

Cheswick Green Parish Council Complaints Procedure

On receipt of a complaint, the Clerk, in consultation with the Chairman of the Parish Council, will ascertain the category of the complaint and take the relevant action with reference to the following:

Complaint Category and relevant action

Category A Financial Irregularity: The Clerk/Responsible Financial Officer should endeavour to provide an explanation of the item. The Clerk/Responsible Financial Officer may need to consult the external auditor.

Category B Criminal Activity: The Clerk should refer the complainant to the Police.

Category C Member Conduct: If the complaint relates to failure to comply with the Members Code of Conduct, the complainant should be advised to submit the complaint to Solihull MBC Monitoring Officer.

Category D Employee Conduct: As an internal disciplinary matter, this should be dealt with under the Parish Councils disciplinary procedure. Any complaint should be put in writing to the Chairman of the Council in order to activate this procedure.

Category E Other: Should be dealt with under the complaints procedure outlined below:

Category E complaints are expressions of dissatisfaction by one or more members of the public about the Council's action or lack of action, or about the standard of a service, procedure or administration, whether the action was taken or the service provided by the council itself, or a person or body acting on behalf of the Council.

1. The complainant should be asked to put in the complaint about the Council's procedures or administration in writing to the Clerk by using the attached form.
2. If the complainant does not wish to put the complaint to the Clerk, e.g. the complaint may be about the Clerk, he or she should be advised to address it to the Chairman of the Council.
3. The Clerk or other nominated officer, in consultation with the Chairman, shall acknowledge receipt of the complaint and attempt to address the complaint. The complainant will be advised of this action; if they still wish to pursue the matter it will be considered by the complaints committee called only for the purposes of hearing complaints.
4. If necessary, the complainant may be invited to attend a meeting of the complaints committee and to bring with them a representative if they wish. At least seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the meeting

1. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the next monthly Parish Council meeting in public.
2. The chairman of the complaints committee should introduce everyone and explain the procedure.
3. The complainant (or representative) should outline the grounds for complaint and, thereafter questions may be asked by (i) the clerk and/or Chairman, and then (ii) members.
4. The clerk and/or Chairman will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii) members.
5. The clerk and/or Chairman and then the complainant should be offered the opportunity to summarise their position.
6. The complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, the complainant shall be invited back into the meeting.
7. The complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day, they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the meeting

The decision should be confirmed in writing within seven working days together with details of any action to be taken.

Formation of the Complaints Committee

The complaints committee shall be called to sit in event of Section E above. The committee shall consist of 3 parish councillors, to be agreed at the time of calling of the committee. The meetings will be minuted by one of the attending councillors or by another nominated individual and these minutes will be reported back to the next monthly parish council meeting.