



# Boldre Parish Council

## **Complaints Policy**

Version: 1.3

Adopted: 7<sup>th</sup> April 2025

For queries on this document, please contact the Clerk to the Parish.

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## ***Introduction***

Pursuant to Local Government Act 1974, the Local Government Ombudsman (LGO) has no jurisdiction over parish and town Councils in England. Consequently, there are no statutory mechanisms in place should complaints be made against local Councils in England. This document lays down the procedure that this Council will adopt in the event of a complaint being made by a member of the public.

### ***When complaints policy is not appropriate***

It is not appropriate to deal with all complaints from members of the public under this complaints procedure. Council will refer the following situations to other bodies or use other procedures in respect of the following complaints.

Type of Conduct	Refer to
Financial irregularity	Local elector's statutory right to object to Councils' audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, Council may need to consult the auditor or the Audit Commission
Criminal Activity	The Police
Member conduct	If the complaint is related to a failure to comply with the Code of Conduct, this must be submitted to the Monitoring officer at New Forest District Council by post to the registered address or by email <a href="mailto:democratic@nfdc.gov.uk">democratic@nfdc.gov.uk</a>
Employee conduct	Internal disciplinary/dismissal procedure. Refer to BPC Employee Disciplinary Procedure.

### ***Policy for when complaints procedure is appropriate***

All Complaints should be balanced and independently conducted. They do not need to be led by the Chair or Vice Chair

#### ***A. Before a meeting***

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk. If the complaint refers to any area in table above, it will be dealt with as shown.
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 Chair of the Council or, in the event of a complaint being made about the Chair, to the Vice Chair.
3. The Clerk, Chair or Vice-Chair shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council. All complaints will be treated as confidential. A decision will be made whether notice will be given for the complaint to be considered on the next agenda of the Council.

4. The complainant may be invited to attend a Council meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the Council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

***At the meeting***

6. The 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.
7. The Chair (or Vice Chair in the event of 2 above) should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by the Clerk and Councillors.
9. The Clerk, Chair or Vice Chair will have an opportunity to explain the Council's position and questions may be asked by the complainant and Councillors.
10. The Clerk, Chair or Vice-Chair, and then the complainant should be offered the opportunity to summarise their position.
11. The Clerk, Chair or Vice-Chair and complainant should be asked to leave the room while Councillors decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties should be invited back.
12. 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.
13. The decision should be confirmed in writing within seven working days together with details of any action to be taken.
14. Any appeal to the decision shall be considered by the Chair (or Vice Chair in the event of 2 above) who has the right to decide that the matter is closed.

N.B. Further information can be found on NALC Legal Topic Note 9 and within sections 26 and 27 of the Local Government Act 1974.

### Change History

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Change Summary</b>
1.0	13/10/08	Parish Clerk	Initial Version
1.1	23/08/15	Oliver Moore	Updated to new template
1.2	29/8/16	Peter Lock	Council address
1.3	8/6/20	Peter Lock	Inserted Chair or Vice Chair at any point where only "Clerk" was present. Approved by Council.
1.4	07/04/25	Victoria Thomas	Updated contact details

### Review Log

<b>Version</b>	<b>Date</b>	<b>Reviewer</b>	<b>Comments</b>
1.0	23/08/15	Oliver Moore	No comments
1.3	23/04/20	Oliver Moore	Reviewed, added changes to change history.
1.3	11/6/20	Peter Lock	Reviewed, added changes to change history.
1.4	07/04/25	Victoria Thomas	Updated contact details