



North Mymms Parish Council

Complaints Procedure

Adopted by North Mymms Parish Council at the Council Meeting on 10 May 2023

Date of next Review: May 2024

Minute Reference: 2023/FC/12

North Mymms Parish Council

Complaints Policy and Procedure

The Council takes complaints about its action or lack of action, or about the standard of a service (whether the action taken or the service provided was by the Council itself or a person or body acting on its behalf) seriously. It is important that the Council's response to a complaint is proportionate and timely. The Council may appoint a Committee or sub-Committee of at least three Councillors to consider complaint(s).

The Complaints procedure does not apply to:

- Complaints by one Council employee against another Council employee, or between a Council employee and the Council as employer, are dealt with under the Council's Disciplinary and Grievance Procedures.
- Complaints against Councillors are covered by the Code of Conduct for Members adopted by the Council and if a complaint against a Councillor is received by the Council it will normally be referred to the Monitoring Officer, Welwyn Hatfield Borough Council.

Note: if repeated complaints are made where the Council has already investigated the matter under complaint (or something similar) and has concluded that the complaint is without substance, the Local Government Ombudsman's guidance note on management of unreasonable complainant behaviour offers useful suggestions for the approach that may be taken and is easily applied to Parish Councils.

The following procedure will be followed for handling complaints:

1. If a complaint about procedures or administration is notified orally to a Councillor or the Clerk and they cannot satisfy the complainant fully forthwith the complainant shall be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly. The complaint shall include the following:
 - Name of the complainant
 - Address of the complainant
 - Telephone number, fax number and/or email address
 - Details of the complaint
 - Confirmation if the complainant wants the complaint to be treated confidentially.
2. If a complainant prefers not to put the complaint to the Clerk in writing, he or she shall be advised to put it to the Chairman in writing.
3. Complaint(s) will be acknowledged within 10 working days and dealt with or a response on progress provided within 25 working days of receipt.
4. a. On receipt of a written complaint, the Clerk or Chairman, shall (except where the complaint is about his or her own actions) try to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her the opportunity to comment. Efforts should be made to resolve the complaint at this stage.

- b. Where the Clerk or Chairman receives a written complaint about his or her own actions he or she shall forthwith refer the complaint to the Council.
5. The Clerk or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
6. The Clerk or Chairman shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.
7. The Council shall consider whether the circumstances attending 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.
8. As soon as may be after the decision has been made (not later than 10 working days after the meeting), the decision and any action to be taken shall be communicated in writing to the complainant.
9. A Council shall defer dealing with any written complaint only if it is of opinion that issues of law or practice arise on which advice is necessary from Hertfordshire Association of Parish and Town Councils or other appropriate professional advice. The complaint shall be dealt with at the next meeting after the advice has been received.