



**Carn Brea Parish Council**

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## Carn Brea Parish Council

# Handling Complaints Policy

Adopted: 20<sup>th</sup> June 2013

Reviewed: 4<sup>th</sup> May 2023

Minute Number: 23/05/AM/16

**CARN BREA PARISH COUNCIL**  
**CODE OF PRACTICE FOR HANDLING COMPLAINTS**

## **INTRODUCTION**

Carn Brea Parish Council recognises that from time to time there will be concerns expressed by members of the public over the activities of the Council or one of its members or employees. To address these issues the Council has adopted a procedure for the handling of complaints. This procedure allows people to have a form of address to the Council if they feel they have a complaint, or have been unfairly treated in their dealings with the Council staff, Councillors, the Council or its Committees.

## **WHAT IS A COMPLAINT?**

A complaint is an expression of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council.

## **WHETHER THE COMPLAINTS PROCEDURE IS APPROPRIATE**

It will not be appropriate to deal with all complaints from members of the public under the complaints procedure. The Council will engage other procedure/bodies in respect of the following types of complaint:

<b>Type of Conduct</b>	<b>Refer to</b>
Financial irregularity	Local elector's statutory right to object Council's audit of accounts pursuant to s. 16 Audit Commission Act 1998.
Criminal activity	The police
Member conduct	A complaint relating to a member's failure to comply with a council's code of conduct must be submitted to Cornwall Council.
Employee conduct	Internal disciplinary procedure

## **VERBAL COMPLAINTS**

1. On receipt of a complaint in person the Clerk will try to satisfy the complainant immediately or as soon as is practicable.
2. If the Clerk is unable to satisfy the complainant immediately, then full details of the complaint together with the complainant's telephone number etc. will be recorded so that a further verbal response can be made as soon as possible.
3. If a verbal response is unable to satisfy, then the Clerk will ask that the complaint be put in writing in order that it can be investigated more fully.

## **WRITTEN COMPLAINTS**

1. On receiving a written complaint, the Clerk shall try to settle the matter in a timely fashion.
2. If the complaint is about the behaviour of an employee of the Council, the Clerk must also notify the person and offer the opportunity for comment on the matter in which it is intended to try and settle the complaint.
3. If necessary, the Clerk will send a holding letter to the complainant to allow further time to address the issues raised.
4. The Clerk or Chairman shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date of the meeting. The Complainant will be offered the opportunity to explain the nature of the complaint to the meeting. The Clerk shall consult with the Chairman/Vice Chairman to consider whether the written complaint warrants discussion at a Council meeting in the absence of the press and public, and the decision on the complaint shall be announced at the Council meeting in public.
5. The Clerk will communicate in writing to the complainant, the decision that has been made by the Council and the nature of any action taken by the Council.

## **COMPLAINTS AGAINST AN OFFICER OF THE COUNCIL**

1. Any complaint against a member or officer must be submitted in writing.
2. If the complaint is against the actions of the Clerk, it should be submitted in writing to the Chairman.
3. If the complaint is made against the actions of an employee, it will be considered as an employment issue and the Clerk will present the complaint to the Staffing Committee of the Council for consideration at a meeting held in the absence of the press or public.
4. If the complaint is made against the actions of the Clerk, it will be considered as an employment issue and the Chairman will present the complaint to the Staffing Committee of the Council for consideration at a meeting in the absence of the press or public.
5. The complainant may be invited to attend part of the meeting to explain the nature of their complaint, in the absence of the public and press.
6. Persons mentioned in the complaint will have the opportunity to explain the nature of their actions to the meeting, in the absence of the public and press.
7. The result of any council consideration of a complaint will be announced at a Council meeting in public.

## **COMPLAINTS AGAINST A MEMBER OF THE COUNCIL**

Parish and Town Councillors sign up to a Code of Conduct on taking office. The Council is unable to investigate complaints against any of its members. If you wish to submit a complaint for breach of this code should do so to the Monitoring Officer at Cornwall Council.

The Monitoring Officer  
Cornwall Council  
Treyew Road  
Truro  
Cornwall

Further information can be accessed from [www.cornwall.gov.uk](http://www.cornwall.gov.uk)