**Chidham & Hambrook Parish Council**

**Complaints Procedure**

**Introduction**

A complaint may be "an expression of dissatisfaction...about the council's action or lack of action or about the standard of service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council" (Local Government Ombudsman). It may also be triggered by an administrative fault such as not following procedures or standing orders, inadequate or no service, delay or making a mistake.

A complaint will be treated as a complaint against the body corporate of the Council, not as a complaint against individual members of the council.

The complaints procedure is available to residents, other individuals, organisations (e.g. charities) and unincorporated bodies (e.g. tenants' associations).

It is generally in the interests of the complainant and the Council to try to resolve the matter informally rather than through the Council's formal complaints procedure.

Other bodies have responsibility for certain types of complaint – for example:

* The District Council for a councillor's alleged breach of the Parish Council's code of conduct
* The police for alleged criminal activity

**Formal Complaints Procedure**

1. All formal complaints against Chidham & Hambrook Parish Council (CHPC) must be communicated in writing to the Clerk to CHPC at the address given on CHPC's website. The complainant must have tried to resolve the complaint informally through the Clerk (or if the complaint is about the Clerk, with the Chairman) before commencing with the formal procedure.

2. The complainant must state whether or not s/he wants the complaint to be treated confidentially.

3. If the complaint concerns the Clerk, the complaint must be communicated in writing to the Chairman of CHPC.

4. The receipt of the complaint will be acknowledged within seven working days, together with the title of the person or committee who will be dealing with the complaint.

5. The complaint will normally be dealt with within six weeks of receipt of the complaint. If this period is to be exceeded, the complainant will receive a written explanation from the Clerk or Chairman (as appropriate). The Clerk or Chairman (as appropriate) will confirm to the complainant if the complaint will be treated as confidential and confirm the next steps in the procedure.

6. The complainant will be given the opportunity to make verbal representations (and, if s/he so wishes, to be accompanied by a friend when doing so) at a meeting of which s/he will be given reasonable notice. Before such a meeting the complainant shall provide the Clerk or Chairman with any new evidence or information relevant to the complaint and the Clerk or Chairman shall provide the complainant with new evidence or information relevant to the complaint.

7. Prior to a meeting as described above, the complainant will be given an explanation about how the meeting will proceed.

8. The complainant will be advised when a decision about the complaint is likely to be made and how and when it is likely to be communicated to them.

9. Within the timeframe specified above CHPC will write to the complainant to confirm whether or not it has upheld the complaint. CHPC will give its decision together with details of any action to be taken by CHPC where appropriate.

10. The decision of the CHPC Complaints Committee is final.

**Approved: 6th April 2017**

**Review: April 2018**

**Complaints Committee**

**Terms of Reference**

When required, the Committee shall meet to hear a complaint and comprise three members as follows:

* the Chairman:
* Vice Chairman and:
* one of the three other members nominated for this Committee.

In the absence of the Chairman the Vice Chairman will chair meetings. In the absence of both the Chairman and Vice Chairman the chairman will be elected from the members present at the meeting.

The Committee shall consider formal complaints received in accordance with the Complaints Policy.

The Committee may meet in the absence of the press and public if the matter relates to a member of staff, or the nature of the complaint warrants it or a complainant has requested that a matter be dealt with confidentially.