STILTON PARISH COUNCIL

Stilton Pavilion, High Street, Stilton PE7 3RA
Telephone: 01733 639106 - Email: clerk@stiltonparishcouncil.gov.uk

Complaints Procedure

Scope of the Complaints Procedure

1.1 General

The procedure applies when Stilton Parish Council has:

- Done something wrong
- Done something it should not have done
- Failed to do something it should have done
- Behaved unfairly or discourteously
- Not carried out a service to a recognised standard or within an acceptable timescale

This procedure does not apply where:

- An initial compliant is a necessary part of a request for a service
- The matter is about services offered by a body other than the Parish Council
- Separate procedures exist for staff grievances, disciplinary matters, financial complaints and, confidential reporting (whistle blowing.)

Council policies are set by the Councillors that you elect to make decisions on your behalf. If you are unhappy with their views you can attend a meeting of the Council or its Committees and explain your concerns. Each of these meetings provides an opportunity for local electors to speak in the 15-minute public participation section to highlight their issues. If you would like more information on this, please speak to the Clerk on 01733 639106 or email clerk@stiltonparishcouncil.gov.uk

Because we provide this opportunity we do not deal with disagreements with Council Policy under the Complaints Procedure.

For other types of concern or complaint, we have produced this Complaints Procedure to assure you that we will investigate your concerns fairly and promptly.

There are two stages to the Complaints Procedure. The first stage is normally undertaken by the Council's officers and seeks to resolve the majority of concerns or complaints quickly and easily. The second, appeal stage, takes place if you do not agree with that decision. It will be reviewed by a group of Councillors to determine whether the first stage decision was fair in all the relevant circumstances.

There are some Special Cases outlined below and in the Procedure to ensure that, whilst they are dealt with differently, this will be done fairly and as openly as possible in the particular circumstances.
At all times, the rules natural justice will apply, all parties will be treated fairly and the process will be reasonable, accessible and transparent. (Natural justice – the opportunity to be heard; there must be no bias; and the decision must have some basis in fact or reasoning).

1.2 Complaints about an employee

Complaints about an employee of the council will be dealt with as an employment matter.
The matter will be dealt with internally and appropriate action taken as required.

1.3 Complaints about a Councillor (external and internal)

We have approved a Code of Conduct for Councillors (copy on our website) which is based on Councillors following the seven principles of public service:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

This Code applies when they are acting as Councillors – complaints about their conduct in private do not form part of this policy/procedure.

If you feel that a Councillor has not complied with the Council's Code of Conduct, you should send your complaint to the Clerk.

When addressing Code of Conduct complaints The Clerk works alongside a panel of Councillors unrelated to the complaint. The panel ideally consists of 3 Councillors and involves the Chairman and Vice-Chairman who will review the complaint and if it is felt to be serious, or there are particular issues that mean it would be unlikely to be able to be solved locally, it will be referred to the Monitoring Officer at Huntingdonshire District Council who will deal with it in accordance with the District Council's approved procedure (a copy is available on their website.)

In all situations, the complaint will be shared with the Councillor(s) involved and Council. In accordance with natural justice, the Councillor(s) will be asked to provide comments to the Clerk on their response to the complaint prior to the Clerk and Councillor panel considering the complaint.

If the complaint is to be dealt with locally, the Clerk and Councillor panel will investigate the complaint, During the investigation there may be information that emerges that leads to the Clerk referring it to the Monitoring Officer, but otherwise the Clerk and Councillor panel, will decide whether the Code of Conduct has been complied with.

If it is considered that the Code has been complied with, the complainant and the Councillor will be informed. If you are not content with the result, you can ask for the complaint to be referred to the District Council's Monitoring Officer.

If the Clerk and Councillor panel considers that the Code has not been complied with, the Clerk and Councillor panel will propose appropriate procedural actions to be taken by ~~the Councillor~~ Council to mitigate the risk of the situation happening again. If the Councillor is unwilling to ~~comply with~~ embrace those actions, the matter will be referred to the Monitoring Officer. If the Councillor is willing to comply, but you are not content with the result, you can ask for the complaint to be referred to the Monitoring Officer.
The Clerk will report the final position on all complaints against Councillors to the next practicable meeting of the Council.

2. FIRST STAGE

2.1 You should raise your concern or complaint: -

By phone: ring the Clerk on 01733 639106 (please be aware the Clerk works part-time so it may be a message may have to be left before the call can be returned.) In some cases, we may ask you to confirm the details in writing.

By email: clerk@stiltonparishcouncil.gov.uk

In writing: The Clerk, Stilton Pavilion, High Street, Stilton PE7 3RA

2.2 We have processes in place to ensure that in Special Cases (see later,) there is a different procedure to ensure that your complaint is considered fairly. For example, if you are complaining about a particular individual, another person will deal with your complaint. The Clerk will ensure that the matter is referred to an appropriate individual or panel for investigation.

2.3 If we require further information, we will contact you to obtain this.

2.4 In many cases the matter will be easily resolved and usually within 5 working days. If there is going to be a delay, we will let you know why in writing (letter or email.) This could be because a key person is on holiday, the issue is more complex or we need to obtain external advice. It is only in exceptional circumstances that we would take longer than 20 working days.

2.5 When we have concluded our investigation, we will explain to you, in writing or by email either that:

- we think the Council got it wrong and how we propose to put it right
- we think the Council is right and why

In either case we will explain that if you are unhappy with the Council's conclusion you have a right of appeal within 21 days of receiving the letter.

3.0 APPEAL STAGE

3.1 Except in special circumstances (see later,) Appeals will be considered by the Council's Appeal panel, which will consist of three Councillors appointed especially to attend to consideration of appeals under this procedure

3.2 This Panel will consider:

- all the information previously provided by you
- any further information you wish to provide explaining why you feel the first stage
    - decision is unfair, and
- information collated by the Council that led to the response you received.

3.3 The Panel will also question the Council's officers and any Councillors who have information on the issues, where they feel this is necessary to ensure a fair outcome.

3.4 The Panel also has the right to obtain professional advice and/or commission independent investigation of any aspect.

3.5 Once they reach their conclusion they will write to you explaining their decision and, if relevant, how they propose to put it right. They will also provide a full report to Council detailing the findings of their investigation and their decision.

4.0 CONSEQUENTIAL ACTIONS

A report will be presented periodically to the Council outlining the actions taken on complaints that have been upheld, to ensure such issues do not re-occur.

5.0 SPECIAL CASES

In any of the following Special Cases we will inform you of what is happening and the likely timescale.

5.1 Complaints by an employee of the Council about the Council's actions as an employer

These will be dealt with under the Council's staff grievance procedure.

5.2 Complaints alleging misconduct by an employee

If necessary, these will be split into two elements. The alleged misconduct will be dealt with first under the Council's disciplinary procedure. The Council may only be able to consider any resultant impact on yourself, or others, once this has been completed.

5.3 Complaints alleging a Criminal Offence

Where it appears that the complaint includes an allegation that a criminal offence has been committed it will be passed to the Police by the Clerk. The Council will sometimes only be able to consider any resultant impact on yourself, or others, once the Police investigation is completed.

5.4 Persistent or Vexatious Complaints (please see the Council's Vexatious Complaints Policy at www.stiltonparishcouncil.gov.uk)

Some Councils experience problems with unreasonable behavior from complainants. If, in the opinion of the Clerk, after consultation with the Chairman, this occurs, then the complainant will be informed that a recommendation is being made to the next PC meeting that a particular Complaint or Complaints will not be investigated and the reasons why. If the Council supports this recommendation no further action will be taken and you will be informed of the decision.

Procedure Review

Reviewed: 12 May 2026 (agenda item PC108/26)
Next review date: May 2027