



# Martham Parish Council

## Complaints Procedure

Martham Parish Council strives to provide a high standard of service to the public. In the interests of openness and the desire to seek continuous improvement, the Council encourages anyone who feels dissatisfied with the service provided to bring this to the attention of the Council.

In some instances, it will be appropriate for an explanation to be given and/or remedial action taken.

Where a formal complaint is submitted in writing, a proportionate investigation will be conducted and the outcome communicated back to the complainant in writing.

### **How to make a complaint about the Council**

Enquiries or observations about the Council services can be made by telephone or by e-mail to [clerk@martham.gov.uk](mailto:clerk@martham.gov.uk), or by calling at the council offices.

Formal complaints must be submitted in writing to the Clerk at address and postcode, or e-mail to [clerk@martham.gov.uk](mailto:clerk@martham.gov.uk). If the matter relates directly to the Clerk, the complaint should be addressed to the Chairman of the Council.

### **Confidentiality**

All complaints will be treated as confidential. Even where the complainant specifically waives their right to confidentiality, the Council will comply with its obligations under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.

Any meeting of the Council, or a committee or sub-committee considering a complaint or inviting the complainant to make representations will exclude the public. Agendas and minutes will not disclose personal data or financial, sensitive or confidential information relating to an individual complainant or a third party.

### **Acknowledgment of a formal complaint**

Receipt of the complaint will be acknowledged within 10 working days, specifying: -

- Who is dealing with the complaint?
- Whether the complainant will have an opportunity to make verbal representations, accompanied by a friend if desired
- Timeframe for receipt of a formal response

## **Investigation**

It will usually be appropriate for the circumstances leading to the complaint to be investigated by the Clerk on behalf of the Council. Complaints of a serious nature or any that relate directly to the Clerk will be dealt with by the Personnel Committee.

Where appropriate, the complainant will be invited to make verbal representations to the person (or committee) investigating.

In normal circumstances, the complainant will be notified in writing (e-mail if appropriate) of the outcome within three months of lodging the complaint. This will include whether or not the complaint is upheld, reasons for the decision, details of any action taken and information about the right of appeal.

## **Appeals**

If the complainant is not satisfied with how a complaint has been dealt with, they can appeal in writing to the Council, setting out what they are unhappy with and the grounds.

The appeal will be considered by a committee formed of persons not previously involved in the investigation of the original complaint. This will consist of a review of the original investigation and outcome, together with any action taken as a result.

Appeals received more than one month after the date of the decision letter/e-mail will not be considered.

## **Complaints involving members of staff or councillors, etc.**

Where a complaint against the Council includes reference to the actions or conduct of staff or councillors, the complaint will be treated as a complaint against the body corporate, as opposed to the individual(s). If after the complaint has been looked into the Council considers there may be a need to take disciplinary action against a member of staff, this will be dealt with in accordance with its disciplinary procedure.

Allegations that a member has breached the Code of Conduct should be forwarded to the Monitoring Officer of Great Yarmouth District Council in writing (on-line form available <https://www.great-yarmouth.gov.uk/commentscomplimentsandcomplaints>).

Councillors are free to raise matters of concern in respect of council business by the submission of motions on the agenda of the relevant meeting(s).

Where a member of staff has a complaint about the workplace, these should be raised in accordance with the Council's grievance procedure.

## **Unreasonable and Vexatious Complaints**

There will be circumstances when a complainant persists in wishing to proceed when there clearly is no reasonable basis to do so, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.

The Council may decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

Correspondence that is deemed offensive sent to staff or councillors' impact negatively on the day-to-day running of the Council and directly or indirectly the overall well-being of the staff and councillors. Standards of courtesy and reasonableness should characterise all communication from Councillors and members of public, including those who wish to express a concern or pursue a complaint.

1. Correspondence received by employees or councillors of Martham Parish Council that is considered to be offensive, make personal comments, or that may be abusive will be referred by the Parish Council and/or the Chairman of the Parish Council to the Personnel Committee for investigation and action.
2. Upon investigation (and upholding of the view that correspondence is offensive or abusive) the Chair of the Personnel Committee may contact the correspondent to state that all communication will cease if the correspondent continues to communicate in such a manner. The correspondent has the right to appeal the decision
3. In the event that unreasonable and or vexatious correspondence continues Martham Parish Council will consider further action.

### **Local Government Ombudsman**

The Local Government Ombudsman deals with complaints against principal authorities (district, borough and county councils) and certain other public sector bodies.

It is not responsible for handling complaints against a town or parish council, except where it is working with a principal authority (through a joint committee), or it is exercising the functions of a principal authority.