

## CHERITON BISHOP PARISH COUNCIL (the Council)

### COMPLAINTS PROCEDURE

1. Cheriton Bishop Parish Council is committed to providing a quality service and is keen to hear people's comments. It is committed to using information received to improve its services. If you are dissatisfied with the service you have received from the Council we hope you will let us know and we will seek to respond promptly to your concerns.
2. The Council meets every month (usually on the second Monday). The agenda for each meeting is put up on the noticeboards and the Council's website three clear days in advance of the meeting. If you have a view about a matter that is before the Council you are invited to contact the Clerk to express your views. Members of the public are invited to attend all Council meetings and this also provides an opportunity for parishioners to raise questions and concerns. You can also contact councillors or the Clerk at any time. Contact details are on the Parish Council noticeboards and on the website: [www.cheritonbishop-pc.org.uk](http://www.cheritonbishop-pc.org.uk)
3. This complaints procedure sets out how to complain to Cheriton Bishop Parish Council about the Council.
4. A complaint is defined as an expression of dissatisfaction about the standard of service, action or lack of action by the Council, its elected members or staff which affects an individual or group.
5. Complaints about the Clerk will be dealt with under the Council's Disciplinary Procedure. If you do not wish to make the initial complaint to the Clerk you can contact the Chairman of the Council.
6. All Councillors are required to observe a Code of Conduct. This Code can be accessed on the Council website or by contacting the Clerk. If you wish to complain that a councillor has breached the Code of Conduct you can contact the Monitoring Officer at Med Devon District Council for the relevant complaints form or you can download it from their website.
7. A complaint about the standards of service or action or lack of action by the Council should be made to the Clerk by telephone (01363 85523), by email: [clerk@cheritonbishop-pc.org.uk](mailto:clerk@cheritonbishop-pc.org.uk) or by post: Higher Penstone Farm, Colebrooke, Crediton, Devon EX17 5JR. A complaints form is attached at Appendix 1.
8. A complaint about the Council may be dealt with informally by the Clerk providing information, instigating appropriate action or explaining a decision.
9. If the complainant is unhappy with the response they will be requested to put their complaint in writing and the Clerk is required to acknowledge the complaint within 5 working days explaining how the complaint will be investigated.
10. The Chairman will decide how the complaint will be investigated and by whom and will aim to ensure that the investigation will conclude within 14 days. The investigation may be undertaken by the Clerk on his or her own or in conjunction with named councillors depending on the subject of the complaint. If it does not prove possible to meet the timescales the Clerk will write to the complainant explaining the reasons for the delay and providing new timescales for action. The investigation will include offering the complainant an opportunity to comment further.

11. At the end of the investigation the Chairman will agree a response to the complainant. The complainant will be advised that having received a full response to the complainant they have the right to request within 28 days that the matter should be referred to the full Council. A decision made by the full Council will be considered final and the complaint will be considered closed. If the complainant does not respond within 28 days the complaint will be considered closed.
12. If the complaint is referred to full Council the procedure at Appendix 2 will be followed.
13. All complaints against the Council and the responses to them will be reported to the full meeting of the Council.
14. If the Council considers it is receiving unreasonable or vexatious complaints from a member of the public it will consider taking legal advice before responding to the complaint.
15. If the Council receives anonymous complaints they will be referred to the Clerk and may be acted upon at his or her discretion. The Clerk will report any anonymous complaints to the full meeting of the Council.

Adopted on 8<sup>th</sup> February 2021

Appendix 1

**CHERITON BISHOP PARISH COUNCIL**

**Complaints Form**

Name .....

Address .....

.....

Tel No .....

Email .....

Name of representative (if appropriate) .....

.....

Contact details of representative .....

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What is your complaint?

Please continue overleaf if required.

Signed ..... Dated .....

## **Appendix 2**

### **Cheriton Bishop Parish Council**

#### **Procedure to be followed if a complaint is considered by the full Council**

1. The complainant will be notified of the date and time of the meeting and be invited to attend with a representative if they so wish. They will be given full details of the complaints policy and the procedure to be followed.
2. The complainant will be asked to notify the Council in writing of the exact nature of the complaint and to submit this with copies of all documentation and evidence they wish to rely on not less than 7 days before the meeting.
3. The Council will provide the complainant with copies of any documentation that it wishes to refer to at the meeting.
4. The Council will decide if it wishes any advisors other than the Clerk to be present at the meeting and notify the complainant in advance of the meeting.
5. At the meeting the Council will decide whether the nature of the complaint warrants the exclusion of the press and the public.
6. The Chairman will introduce everyone and explain the procedure.
7. The complainant or their representative will set out the complaint.
8. Council members will ask any questions of the complainant and/or their representative.
9. Council members will ask any questions of the Clerk and the Clerk will have the opportunity to explain the Council's position.
10. All councillors, the Clerk and then the complainant and/or their representative will be asked if they have any further points to make.
11. The complainant and the Clerk will be asked to leave the room whilst the matter is discussed by the Council. Parties may be asked back for a point of clarification.
12. The complainant and their representative and the Clerk will be asked to return to hear the decision of the Council.
13. The Clerk will confirm the decision in writing within 5 working days.