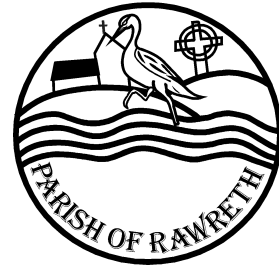


# RAWRETH PARISH COUNCIL

**Clerk to the Council:**

**Mrs Hayley L Bloomfield**  
**49 Lower Lambricks**  
**Rayleigh**  
**Essex SS6 8DA**  
**Telephone 07773 952455**  
**Email: [clerk.rawrethparishcouncil@btinternet.com](mailto:clerk.rawrethparishcouncil@btinternet.com)**



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## RAWRETH PARISH COUNCIL – COMPLAINTS PROCEDURE

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 for consideration.
2. This procedure does not cover complaints about the conduct of a Member of the Parish Council.
3. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk to the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
4. The complainant will be asked to put the complaint in writing, either by letter or email to the Clerk to the Council at 49 Lower Lambricks Rayleigh Essex SS6 8DA, or [clerk.rawrethparishcouncil@btinternet.com](mailto:clerk.rawrethparishcouncil@btinternet.com) . The complaint will be dealt with within 21 days of receipt. Refusal to put the complaint in writing does not necessarily mean that the complaint cannot be investigated, but it is easier to deal with if it is in writing.
5. If the complainant prefers not to put the complaint to the Clerk to the Council, they should be advised to write to the Chairman of the Council.
6. On receipt of a written complaint the Clerk to the Council (except where the complaint is about his or her actions) or the Chair (if the complaint relates to the Clerk) will seek to settle the complaint directly with the complainant. This will not be done without firsts notifying any person complained about and giving him or her an opportunity to comment. All efforts should be made to resolve the complaint at this stage.

Where the Clerk to the Council or a Councillors receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chairman of the Council. The Clerk to the Council will be formally advised of the matter and given an opportunity to comment.

7. The Clerk to the Council (or Chairman) will report any complaint disposed of by direct action with the complainant to the next meeting of the Council.
8. The Clerk to the Council (or Chairman) will report any complaint that has not been resolved to the next meeting of the Council. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the Council orally.
9. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the next Council meeting in public.
10. 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.
11. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.

### **Guide to the Code of Conduct – Complaints concerning the conduct of a Councillor**

Since May 2008, all complaints are referred locally to the Standards Committee of the principal authority in the first instance. In the case of town or parish councils, complaints concerning the conduct of town and parish Councillors will be referred to the Standards Committee of the district or unitary authority in whose area the town or parish council is situated.

An assessment sub-committee of the Standards Committee will consider the complaint, usually within 20 working days, and will decide, in the presence of a parish council representative:

- Whether to refer it for investigation
- Whether it is more suitable for some other form of action, such as mediation or conciliation
- Whether it appears to be so serious or otherwise unsuitable for local investigation that it should be referred to the Standards Board, or
- Whether no action should be taken on the matter

In the event of the assessment sub-committee deciding to take no further action, the complainant can request a review of that decision which will then be heard by a review sub-committee comprising of different members of the Standards Committee than those who undertook the initial assessment.

If it is decided that the complaint will be investigated, the Monitoring Officer of the principal authority is responsible for appointing an investigating officer. However if the complaint has been referred to the Standards Board the investigation will be undertaken by an ethical standards officer. It should be noted that the Standards Board does have the ability to send any referred cases back to the local Standards Committee if they feel that it is appropriate. If this is the case, and it has been referred back for investigation, the Monitoring Officer is again responsible for appointing an investigating officer.

Once the investigation has been completed a report will be prepared and present to the Standards Committee which may meet as a committee or may proceed by way of a hearing sub-committee.

Where an ethical standards office has undertaken an investigation he or she may still refer it back to the Standards Committee if it is considered it to be suitable for local determination. In the event that it is not, it will be heard by the Adjudication Panel which can impose more stringent sanctions than those available to a local Standards Committee, up to a maximum of 5 years disqualification.

Where the Standards Committee hear any matter they must first determine the facts if disputed then, if they are satisfied that there has been a breach of the code, decide on the appropriate sanction. The Standards Committee will normally follow rules of procedure as to the conduct of the hearing. Once a decision has been taken as to an appropriate sanction, the subject member has a right to seek permission to appeal the decision.

The Standards Board has issued extensive guidance on making complaints, what happens to complaints and also on local investigations and other action, including how to conduct an investigation, all of which can be downloaded from their website.

Signed this                      day of                      2021

Chairman

Clerk and Responsible Finance Officer