chair of Burstall Parish Council
c/o Burstall Parish Council
24 Church Crescent
Sproughton IP8 3BJ*

If you have any other complaint you should write to the Proper Officer to the Council:

*Mrs Susan Frankis
24 Church Crescent
Sproughton IP8 3BJ*

To allow your complaint about the Parish Council's procedures or administration to be dealt with, the Parish Council has adopted the following procedure which will be followed where complaints cannot be resolved less formally by the Clerk to the Council or the prevailing Chair.

The Parish Council will not deal with anonymous complaints.

Complaints made to the Clerk are complaints made to the Council. The Clerk will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities is reserved.

The Procedure

1. The complainant shall be asked to put the complaint about the Council's procedures or administration in writing to the Council's Proper Officer, the Clerk, Mrs S. Frankis.
2. If the complainant does not wish to put the complaint to the Clerk, they will be advised to put it to the Chair of the Council.

3. The Clerk or Chair of the Council will acknowledge receipt of the complaint.
4. If the Clerk and the Chair of the Council consider it appropriate, they may explain in writing, to the complainant, why the matter will not be considered by the Council. This may include how the matter has been resolved or why the matter is not appropriate or does not warrant further referral, including where the matter is vexatious or repetitious.
5. An appeal for the non-referral of a complaint must be made within 7 days.
6. Responsibility for the consideration and determination of an appeal may be delegated to a Complaints Panel and will not be subject to the statutory right of attendance by the public and press.
7. The complainant will be invited to attend the relevant meeting to make verbal representations where it is considered appropriate and productive for determining the finding of the meeting and may be accompanied.
8. Seven clear working days prior to the meeting, the complainant will provide the Clerk with copies of any documentation or other evidence, which they wish to refer to at the meeting for referral to the Complaints Panel. The Clerk, on behalf of the Council, will similarly provide the complainant with copies of documentation upon which it wishes to rely at the meeting.

At the Meeting

9. The Chair of the Panel will introduce everyone.
 10. The Chair will explain the procedure.
 11. The Complainant will outline the grounds for complaint.
 12. The Panel members will then ask any question of the complainant.
 13. If relevant or necessary the Clerk will explain the Council's position.
 14. The Panel members will ask any question of the Clerk.
 15. The complainant and the Clerk will be offered the opportunity to sum up the respective positions.
 16. The complainant and the Clerk will be asked to leave the room while the Panel members decide whether or not the grounds for the complaint have been upheld, and where appropriate provide recommendations.
- Note: If a point of clarification is necessary then both parties will be invited back.*
17. The complainant and the Clerk will return to hear the decision or will be advised as to when the decision will be made.
 18. Any decision on a complaint will be announced at a Parish Council meeting in public.

After the Meeting

19. The decision will be confirmed in writing, by the Parish Clerk within seven working days together with details of any action to be taken.

Appeals against Decisions Taken

20. If the complainant feels they wish to appeal against the process in which the decision was reached, they should appeal in writing, stating full grounds of the appeal, to the Clerk to the Council within one week of the date on which they were informed in writing of the decision.
21. If the Complaints Panel agrees to hear the complaint on this basis, the Clerk will give written notice of the date, time and place of the appeal hearing. The appeal hearing will be limited to a review of the procedures that were followed and not a review of the original decision given.
22. Where possible the appeal hearing will be conducted by Councillors who were not previously involved in the case.
23. Following the appeal hearing the Clerk will confirm, in writing and within seven days, the outcome of the appeal.
24. The decision of the appeal will be final.