



Complaints Procedure

Adopted	1 st April 2019 Minute 72/19 (1)
Reviewed	6 th March 2023 43.23 (4)
To be reviewed	March 2020

Elham Parish Council (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:

- i. ***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.
- ii. ***Complaints against Councillors.*** Complaints against Councillors are covered by the Code of Conduct for Members and, if a complaint against a Councillor is received by the Council, it will be referred to the Monitoring Officer of Folkestone and Hythe District Council. Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer at Folkestone and Hythe District Council.

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 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.

You may make your complaint about the Council's procedures or administration to the Clerk. You may do this in writing to or emailing the Clerk. Wherever possible, the Clerk will try to resolve your complaint immediately. If this is not possible, the Clerk will acknowledge your complaint. Complaints about a policy decision made by the Council will be referred to the Council, or relevant Committee, as appropriate, for consideration.

If the complainant prefers not to put the complaint to the Clerk to the Council (because the matter relates to the Clerk, for example,) he/she should be advised to write to the Chair.

The complaint will be acknowledged within 5 working days and dealt with within 25 days of receipt (in exceptional cases the 25-working day timescale may have to be extended, if it is you will be kept informed).

The complainant will be asked to put the complaint in writing (letter or standard form) to the Clerk to Elham Parish Council at 3 Coach House Mews, High Street, Elham, Canterbury, Kent CT4 6TD.

1. 1) On receipt of a written complaint, the Clerk to the Council (except where the complainant is about his or her own actions) or Chair of Council (if the complaint relates to the Clerk), will seek to arrange a meeting 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 to the Council or a Councillor receives a written complaint about the Clerk's actions, he/she shall refer the complaint to the Chairman. The Clerk to the Council will be formally advised of the matter and given an opportunity to comment.
2. The Clerk or the Council will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
3. The Clerk or the Chair will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered, and the complainant will be offered an opportunity to explain the complaint to the Council orally.
4. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the Council meeting in public.
5. The Council may consider in the circumstances of any complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's mal-administration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
6. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
7. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered, and the complaint dealt with at the next meeting after the advice has been received.

The Clerk

**Elham Parish Council, 3 Coach House Mews, High Street, Elham, Canterbury, Kent CT4 6TD
Tel: 07702268475 Email: cgreenwood@elhampc.co.uk**