

LITTLE OAKLEY PARISH COUNCIL

COMPLAINTS PROCEDURE

Adopted 10th June 2020 (Minute Number 20/030)

Reviewed biennially

Last Reviewed 10th June 2026 (Minute Number 26/031)

Next Review Date June 2028

1. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.
2. A complaint will be dealt with fairly and those responsible for determining complaints will do so without prejudice.
3. This procedure does not cover complaints about the conduct of a member of the Parish Council. Any complaint that a Councillor may have breached the Council's adopted Code of Conduct should be referred to:

The Monitoring Officer
Tendring District Council
Corporate Services
Town Hall
Station Road
Clacton-on-Sea
Essex CO15 1SE

Or by email to: standards@tendringdc.gov.uk

The Monitoring Officer only deals with complaints about the behaviour of a Councillor and not about matters which aren't covered by the Members' Code of Conduct. Complaints to the Monitoring Officer must state how and why you feel a Councillor has not followed the Code of Conduct. This can be viewed on the Governance Documents page of Little Oakley Parish Council's website, or by written request for a hard copy from the Clerk.

4. If a complaint about procedures, the administration or actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk, the complainant will be directed to submit a complaint in accordance with section 5 of this procedure.
5. The complainant must put the complaint in writing to the Clerk to the Council (complainant will be advised of the Clerk's address) or the complainant may email to: clerk@littleoakleyparishcouncil.gov.uk. The complaint will be acknowledged within seven (7) days of receipt, and will aim to be resolved within 28 days, although this may be longer for complex cases. The complainant will be notified of any delay in the timeframe.

6. In the event the complaint relates to the Clerk, the complainant will be advised to write to the Chairman (email: chair@littleoakleyparishcouncil.gov.uk) or the Vice Chairman of the Council.
7. On receipt of a written complaint, the Clerk or (if the complaint relates to the Clerk) the Chairman or Vice Chairman of Council, will seek to resolve the complaint informally with the complainant through the normal channels of communication. This will include notifying any person complained about and giving that person an opportunity to comment. Every effort will be made to resolve the complaint at this stage.
8. The Clerk (or the Chairman or Vice Chairman of the Council) will report any complaint which has been resolved informally with the complainant, to the next full meeting of the Council. Depending on the nature of the complaint, this may be during a confidential segment of the meeting.
9. If a complaint is not able to be resolved informally with the complainant, the complaint will be considered by a panel of three (3) councillors selected from the Council. The Clerk will notify the complainant of the date on which the complaint will be considered and, wherever possible, this will be at least fourteen (14) working days prior to such date. Seven (7) working days prior to the meeting, the complainant shall provide to the Council, copies of any documentation or other evidence they wish to be referred to at the meeting. If it is deemed appropriate or further information is required to determine the complaint, the council will invite the complainant to attend and the Council shall provide the complainant with copies of any documentation upon which they wish to refer to at the meeting.
10. Complaints that result in grievance or disciplinary proceedings taking place, or that are likely to take place, will be dealt with in accordance with the Council's grievance and disciplinary procedures.
11. 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. In the event the complaint results in disciplinary proceedings, the complainant is not automatically entitled to be informed of any action to be taken.
12. The determination of a complaint may be delayed if it is of the opinion that issues arise on which further external advice is necessary. The advice will be considered and the complaint dealt with as soon as possible after the advice has been received. The complainant will be kept informed of any considerable delay.
13. Little Oakley Parish Council is committed to complying with its obligations under the relevant General Data Protection Regulations in order to safeguard against the unlawful disclosure of personal data. The Council will not disclose the identity, contact details or other personal data about an individual complainant unless they consent or disclosure is otherwise fair and lawful under the Regulations e.g. for the performance of contractual obligations. The Council will take care to maintain confidentiality where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned). Only the necessary information will be provided to professional bodies for the purposes of seeking professional or legal advice and only to those members involved in the determination of a complaint.
14. If a complainant is not satisfied with the initial determination or outcome, they can ask for their complaint to be referred accordingly. Appeals regarding complaints about the administration or procedures of the Council will be dealt with by a panel of three (3) councillors selected from the Council. Those appointed to determine an appeal will differ from those who determined the original complaint. All appeals are final.