### CAWTHORNE PARISH COUNCIL

#### Policy for Handling Complaints

Cawthorne Parish Council recognises that members of the public will express on occasion concerns about the procedures and administration of the Council, or concerns about an individual Member or the Clerk to the Council. To address such concerns the Parish Council has adopted a policy and procedures for the handling of complaints.

Complaints about an individual Member will be reported to the Monitoring Officer at Barnsley Metropolitan Borough Council; the Parish Council does not investigate complaints made about individual Members.

**Verbal Complaints**

1. On receipt of a verbal complaint about the Council’s procedures or administration, a Member of the Council shall refer the complainant to the Clerk, if appropriate, or pass details of the complaint to the Clerk as soon as practicable. If the complaint is about the actions of the Clerk, then the Member shall refer the complainant to the Chairman of the Council.
2. On receipt of such a verbal complaint by a member of the public, the Clerk, or Chairman, will ask the complainant to put the complaint in writing to either the Clerk, or, if the complaint is about the Clerk, to the Chairman.

#### Written Complaints

1. On receipt of a written complaint the Clerk shall acknowledge receipt of the complaint, and, if appropriate, attempt to settle the complaint directly.
2. If it is not appropriate for the Clerk to attempt to settle the complaint directly, the Clerk shall advise the complainant when the complaint will be addressed.
3. Either the full Council, or an ad hoc committee, will hear the complaint.
4. The complainant shall be invited to attend the Council or committee meeting hearing the complaint, and shall be invited to bring a representative if they so wish.
5. Seven clear working days prior to said meeting, the complainant shall be required to provide the Council with copies of any documentation or other evidence which they wish to refer to at the complaint hearing.
6. The Council will similarly provide the complainant with copies of any documentation that the Council will rely on at the hearing.

#### Complaint Hearing

1. The Council shall decide whether the circumstances of the meeting warrant the exclusion of the public and press.
2. In any event the decision on the complaint shall be announced, in public, at the Council Meeting.
3. The Chairman shall introduce all parties.
4. The Chairman shall explain the procedure.
5. The complainant, or representative, shall outline the grounds of the complaint.
6. Members to ask questions of the complainant.
7. The Clerk to explain the Council’s position.
8. Members to ask questions of the Clerk.
9. Clerk and Complainant, in that order, to be offered the opportunity of a final submission.
10. Complainant and Clerk to leave the room whilst the Council or committee decide whether or not to uphold the complaint. (If a point of clarification is required both parties invited back into the room)
11. Complainant and Clerk return to hear decision, or to be advised when the decision will be made.

#### After the Hearing

1. Decision confirmed in writing within seven working days, together with details of any action to be taken.

#### Complaint against the Clerk

1. Any complaint against the Clerk must be submitted in writing to the Chairman.
2. The Chairman will inform the Clerk that a complaint has been made about him.
3. The complaint will be dealt with in accordance with the Council’s Disciplinary Procedures.
4. The complainant will be informed that the complaint is being dealt with under the Disciplinary Procedures.

#### Rights of Appeal

1. There are no appeals procedures to the Council.
2. A complainant may ultimately seek a judicial review of the Council’s actions.

#### Anonymous Complaints

Anonymous complaints will not be considered nor investigated.

4th October 2012

Amended 12th November 2015 minute no. 121