



HAIL WESTON PARISH COUNCIL

PUBLIC COMPLAINTS POLICY

1 Introduction:

1.1 Hail Weston Parish Council's members and its officers strive to provide a high standard of service for the village's residents, workers and visitors.

1.2 The Parish Council is always ready to consider comments and criticisms in its continuing efforts to give the best value for money in the provision of its services.

1.3 Dealing with complaints should be seen as a positive opportunity to learn which services need support, further improvement or implementation. Complaints serve to identify any changes in public expectations.

2 Aims of the Policy:

2.1 To give assurance that complaints will be dealt with seriously and that the services received by the complainant will not be affected because of the complaint or by prejudicial consequence thereof.

2.2 To have a constant and well-considered procedure

2.3 To have due regard to issues of confidentiality and the handling of personal data consistent with the principles of the Data Protection Act 1998.

2.4 To deal with complaints fairly, efficiently, effectively and within a reasonable timescale.

2.5 To ensure that the Parish Council's actions are in accordance with its obligations under the current Human Rights Act and the Convention Rights embodied within it to protect complainant Councillors, Council Employees and those dealing directly or indirectly with the Council

2.6 To monitor and analyse complaints in order to review Parish Council's performance so that effective change may take place.

2.7 To review documentation/logging of complaints regularly.

3 Guidelines:

3.1 Definition of a Complaint:

3.1.1 A complaint may be made to a Parish Council member or its Officers, either by the complainant or by his/her representative. It may be in written, verbal or electronic form.

3.1.2 A complaint is an allegation of failure, delay or poor quality in the provision of a service, or about the actions or attitudes of employees or those who may carry out services on behalf of the Parish Council

3.2 The Definition of a Complaint does NOT cover:

3.2.1 Requests for service

3.2.2 Requests for information about policies, procedures or services available

3.2.3 Disagreement with a properly made decision

3.2.4 Matters where there is a right to appeal or a legal remedy (for example the refusal of planning permission)

4 The Complaints Procedure:

4.1 It should be noted that specific laws or Council Regulations or Procedures cover some complaints, including those against employees. Advice on these procedures should be given to the complainant if relevant.

4.2 There are two parts to the complaints procedure; informal and formal. In either case, a prompt resolution to a complaint is the most important element of complaint handling.

4.3 Informal Route:

4.3.1 A complaint may be dealt with informally and promptly by a Councillor if he/she has sufficient information and/or sufficient experience to do so

4.3.2 A record of the complaint and the outcome should be logged with the Parish Clerk.

4.3.3 Any further complaints on the same issue should be referred directly to the Parish Clerk who will notify the Chairperson/Vice Chairperson. After carefully considering the complaint, he or she may choose to resolve the complaint by:

4.3.3 (a) Providing further information

4.3.3 (b) Clarifying the situation

4.3.3 (c) Direct action

4.3.3 (d) Informal meeting

4.3.3 (e) Offering support structures (e.g. special needs) so that the complainant can confidently pursue the complaint

4.3.3 (f) Informing the complainant that his/her representative may present the complaint

4.3.4 The complainant may wish to bring a representative as support to any meeting

4.3.5 Assisting the complainant to access appropriate channels for complaint if the complaint is about something not within the Council's remit

4.3.6 A reasonable timescale for resolving a complaint informally would be 7 working days. If for some reason this timescale could not be met a courtesy call to the complainant informing him/her of the reason(s) for the delay would be advisable.

4.3.7 A record should be kept of any relevant communication, action and /or resolutions. The acceptance of the outcome by the complainant should be logged.

4.4 Formal Route:

4.4.1 If all informal attempts to resolve a complaint have failed and the complainant wishes to pursue the matter further, then he/she must be advised of the formal complaints procedure.

4.4.2 The complainant will be asked to put his/her complaint in writing to the Parish Clerk or use the complaints form which is in the Parish Council's "Complaints Procedure Information Pack". The pack is available from the Parish Clerk.

4.4.3 All necessary assistance (e.g. special needs etc), guidance and an explanation of complainant's rights will be offered to the complainant in order to complete the form.

4.4.4 If preferred the complainant's representative may complete the form.

4.4.5 The completed form should be returned to the Parish Clerk. The completed form, or letter of complaint may be directed to the Chairperson/Vice Chairperson if the complainant prefers. A formal complaint must be signed. Anonymous complaints will NOT be considered.

4.4.6 The Parish Clerk will log the complaint and acknowledge receipt of the complaint within seven working days.

4.4.7 The Chairperson/Vice Chairperson will review all pertinent communication and decide a course of action to settle directly with the complainant. The Parish Clerk will be notified.

4.4.8 The Parish Clerk shall report to the next Full Council meeting any written complaint which has been resolved of by direct action.

4.4.9 The Parish Clerk shall bring to the next Full Council Meeting any complaint which has NOT been resolved by direct action.

4.4.10 In the event of complaint about the behaviour of a Councillor, the Parish Clerk will notify the Chairperson/Vice Chairperson who will give the person complained of, opportunity to comment. The Chairperson/Vice Chairperson will then respond to the complainant.

4.4.11 Where the complaint is about the actions of the Parish Clerk or other employees shall be dealt with under the Council's current Disciplinary Procedure Policy and Standing Orders

4.4.12 The Clerk shall notify the complainant of the date on which the complaint will be considered and invite them to the Full Council Meeting. The complainant must also be advised that they may bring a representative with them if they so wish.

4.5 At the Meeting:

4.5.1 The Parish Council shall consider whether the circumstances of the meeting warrant the exclusion of the press and public. Any decision on a complaint shall be announced at the Parish Council meeting in public.

4.5.2 Chairperson to introduce everyone

Chairperson to explain procedure

Complainant (or representative) to outline grounds for complaint.

Members to ask any question of the complainant

If relevant, the Clerk or other Proper Officer to explain the Parish Council's position

Members to ask any question of the Clerk or other Proper Officer

Clerk or other Proper Officer and complainant to be offered the opportunity of last word (in this order)

Clerk or other Proper Officer and complainant to be asked to leave the room while members decide whether or not the grounds for the complaint have been made (if a point of clarification is necessary, both parties to be invited back)

Clerk or other Proper Officer and complainant to return to hear decision, or to be advised when the decision will be made

4.6 After the Meeting:

4.6.1 Decision confirmed in writing within 7 working days together with details of any action to be taken.

4.7 Review:

4.7.1 If the complainant is dissatisfied with the outcome of the Parish Councils decision, he/she must be advised to consult the Citizens Advice Bureau/Monitoring Officer/Local Ombudsman or seek Legal Representation.

4.7.2 He/She should be assured of the Parish Councils full co-operation in pursuing his/her right to review

Complaints Policy Adopted 21/5/2013.

Reviewed 17/5/16