

Marks Tey Parish Council Complaints Procedure

INTRODUCTION

Marks Tey Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are 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.

This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns.

This Complaints Procedure does not apply to:

- a) Complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- b) Complaints against councillors. These are covered by the Code of Conduct for Members adopted by the Parish Council on 1 September 2014 and you may contact the Monitoring Officer of Colchester Borough Council which will decide if further action is necessary. The contact details are set out below.
- c) Allegations of financial irregularity. Local electors may object to the Council's Annual Accounts under Section 16, Audit Commission Act 1998. On other matters, the Council may need to consult its internal auditor or the Audit Commission.
- d) Criminal Activity. Please contact the police.

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 may also be the opportunity to raise your concerns in the public participation section of council or committee meetings. 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.

How to complain to the Council

You may make your complaint about the council's procedures or administration to the Parish Clerk. You may do this in person, by phone, or in writing, or by emailing the Parish Council. The contact details are set out below.

Making Your Complaint to the Parish Clerk (option 1)

Wherever possible, the Parish Clerk will try to resolve your complaint immediately. If this is not possible, you will be asked to put it in writing and the Parish Clerk will normally try to acknowledge your complaint within five working days.

The Parish Clerk will notify you within 4 weeks of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be informed.)

Other Avenues of Complaint (option 2)

If you do not wish to report your complaint to the Parish Clerk, as it may concern that officer directly or if you are dissatisfied with the Parish Clerk's response to your complaint, you may make your complaint directly to the Parish Chairman and ask for your complaint to be referred to the relevant dedicated Committee of the Parish Council or to the full Council (as appropriate).

Investigation

If your complaint cannot be resolved immediately, the Parish Clerk or the relevant dedicated Committee of the Council or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council and (usually within 8 weeks) you will be notified in writing of the outcome of the review of your original complaint.

1. Upon receipt in writing of a complaint, the clerk shall:-
 - a. Inform the Chairman of the Council and invite three councillors to form an investigative committee to meet to review the matter and
 - b. Send the person(s) accused of the complaint a copy of the complaint letter and any supporting evidence.
2. The defendant has then ten working days in which to respond in writing.
3. Upon receipt of the response, the clerk (or if the clerk is involved as defendant or complainant, the Chairman of the Council) shall call a meeting of the Investigative Committee which the complainant shall be invited to attend. This should be not more than five working days after receipt of the response from the defendant.
4. As soon as possible after this meeting the defendant should attend the Committee to speak in defence.
5. Following these two meetings, the Committee shall meet to decide on what further action should be taken. This should normally include the offer of mediation.
6. If attempts at informal mediation fail or are refused, or if the complainant refuses to accept the decision of the Investigative Committee, the matter shall be referred to the appropriate offices of the Borough Council for their judgement or possible further attempts at mediation.

If it appears to the Complaints Committee of the Council that a complaint is:

- trivial,
- vexatious,
- repetitive or
- frivolous

it shall so report to the Full Council with a recommendation that no further correspondence related to it be entered into by members or officers.

Contacts:

The Parish Clerk
Marks Tey Parish Council
Council Offices
Old London Road
Marks Tey
CO1 1EJ

Telephone: - 01206 213250

Email:- parish.clerk@marksteyparish.org.uk

The Monitoring Officer
Colchester Borough Council
Rowan House
33 Sheepen Road
Colchester
CO3 3WG

Telephone:- 01206 282213

Email:- Andrew.weavers@colchester.gov.uk