

# **Bathampton Parish Council Complaints Procedure (for members of the public)**

**Approved and adopted by Bathampton Parish Council: 18.04.2024,  
Minute Ref: 2024/063**

**Last Reviewed: 18.04.2024  
Due for review: April 2025.**

## **1. INTRODUCTION**

- 1.1 Bathampton Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this Council or are unhappy about an action or lack of action by this Council, this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.
- 1.2 This procedure is designed for those complaints which cannot be satisfied by less formal measures or explanations provided to the complainant by the Parish Clerk or the Chair of the Council.

## **2. BEFORE THE MEETING**

- 2.1 The complainant should be asked to put the complaint about the council's **procedures or administration** in writing to the Clerk to the Parish Council.
- 2.2 If the complainant does not wish to put the complaint to the Clerk, he or she should be advised to address it to the Chairman of the Parish Council.
- 2.3 The Clerk shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the full Parish Council. The complainant should also be advised whether the complaint will be treated as confidential or whether notice of it will be given in the usual way.
- 2.4 The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
- 2.5 Seven clear working days prior to the meeting, the complainant shall provide the Parish Council with copies of any documentation or other evidence relied on. The Parish Council shall provide the complainant with copies of any documentation upon which they wish to rely on at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

### **3. AT THE MEETING**

- 3.1 The Parish 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.
- 3.1 The Chairman should introduce everyone and explain the procedure.
- 3.2 The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the Clerk and then (ii), members.
- 3.3 The Clerk will have an opportunity to explain the Parish Council's position and questions may be asked by (i) the complainant and (ii), members.
- 3.4 The Clerk and then the complainant should be offered the opportunity to summarise their position.
- 3.5 The Clerk and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
- 3.6 The Clerk and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

### **4. AFTER THE MEETING**

- 4.1 The decision should be confirmed in writing within seven working days together with details of any action to be taken.

#### **Notifications to the Parish Council of complaints received by the Bath & Northeast Somerset Council (BANES) Monitoring Officer**

When the Monitoring Officer receives a Complaint, they are required to notify the Parish Council of certain information at various stages of the case handling process.

#### **Purpose of notifications:**

- a) To know whether further evidence or the preservation of evidence is necessary.
- b) what appropriate arrangements should be made.

#### **Legal issues:**

Include issues of confidentiality, obligations under the Human Rights Act 2000, Data Protection Act 1998 and Freedom of Information Act 2000. Statutory provisions regarding public access to information in agendas, minutes and meetings must be considered.

**Notification procedures:**

- a) The Clerk and/or the Chairman should be informed of and deal with such notifications when received.
- b) They should not be included on a meeting Agenda.
- c) The Clerk or the Chairman will provide further evidence or information.
- d) Having appropriate arrangements in place will ensure that the rights of all concerned in a complaint are considered, and ensure that complaints are dealt with lawfully, effectively, and fairly.

**5. COMPLAINTS ABOUT BREACHES OF CONDUCT BY MEMBERS**

- 5.1 All complaints received against members will be referred to BANES Council Monitoring Officer
- 5.2 If a complaint of Breach of Conduct by a member is received by the Parish Council the complainant should be advised that this will be dealt with through BANES Council Monitoring Officer.
- 5.3 The BANES complaints form is available at the link below:  
[Make a complaint about Councillors | Bath and North East Somerset Council \(bathnes.gov.uk\)](https://bathnes.gov.uk/bathnesgovuk/Make-a-complaint-about-Councillors)
- 5.4 The Chair to the Parish Council should be advised of any complaints made about a member.

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