Complaints Procedure

Thurston Parish Council

Policy Approved: Policy & Resources Committee 18 February 2026
Presented to Council: Full Council Meeting 4 March 2026
Review Body: Policy & Resources Committee
Review Period: Annually or following legislative changes.
Next Review: Policy & Resources Committee February 2027

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1. INTRODUCTION

1.1 The following procedure should be followed by anyone wishing to make a complaint against the Parish Council's procedures or administration.

1.2 The complaints procedure is not a means of redress for members or staff.

2. TYPE OF COMPLAINTS

2.1 If you have a complaint against a Parish Councillor you should write to:

The Monitoring Officer
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich IP1 2BX

2.2 If you have a complaint against an employee of the Parish Council, you should write to the Clerk to the Parish Council
Mrs Vicky Waples
Parish Council Office
Thurston Parish Council
New Green Centre
Thurston IP31 3TG

or
Chair Mr Chris Dashper
c/o Parish Council Office
Thurston Parish Council
New Green Centre
Thurston IP31 3TG

2.3 If you have any other complaint you should write to the Proper Officer to the Council:

Mrs Vicky Waples
Parish Council Office
Thurston Parish Council
New Green Centre
Thurston IP31 3TG

3. HANDLING A COMPLAINT

3.1 To allow your complaint about the Parish Council's procedures or administration to be dealt with, the Parish Council has adopted the following procedure which will be followed where complaints cannot be resolved less formally by the Clerk to the Council or the prevailing Chairman.

3.2 The Parish Council will not deal with anonymous complaints.

3.3 Complaints made to the Proper Officer are complaints made to the Council.

3.4 The Proper Officer will not accept complaints made on the basis that the information is not passed to the Council but will exercise appropriate discretion, for example, should the matter relate to sensitive issues, potentially create legal liabilities or relate to criminal investigations. The right to report relevant matters to enforcing authorities is reserved.

4. PROCEDURE FOR THE HANDLING OA A COMPLAINT

A. Before the Meeting

1. The complainant shall be asked to put the complaint about the council's procedures or administration in writing to the council's Proper Officer, the Clerk, Mrs V Waples.

2. If the complainant does not wish to put the complaint to the Proper Officer, they will be advised to put it to the Chairman of the council, Mr. C. Dashper.

3. The Proper Officer or Chair of the Council will acknowledge the receipt of the complaint and advise the complainant that the matter will be referred to the Council's Policy and Resources Committee within 7 days of receiving the complaint, confirming to the complainant that the complaint will be treated as a confidential matter.

4. If the Policy and Resources Committee feels that the matter does not warrant consideration, the Clerk to the Council shall explain in writing why the matter will not be considered by the Committee. This may include how the matter has been resolved or why the matter is not appropriate or does not warrant further referral, including where the matter is vexatious or repetitious.

5. An appeal for the non-referral of a complaint must be made within 5 days and will be referred back to the Policy and Resources Committee unless they have previously considered this, related matters or the complainant (or an associated person) vexatious or repetitious.

6. Responsibility for the consideration and determination of a complaint will be delegated by the Policy and Resources Committee to a sub-committee by resolution and will not be subject to the statutory right of attendance by the public and press.

7. The complainant will be invited to attend the relevant meeting to make verbal representations where it is considered appropriate and productive for determining the finding of the meeting and may be accompanied.

8. Seven clear working days prior to the meeting, the complainant will provide the Clerk with copies of any documentation or other evidence, which they wish to refer to at the meeting, for referral to a sub-committee as set-up by the Policy and Resources Committee. The Proper Officer on behalf of the Council will similarly provide the complainant with copies of documentation upon which it wishes to rely at the meeting.

B. At the Meeting

9. The Chairman of the sub-committee will introduce everyone.

10. The Chairman will explain the procedure.

11. The Complainant will outline the grounds for complaint.

12. The sub-committee members will then ask any question of the complainant.

13. If relevant or necessary, the Clerk will explain the council's position.

14. The sub-committee members will ask any question of the Clerk.

15. The complainant and the Clerk will be offered the opportunity to sum up the respective positions.

16. The complainant and the Clerk will be asked to leave the room while the sub-committee members decide whether or not the grounds for the complaint have been upheld, and where appropriate provide recommendations.

    Note: If a point of clarification is necessary then both parties will be invited back.

17. The complainant and the Clerk will return to hear the decision or will be advised as to when the decision will be made.

18. Any decision on a complaint will be announced at a parish council meeting in public.

C. <u>After the Meeting</u>

19. The decision will be confirmed in writing, by the Council's Proper Officer within seven working days together with details of any action to be taken.

5. APPEALS AGAINST DECISION TAKEN

5.1 If the complainant feels that it wishes to appeal against the process in which the decision was reached, they should appeal in writing, stating the full grounds of appeal, to the Clerk to the Council within one week of the date on which they were informed in writing of the decision.

5.2 If the Policy & Resources Committee agrees to hear the complaint on this basis, the Council's Proper Officer will give written notice of the date, time and place of the appeal hearing. The appeal hearing will be limited to a review of the procedures that were followed and not a review of the original decision given.

5.3 Where possible the appeal hearing will be conducted by Councillors who were not previously involved in the case.

5.4 Following the appeal hearing the Council's Proper Officer will confirm, in writing and within seven days, the outcome of the appeal.