

## DOWNLEY PARISH COUNCIL COMPLAINTS PROCEDURE

Downley Parish Council is committed to providing a quality service for the benefit of residents, those who work in the area and visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this council, this Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.

The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures or employees.

The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There is also an opportunity to raise your concerns in the public participation section of Council meetings. **please note this may only occur when there is an agenda item for the item and not just an item in the correspondence.** If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

Complaints against Councillors are covered by the Code of Conduct for Members. Complaints about an individual Councillor should be referred to the Monitoring Officer at Buckinghamshire Council.

The Clerk must advise the Chairman on receipt of any complaints. If it is agreed that a letter of explanation or apology is appropriate, then the Clerk will answer the complaint and this shall be the first course of action. However if the complaint is of a more serious nature and could bring the conduct of the Council or Clerk into question, then the following procedure should be followed.

1. The complainant will be asked to put the complaint in writing. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing. (See the addresses below)
2. If the complainant prefers not to put the complaint to the Clerk (eg. because the matter relates to the Clerk), then they should write to the Chairman.
3. The complaint will be dealt with within 21 working days.
4. On receipt of a written complaint, the Clerk to the Council (except where the complainant is about their own actions) or Chairman of Council (if the complaint relates to the Clerk), will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving them an opportunity to comment. Efforts should be made to resolve the complaint at this stage.

5. Where the Clerk to the Council or a Councillor receives a written complaint about the Clerk's actions, they shall refer the complaint to the Chairman of Council. The Clerk to the Council will be formally advised of the matter and given an opportunity to comment.

6. If the complaint is to be considered at a public meeting the Council will consider whether it would be appropriate to exclude the press and public when dealing with the complaint.

7. Any decision on a complaint will be announced at the Council meeting with the press and public present.

8. The Clerk to the Council (or Chair) will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will 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 to the Council orally.

9. Following a decision being made, the complainant will be notified in writing (not later than 10 working days after the meeting) of the decision and any action to be taken.

10. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.

11. This Complaints Procedure is not appropriate in the cases of: • Financial irregularity • Criminal activity • Member conduct • Employee conduct

12. These will be dealt with in accordance with the Council's Disciplinary and Grievance procedure, the police or referral in the instance of Member conduct to the Monitoring Officer at Buckinghamshire Council.

### **Unreasonable or Vexatious Complaints**

Where a complainant persists in wishing to proceed when the complaint clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other appropriate procedure has been taken, it may be decided by the Council or the Clerk that no further action can usefully be taken and will inform the complainant to that effect, making it clear that the Council will not respond to vexatious requests.

### **Anonymous Complaints**

Anonymous complaints may be dismissed at the discretion of the Clerk, depending on the type and seriousness of the allegation.

### **Confidentiality**

Where circumstances demand, e.g. Where matters concern sensitive information or third parties are involved, the Council and Clerk will take care to maintain confidentiality.

## **Contact Details**

Downley Parish Council  
Community Centre  
School Close,

Downley, High Wycombe  
Buckinghamshire  
HP13 5TR

Tel: 01494 257711 ( office hrs 9am-1pm Monday – Friday)

Email: [clerk@downleyparishcouncil.org](mailto:clerk@downleyparishcouncil.org)

The Chairman of Downley Parish Council

Councillor Moyra Lazenby

Downley Parish Council  
Community Centre  
School Close, Downley, High Wycombe  
Buckinghamshire  
HP13 5TR

Tel: 01494 257711 ( office hrs 9am-1pm Monday – Friday)

Email: [moyra@downleyparishcouncil.org](mailto:moyra@downleyparishcouncil.org)

**Adopted by Full Council at its Meeting held on 9 March 2021**

**To be Reviewed: May 2021**