



The Clerk to Hilton Parish Council
c/o Mrs Clare Orme
P O Box 8094
Swadlincote
Derbyshire
DE11 1FR
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HILTON PARISH COUNCIL

COMPLAINTS PROCEDURE

COMPLAINTS PROCEDURE FOR USE IN COMPLAINTS AGAINST THE COUNCIL

Before processing a complaint

1. All formal complaints against the council must be communicated in writing by either email or posts as follows:

Email: clerk@hiltonparishcouncil.org.uk

Post: Hilton Parish Council
P O Box 8094
Swadlincote
Derbyshire
DE11 1FR

2. If the complainant prefers not to put the complaint to the Clerk of the Council (because the matter relates to the Clerk). The complainant can be advised to address the correspondence to the Chair of the Council. The Clerk to the Council will be formally advised of the complaint by the Chair and given an opportunity to comment.
3. This procedure does not cover all complains as follows:
 - This procedure does not cover complaints about the conduct of a member of the Parish Council. Such complaints should be referred to the Monitoring Officer at SDDC ardip.kaur@south-derbys.gov.uk
 - This procedure does not cover complaints about Employee Conduct. Hilton Parish Council has an internal disciplinary procedure for this.
 - This procedure does not cover complaints about Criminal Activity, complaints of this nature should be directed to the Police
 - This procedure does not cover Financial irregularities. These should be referred to the External Auditor under the Local elector's statutory right to object to the Council's audit of the accounts pursuant to s.16 Audit Commission Act 1998. On other matters, the Council may need to consult with their Auditor.

On receipt of the complaint

4. On receipt of a written complaint, the Clerk to the Council (except where the complainant is about the Clerk) will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about giving him or her an opportunity to comment. All efforts should be made to resolve the complaint at this stage. The Clerk will inform the Chair of any complaints

received. If the Clerk cannot resolve the complaint, the Clerk will pass the complaint over to the Complaints Committee and let the Complainant know that this is the case.

5. The Complaints Committee shall:
 - acknowledge receipt of the complaint in writing within 10 working days
 - confirm to the complainant if the complaint will be treated as confidential
 - confirm the next steps in the complaints procedure.

Investigating the complaint

6. The Complaints Committee will investigate the facts of the complaint and collate relevant evidence.
7. The Complaints Committee will decide on a case by case matter if a meeting with the Complainant is required, for the complainant to make verbal representation. If this is the case and within 5 working days before the meeting the complainant shall:
 - i. provide the Complaints Committee with any new information or other evidence relevant to the complaint and
 - ii. the Complaints Committee shall provide the complainant with new information or evidence relevant to the complaint.

Meetings with the complainant (only if applicable)

- i. The chair of the Complaint Committee should explain how the meeting will proceed.
- ii. The complainant should outline the grounds for complaint and, thereafter, questions may be asked by members of the complaints committee.
- iii. The Chair of the Complaints Committee will have an opportunity to explain the council's position and questions may be asked by the complainant.
- iv. The Chair of the Complaints Committee and then the complainant should be offered the opportunity to summarise their respective positions.
- v. The complainant should be advised when a decision about the complaint is likely to be made and when it is likely to be communicated to them.

After the complaint has been decided

8. Within 10 working days the Complaints Committee will write to the complainant to confirm whether or not it has upheld the complaint. The Complaints Committee will give reasons for its decision together with details of any action to be taken by the council if this appropriate.

Appeal Stage

9. If the Complainant is not happy with the outcome of the Complaints Committee decision the Complainant can ask the Full Council excluding the members who sat on the original Complaints Committee to look at the complaint again.
10. The complaint will be added to the next available agenda under exempt.
11. Within 10 working days the Council will write to the complainant to confirm whether or not they have upheld the original decision made by the Complaints Committee. The Council will give reason for its decision together with any action to be taken by the Council if appropriate. The Councils decision is final.

Review Date: May 2019

Approved 30.05.2018 minute ref 2212/18