

## COMPLAINTS POLICY

### **Introduction.**

Councillors, and the Clerk, may receive various types of complaint from members of the public. This policy sets out how they will be responded to. It is recognised that any particular issue raised may reflect a complaint about one, or more, aspects of the Council's activities and so may be dealt with under more than one heading. If requested, the Clerk will provide guidance about the way, or ways, in which a complaint might be handled.

### **Responding to complaints.**

Complaints should generally be directed to the Clerk. The only exception to this is complaints about the Clerk which can be made to the Chair.

Councillor's receiving complaints should encourage the complainant to contact the Clerk if they have not done so. They should not attempt to respond to complaints themselves, or appear to give an opinion on behalf of the Council. If they think it is helpful, they may wish to highlight to complainants any relevant information that has already been published (e.g. minutes or policies).

### **Formal complaints.**

Complaints will only be considered as formal if they are put in writing (or email). Only formal complaints will be guaranteed a written reply, or (if appropriate) discussed at a Council meeting. Complaints put in writing will normally be acknowledged within seven days.

### **Investigation.**

Sufficient time should be allowed for advice, evidence or opinion to be gathered, where this will help a complaint to be dealt with fairly and effectively.

### **Resolution.**

Complainants are encouraged to make clear what they would like to see happen in order to address their concern. Without this there is a greater risk that any remedy will not be satisfactory, or that no action will be taken at all because it is not clear what is wanted.

### **Complaints that the Council has not followed correct procedures.**

This could relate to failure of the Council to follow its own policies and/or adhere to good practice for local Councils.

These will be answered by the Clerk who is employed to advise the Council on correct practice. Complaints responded to in this way will be reported to Councillors. At their next meeting the Council will consider measures that might be taken to address any complaint that has not been resolved. At their discretion the Council may ask the Clerk to obtain further guidance from the Derbyshire Association of Local Councils, if this has not been done already.

### **Complaints about Council decisions (or lack of them).**

The Council may have followed good practice, and its own policies, but made a decision which the complainant is not happy with. Formal complaints of this nature will be placed on the agenda of the next available meeting for the Council to review. Complaints received after an agenda has been published, or during public speaking at a meeting, will not be considered until the following meeting.

### **Complaints about individual Councillors.**

These may, for example, relate to a suspected breach of the Councillors' Code of Conduct. The Council has no powers to consider complaints about its own members and is not permitted to do so. These complaints must be directed to the Monitoring Officer at Derbyshire Dales District Council.

### **Complaints about the Clerk.**

These may be sent directly to the Chair at the complainant's discretion. They will be handled in accordance with the employer/employee relationship between the Council and the Clerk. This will reflect the policies of the Council and relevant employment legislation.

### **Complaints for which the Council is not responsible.**

It is not uncommon for complaints to be raised with the Council regarding matters in which it has neither powers nor responsibilities. In these cases, the Clerk will assist complainants in identifying the correct authority to which to address their concerns.

### **Exceptions.**

Nothing in this policy will prevent the Clerk from taking action to address a genuine emergency where there is significant risk of injury, or loss, for which the Council might be held responsible.