

Chelmsford Garden Community Council Complaints Procedure

Chelmsford Garden Community Council (the 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

This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how council employees have dealt with your concerns

This Complaints Procedure does not apply to

- (a) complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.
- (b) complaints against Councillors. Complaints against Councillors are covered by the Code of Conduct for Members adopted by the Council and, if a complaint against a Councillor is received by the council, you will be directed to complain to the Monitoring Officer of Chelmsford City Council.

Submission of the Complaint

1. The person making the complaint (the Complainant) should set out full details of the complaint in writing and send it to the Executive Officer. The definition of 'in writing' includes a hard copy letter or an email to an official email address of the Executive Officer. Please note that no other form of communication will be compliant with this policy and in particular communication via social media channels will not be accepted as a formal complaint.
2. In the event that the Complaint does not wish to address the complaint to the Executive Officer it shall be sent to the Chair of the Council. The complaint shall be acknowledged within 5 working days.

Informal resolution

3. In many cases the Executive Officer or Chair (whomever shall have received the complaint) will investigate the issue and provide a written response to the complaint and such response will be provided within 20 working days. If you are dissatisfied with the response you may ask for it to be considered formally.

Formal Complaints

4. In cases where the complainant is not satisfied with the response to the informal investigation or in cases where the Executive Officer or Chair consider the

allegations to be particularly serious, complex or sensitive thus precluding an informal investigation, the complaint will be referred to the Council for formal consideration. The Complainant will be advised of the date of the Council meeting when the Council will consider their complaint.

5. All formal complaints will be heard at a full Council meeting, which if practicable, will be the next meeting after receipt of the complaint, or after the Complainant has expressed dissatisfaction with the outcome of an informal complaint investigation.
6. The Complainant shall be invited to attend the meeting and may bring a representative if they wish. The Complainant shall also be advised whether the complaint will be treated as confidential.
7. The Complainant shall provide to the Council copies of all documentation and evidence upon which they may wish to rely upon no later than seven days prior to the meeting when the complaint is to be considered.

At the Meeting.

7. The Council shall decide whether the circumstances of the complaint warrant the exclusion of the public and the press. Any decision in relation to a complaint will be announced at the meeting in public.
8. If the Chair has informally investigated the complaint, the Vice Chair shall chair this agenda item in the meeting.
9. The Chair will introduce all parties and explain the Council's complaints handling procedure.
10. The Complainant or their representative will be asked to outline the grounds for complaint. Thereafter Councillors may ask questions of the Complainant.
11. The Executive Officer or, in the case that the complaint relates to the Executive Officer, another nominated officer or Councillor shall explain the position of the Council. Thereafter the Complainant together with Councillors may ask further questions.
12. First the Executive Officer, and then the Complainant, shall be offered the opportunity to summarise their position.
13. Both the Executive Officer and the Complainant shall be asked to leave the room whilst the Council decides whether or not the grounds for the complaint have been made. If any point of clarification is required both parties shall be invited back into the room.
14. Both the Executive Officer and the Complainant shall be invited to return to the meeting to hear either the formal decision that has been made by the Council or if a decision cannot be finalised at that meeting to be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the meeting

15. The final decision, together with details of any action to be taken, shall be confirmed in writing within seven working days. There is no right of appeal.

This Policy was agreed and adopted by the Council at its meeting of 3rd August 2023

Reviewed 2nd May 2024

Date of next review May 2025