

## Procedure for handling complaints

### Introduction

This procedure is to deal with complaints made about the administration of the Council or about its procedures. Complaints about an employee of the Council should be dealt with as an employment matter. If the complaint is about the Clerk to the Council, you should write to the Chairman in the first instance. **Complaints about a Councillor are subject to the process described in the Code of Conduct, re-adopted by the Council on 6<sup>th</sup> February 2023.** A complaint alleging a breach of the Code of Conduct should be made in writing and addressed to the Monitoring Officer at Test Valley Borough Council or via email to [legal@testvalley.gov.uk](mailto:legal@testvalley.gov.uk), marking your complaint for the attention of the Monitoring Officer. Complaints about a policy decision made by the Council will be referred back to the Council for consideration.

### Procedure

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk.
2. If the complainant does not wish to put the complaint to the Clerk, they shall be advised to put it to the Chairman of the Council.
3. The Clerk shall acknowledge receipt of the complaint and advise that it will be considered, in the first instance, by the Chairman of the Council and the Clerk. A response will be sent within seven clear working days.
4. In the event that this response is not accepted by the complainant, they shall be advised when the matter will be considered by the Council or the committee established for the purpose of hearing complaints.

### Before the meeting

5. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
6. Five clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting. The Council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

### At the meeting

7. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the Council meeting in public.

8. Chairman to introduce everyone.
9. Chairman to explain procedure.
10. Complainant (or representative) to outline grounds for complaint.
11. Members to ask any question of the complainant.
12. If relevant, Clerk to explain the Council's position.
13. Members to ask any question of the Clerk.
14. Clerk and complainant to be offered opportunity of last word (in this order.)
15. Clerk and complainant to be asked to leave room while Members decide whether the grounds for the complaint have been made. (If a point of clarification is necessary, both parties to be invited back).
16. Clerk and complainant return to hear decision, or to be advised when decision will be made.

### **After the meeting**

17. Decision to be confirmed in writing within seven working days together with details of any action to be taken.

### **Other information**

When a complainant persists in pursuing a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, the Council may decide that no further action can usefully be taken in response. In such circumstances, the complainant will be informed making it clear that only new and substantive issues will merit a response.

Anonymous complaints will be disregarded.

The decision of the Parish Council is final with no appeal process as the Local Government Ombudsman does not consider complaints in respect of Parish Councils.