Dinnington St John's Town Council

COMPLAINTS POLICY AND PROCEDURE

September 2026

1. Introduction

This policy details how Dinnington St John's Town Council will handle any formal complaints it receives about its procedures and administration. Any complaint made against the council should be treated as a complaint against the corporate body of the council and not individual members or employees, even though individual(s) may be specifically mentioned in the complaint.

The policy is for individuals and organisations who are either in or near the parish and affected by the council's decisions. Most complaints can be resolved informally through normal methods of communication, and it is normally in the interests of both parties that such methods be fully explored first before deferring to the formal procedure. The Staffing and Complaints Committee (SCC) are to be notified of any resolved complaints.

2. Complaints not covered by this policy

Other bodies have responsibilities for certain types of complaint:

TYPE OF CONDUCT	REFER TO
Alleged financial irregularity	Local electors have a statutory right to object to a Council's audit of accounts (s.27 (1) of the Local Audit and Accountability Act 2014)
Alleged criminal activity	The police
Members' conduct alleged to breach the code of conduct adopted by the council	The Principal Authority (Rotherham Metropolitan Borough Council (Monitoring Officer)) is responsible for handling complaints that relate to a member's failure to comply with the council's code of conduct

Any complaints received by the Council about the actions/behaviour of a member of staff will be dealt with under the Council's disciplinary process. Where a member of staff wishes to complain to the Council about any issue, he/she will use the Council's adopted grievance process and where a member of staff wishes to complain about the actions or behaviour of a Councillor, he/she should direct the complaint to the Monitoring Officer at Rotherham MBC as a complaint under the Council's adopted Code of Conduct

3. Submitting a complaint

All formal complaints must be submitted in writing (letter, email or website submission) within 6 months of an incident (unless there are exceptional circumstances to prevent this) to the Clerk at one of the following (note: if the complaint is against the Clerk the complaint should be submitted to the Chair):

By post: 64 Laughton Road
Dinnington
Sheffield
S25 2PS

By email: Clerk@dinningtonstjohns-tc.gov.uk

By website: https://dinningtonstjohns-tc.gov.uk

The complaint should detail the nature of the complaint in as much detail as possible (who, what, where, when etc.) along with the impact any actions have had. Where possible, the complaint should also outline any remedy that is sought should the complaint be upheld. The complainant should further state whether or not they wish their complaint to be treated confidentially. Irrespective of whether the complainant chooses to waive their right to confidentiality, the council is obliged to comply with its obligations under the Data Protection Act 2018 and UK GDPR to safeguard against the unlawful disclosure of personal data.

The Council will provide information in alternative formats and offer support to disabled or vulnerable complainants upon request in line with the Equality Act 2010.

The receipt of a complaint will be acknowledged in writing within 7 days along with details of the next steps of the procedure that will be followed.

4 Vexatious or persistent Complainants

A vexatious complainant is one who persists unreasonably with their complaints or makes complaints in order to inconvenience the Council rather than genuinely resolve an issue. This may include making serial complaints about different issues or continuing to raise the same or similar matters repeatedly.

If such complaints affect the council's ability to undertake it's work and provide it's services to others, it may alter the way it deals with complaints by not acknowledging or responding to vexatious complaints. Complaints will still be read in case they contain new information.

If a complainant is to be classified as vexatious they shall be informed so and given a timescale of how long this will remain the case.

5 Investigating the complaint

The Clerk will forward a copy of the complaint to the Chair, and the Chair, in consultation with the Clerk, will contact the parties concerned in an effort to reach an amicable solution if appropriate.

If an amicable solution cannot be reached, the complaint will be considered by the Staffing and Complaints Committee (SCC). A copy of the complaint will be circulated by the Clerk to all members of the committee and to the subject of the complaint.

If possible, the complaint will be dealt with by way of consideration of written representations. If not possible or, if in the view of the SCC it could lead to a fairer outcome for all, all parties to the complaint will be invited to attend the meeting in person and may be accompanied by an advisor/representative.

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.

6 Meetings with the complainant (if applicable)

The Staffing and Complaints Committee shall consider whether the circumstances of the meeting warrant the exclusion of the public and press by virtue of the Public Bodies (Admissions to Meetings) Act 1960. Any decision on a complaint shall be announced at the next full council meeting in public. To start the meeting, the Chair of the SCC should introduce everyone and explain the following procedures that will apply:

- The Chair will invite the complainant to state in full the details of the complaint and the nature of any remedy being sought.
- The subject of the complaint will be invited to question the complainant.
- Questions may then be asked by the Clerk or members of the SCC.
- The subject (Clerk or other nominated officer) will be invited to answer the complaint.
- The complainant will be invited to question the subject.
- The SCC will be allowed to question the subject.
- The complainant and subject will be invited to summarise their respective positions.
- The complainant and subject will withdraw whilst the SCC considers the evidence and arrives at its decision.
- If a decision cannot be quickly reached the SCC should advise all parties when a decision is likely to be made and how it will be communicated.
- When a complaint is upheld in full or in part the SCC will recommend a remedy to the complaint, bearing in mind the complainant's stated wishes.
- The decision of the SCC will be final.

7 After the complaint has been decided

In any event, the council will write to the complainant within seven working days to confirm the outcome of the complaint, giving reasons for its decision together with any actions to be taken by the council if appropriate. The subject of the complaint will also be informed in writing of the outcome once the complaint has been dealt with.

If the Complainant believes the complaint has not been processed in accordance with these procedures, they can appeal to the council on this basis only. A reviewing Complaints Committee (CC) will then be established led by the Vice Chair (providing he/she was not on the original committee) along with 3 other members of the council that were not involved in the original decision (if circumstances dictate that neither the Chair nor Vice Chair can be on the reviewing SCC, 4 members of the council will form the reviewing CC and elect a Chair as their first item of business).

The Reviewing CC will review the nature of the appeal and the procedures taken by the original committee, but not the original decision. The Reviewing CC will meet to review the appeal as soon as practicable, preferably within 7 working days, and communicate with the appellant at all stages of its review including its findings. If the Reviewing CC finds that procedures were not correctly followed a fresh CC will form with none of the original members and the complaint will be heard again in accordance with these procedures.

The SCC shall forward details of any complaint and its outcome, via the Clerk, for report at the next full meeting of the Town Council.

The SCC shall, at its absolute discretion, deal with any matters not specifically covered by this policy, but relevant to its role.

N.B.

- If the complaint be against the Chair, the Vice Chair will lead the proceedings.
- Should the complaint be against the Clerk, the Clerk will not be in attendance at the SCC other than in the role of the 'subject' of the complaint.

Privacy Notice

Personal data will be processed and retained in accordance with the Council's privacy notice and UK GDPR.

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