

Parish Council of Newlands

Complaints Policy

Adopted by the Council at its meeting held on 20 June 2019 [Min ref:030/20C b]

1. Introduction

- 1.1 The Council provides many services to community groups, sports teams, companies and individuals. We try to get our service delivery right every time, but there are occasions when users of our services may be dissatisfied with our performance, for any number of reasons.
- 1.2 This policy sets out the approach the Council shall take regarding complaints services provided by the Council.
- 1.3 An up-to-date copy of this policy shall be published on the Council's website.

2. Informal Complaint

- 2.1 It is hoped that most complaints can be resolved quickly and amicably through this route. Informal complaints can be made by telephone or email. The complaint will be handled by the most appropriate member of staff, depending on the nature of the complaint.
- 2.2 The Clerk will be kept informed of the handling of the complaint and its resolution. Complaints should always be directed through the Council not through individual Councillors. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.
- 2.3 It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

3. Formal Complaint

- 3.1 The Clerk to the Council is responsible for managing the formal complaints process. The Clerk is the proper officer of the Council. If a formal complaint is being raised against the Clerk, then the process as detailed should be followed, but the Chairman of the Council should be informed instead of the Clerk.
- 3.2 A formal complaint can only be submitted in writing to the Council, it should be addressed to the Clerk, marked "Confidential – Formal Complaint". The Council encourages contact by email and telephone, but as a formal complaint is a serious matter will only accept these in writing. The complaint should cover as much detail as possible and enclose any relevant supporting documentation.
- 3.3 The Clerk will acknowledge receipt of the complaint within three working days.

- 3.4 The Clerk will carry out an initial investigation into the complaint and will within ten working days provide the complainant with an update on progress, or a suggested resolution. If the complainant is satisfied with the resolution the complaint is closed.
- 3.5 The Clerk will report to the Council, through the Clerk's report, summary details of the complaint and a brief summary of its resolution. This summary report will exclude the names of the complainant.

4. Review Procedure

- 4.1 If the Clerk is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the Council shall appoint three councillors to review the complaint. No councillor with direct involvement in the matter or a conflict shall be appointed.
- 4.2 The Clerk shall invite the complainant to a review meeting with the appointed councillors. The complainant shall be given reasonable notice of meeting.

Prior to the meeting

- 4.3 Seven clear working days before the review meeting, the complainant shall provide the Parish Council with copies of all documentation, or other evidence (such as photographs) that they intend to introduce to the Review Panel meeting.
- 4.4 The Parish Council shall provide the same to the complainant.

At the meeting

- 4.5 The councillors in attendance at the review meeting shall appoint one of their number to chair the meeting.
- 4.6 The review meeting shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. As far as possible the Council carries out its business in public, matters that involve individual identified members of staff, may require the exclusion of the press and public.
- 4.7 The Chairman of the review meeting shall introduce everyone and explain the procedure to be used in order to consider the complaint made. The meeting should be as informal and friendly as possible, without prejudicing the need to consider properly the matter under discussion.
 - (a) The complainant (or representative) shall be invited to outline the grounds for complaint and panel members given the opportunity to ask any question of the complainant.
 - (b) If relevant, the Clerk (deputy or other officer) will explain the Council's position and panel members shall ask any questions.
 - (c) The complainant is to be offered the opportunity of a last word as a means of summing up their position.
 - (d) The Clerk is to be offered the opportunity of a last word as a means of summing up their position.

- 4.8 The Clerk and complainant shall 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 should be invited back.

Decision

- 4.9 In any case both parties return to hear the decision, or to be advised when the decision will be made.
- 4.10 The announcement of any decision will be made in public, at the next Council meeting.

5. Timings

- 5.1 The Council will try to adhere to the timings outlined in this policy, but in the case of a complex complaint, or the absence of a member of staff who is involved in the complaint, may mean that the timings have to vary. Should this occur then the complainant will be kept advised of the revised timescales.

6. Complaints against Parish Council Staff

- 6.1 A formal complaint is a serious matter. A complaint involving a member of the Council's staff could result in disciplinary action; or in cases of gross misconduct dismissal from the Council's employment.
- 6.2 The Council will not under any circumstances enter into any correspondence, or discussion, with any complainant about any action taken, formally or informally against any member of its staff. This is expressly to protect the employment rights to which all employees of the Council are entitled.

7. Complaints against Councillors

- 7.1 This policy does not cover complaints against an individual Councillor. A complaint about a Parish Councillor should be addressed to: The Monitoring Officer at Winchester City Council.
- 7.2 The Monitoring Officer can only deal with complaints about the behaviour of a Councillor. It will not deal with complaints about matters that are not covered by the Councillors Code of Conduct. Complaints must be about a Councillor's failure to follow the Code of Conduct.
- 7.3 Copies of the adopted Code of Conduct are available upon request to The Clerk or can be found on the Council's website.

8. Anonymous Complaints

- 8.1 The Council will not acknowledge or consider, under any circumstances, informal or formal complaints that are submitted anonymously.