



WILLITON PARISH COUNCIL COMPLAINTS PROCEDURE

Adopted On 7th November 2022
Reviewed and readopted 5th August 2024

Introduction

The following procedure has been adopted for dealing with complaints about the Council's administration or its procedures. Complaints about a policy decision made by the Council will be referred back to the Council, or relevant Committee, as appropriate, for consideration.

This procedure does not cover complaints about the conduct of a Member of the Parish Council. Such complaints should be made to The Monitoring Officer.

Complaints procedure

Williton Parish Council are committed to providing a high-quality service and although most of the time our services are delivered to this high standard, we understand that occasionally things do go wrong.

We welcome feedback from all and complaints are a valuable source of information. They help us to improve our services, put things right when they have gone wrong and to learn from mistakes in the future.

What is a Complaint?

We define a complaint as "an expression of dissatisfaction about the standard of the service, actions or lack of action by the council, affecting an individual or group".

This may include failure to deliver a service, repeated delays in providing a service, an unsatisfactory level of service or the failure to follow council policies or legal requirements.

The Parish Council, as a corporate body, are not subject to the jurisdiction of the Local Government Ombudsman, and there are no provisions for another body to which complaints can be referred. The Council will do its utmost to settle complaints and satisfy complainants that any grievance has been properly and fully considered in the interest of the good reputation of the Council.

In the event of a seemingly serial facetious, vexatious or malicious complaint, the Council may consider taking legal advice.

Confidentiality

Initially the identity of a complainant will only be made known to those who need to consider a complaint. Care will be taken to maintain confidentiality where circumstances demand, e.g. where matters concern financial or sensitive information or where third parties are concerned.

Complaints outside this code

The complaints in the table below are excluded from this code

Type of Complaint	Advise given on where to complain
Financial Irregularity	Complaints about financial irregularity should be referred to the Council's auditor, whose name and address can be obtained from the Clerk. (Local elector's statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998)
Criminal Activity	The Police
Member Conduct	A complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the Monitoring Officer
Employee Conduct	Any complaint will be dealt with under this council's disciplinary and grievance procedure.

Complaint's Committee

A Complaints Committee, consisting of three Councillors, will be established.
The Chairman of the Complaints Committee will be elected at their first meeting.

All complaints will be deemed to be Informal Complaints unless a written complaint states that it is a Formal Complaint.

INFORMAL COMPLAINTS PROCEDURE

- An informal complaint may be given orally or in writing to the Clerk
- If a complaint is given to a Councillor, it is their duty to forward to the Clerk or Chairman of the Council
- The Clerk or Chairman of the Council, will speak directly to the complainant and will attempt to settle the complaint and to ensure the complainant feels satisfied that their grievance has been fully considered, taken seriously and acted upon accordingly
- The Council will be informed at the next relevant meeting
- If the complaint cannot be resolved, the Clerk will be informed, and he/she will instigate the Formal Complaints Procedure

FORMAL COMPLAINTS PROCEDURE

- All formal complaints will be heard in public unless the Complaints Committee expressly resolves to exclude the press and public, due to the confidential nature of the complaint
- To resolve the formal complaint, the Complaint's Committee will hold a formal hearing to review the complaint and make a recommendation to the Council.
- The complainant will be invited to attend the formal hearing and bring a representative with them, if they so wish

Before the Meeting

A Formal Complaint must be lodged in writing and sent to the Clerk. The letter must state that a Formal Complaint is being lodged and should provide the following information:

1. Name, address and telephone number of the complainant
2. The complaint about the Council's procedure or administration
3. How the issue has affected the complainant
4. Copies of any relevant documents or other evidence to which the complainant may wish to refer at the meeting
5. Details of third parties and their involvement
6. What action the complainant believes will resolve the complaint
7. If the complainant does not wish to put the complaint to the Clerk, he/she should be advised to address the complaint to the Chairman of the Council
8. The Clerk will acknowledge the complaint and inform the complainant that a mutually convenient date for a Complaints Hearing will be scheduled within 28 days
9. The Clerk will issue an agenda for the Complaints Formal Hearing, not less than 3 days, before the formal hearing of the Complaints Committee
10. The Clerk will invite the complainant to bring with him/her one such representative who may speak on his/her behalf
11. Any documentation not already supplied must be sent to the Clerk, 7 clear days before the meeting
12. If either party provides details, documentation or evidence less than 7 days before the meeting, the Chairman of the Complaints Committee will decide whether to admit it.

At the Meeting

- 1. The Complaints Committee will decide whether the circumstances of the meeting warrant the exclusion of the public and press.
- 2. The Chairman of the Complaints Committee will introduce everyone and explain the procedure.
- 3. The complainant and his/her representative (if any) will detail the complaint to the Complaints Committee. Members of the Complaints Committee, if they wish, will ask questions of the complainant relating to the complaint.
- 4. The Clerk or Councillor will present the Council’s position relating to the complaint (if necessary). Members of the Complaints Committee, if they wish, will ask questions of the Clerk/Councillor.
- 5. The Clerk/Councillor and the Complainant will be offered the opportunity to make any final comments (in that order)
- 6. The Clerk/Councillor and the Complainant may be asked to leave the room whilst members of the committee consider the complaint. If a point of clarification is necessary, both parties shall be invited back.
- 7. The Chairman will ask all parties to re-join the meeting to inform them of the Complaints Committee’s recommendation to Full Council
- 8. If a recommendation cannot be reached at the meeting, the Chairman will advise when the recommendation will be made and communicated to the complainant

After the Meeting

Any recommendation of a complaint will be ratified and announced at the next meeting of the Council in public

Within 7 days of the Council accepting the recommendation of the Complaints Committee, the Clerk will put the decision in writing to the complainant.

If the complaint cannot be agreed the Council cannot refer the complaint to any other body for settlement, however, the complainant may, if they wish, refer the complaint to another body (eg Local Government Ombudsman) for settlement.

Reviewed and Readopted by Williton Parish Council on 5th August 2024

Signed (Chairman)Cllr Payne