

COLWICH PARISH COUNCIL



PD041 COMPLAINTS PROCEDURE POLICY

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COMPLAINTS PROCEDURE

Complaints Procedure Policy – PD041

Revision history

This document was originally written by:

Name	Position	Date
Michael Lennon	Clerk	

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Revision History

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3	Dec 2018	PD007-03	New Chairman	None
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1 SCOPE OF THIS POLICY

- 1.1** The Local Government Ombudsman has no jurisdiction over Colwich Parish Council (the Council).
- 1.2** The Council is committed to providing a quality service for the benefit of the people who live, work or are visitors to the area. If people are dissatisfied with the standard of service received from the Council, or if they are unhappy about an action or lack of action by the Council, this Complaints Procedure sets out how to complain to the Council and how the Council shall try to resolve the complaint.
- 1.3** This Complaints Procedure applies to complaints about council administration and procedures and may include complaints about how Council officials have dealt with concerns.
- 1.4** It is to be noted that:
 - 1.4.1** Complaints about officials will be dealt with by the Council's internal disciplinary procedures as appropriate to the contract of employment relating to the individual.
 - 1.4.2** Complaints regarding Councillors - please read the Code of Conduct for Councillors (PD012) adopted by the Council. Then either put the complaint in writing or speak to:

The Monitoring Officer
The Standards Committee of the Stafford Borough Council
Civic Centre
Riverside
STAFFORD ST16 3AQ
Telephone No: 01785 619204
- 1.5** The following procedure has been adopted for those complaints that cannot be satisfied by the Chief Officer, any other official of the Council or the Chairman of the Complaints Committee. The procedure only applies to complaints relating to the procedures, policies or practices of the Council.
- 1.6** If the complaint relates to issues which have already been addressed by the Council, then the complainant will receive information from the files regarding the matter.
- 1.7** If the complaint relates to a matter not presented to the Council previously, then it will be dealt with under Section 2 "Handling of Complaints", details of which are included in this document.
- 1.8** This Complaints Procedure does not apply to:
 - 1.8.1** Complaints by one council official against another council official, or between a council official and the Council as employer. These matters are dealt with under the council's Disciplinary (PD124) and Grievance (PD125) procedures detailed within the Council's Staff Handbook.
 - 1.8.2** Complaints against Councillors are covered by the adopted Code of Conduct for Councillors (PD012). If a complaint against a Councillor is received by the Council, it will be referred to the Monitoring Officer of Stafford Borough Council as in 1.4.2 above.

- 1.9** The appropriate time for influencing Council decision-making is by raising concerns before the Council debates and votes on a matter. This may be done by writing to the Council in advance of the meeting at which the item is to be discussed. There is also the opportunity to raise concerns in the public participation section of Council meetings. If unhappy with the Council decision, the complainant may raise the concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the process set out in Standing Orders 11.1 and 11.2 is followed.
- 1.10** A complaint about the Council's procedures or administration should be made to the Chief Officer. This should be done in writing to the Chief Officer who will, normally, acknowledge the complaint within five working days.
- 1.11** If it is not wished to report the complaint to the Chief Officer, then it may be made directly to the Chairman of the Complaints Committee, who will report the complaint at the next Full Council meeting or call an extraordinary Complaints Committee meeting as appropriate.
- 1.12** The Chief Officer or the Council will investigate each complaint, obtaining further information as necessary from the complainant and/or from officials or Councillors.
- 1.13** The Chief Officer or the Chairman of the Complaints Committee will notify the complainant within 20 working days of the outcome of the complaint and of what action (if any) the Council proposes to take as a result of the complaint. In exceptional cases the 20 working days timescale may have to be extended. If it is, the complainant will be kept informed.

2 HANDLING OF COMPLAINTS

- 2.1** Prior to the Complaints Committee meeting, at which the complaint is due for consideration, the complainant will have been asked to place their complaint in writing to either the Chief Officer (1.10 above) or to the Chairman of the Committee (1.11 above).
- 2.2** The Chief Officer will acknowledge receipt of the complaint and advise the complainant when the matter will be dealt with.
- 2.3** The complainant will be advised whether their complaint will be considered by the Complaints Committee, convened for that purpose only, or Full Council.
- 2.4** The complainant will be invited to attend the relevant meeting and may bring a representative with them if they wish.
- 2.5** The complainant will provide the Council with copy documents or other evidence which they wish to be considered as part of the complaint procedure. Any such documents/evidence should be forwarded to the Chief Officer, 7 working days prior to the meeting date.

- 2.6** If the Council has any documents or evidence, they wish to be considered as part of the complaint's procedure, the complainant will receive copies within the same time scale.
- 2.7** At all times the complainant will be kept informed of the Council's procedures and may contact the Parish Office to ascertain the progress on the complaint prior to it being presented to the Complaints Committee or the Council for attention.

3 AT THE COMPLAINTS MEETING.

- 3.1** The Complaints Committee/Council will consider and decide whether the matter should be dealt with under "Confidential" and whether the Public and Press should be excluded from the meeting while the item is discussed. Any decision, however, made on the complaint will be announced in open session.
- 3.2** The Chairman of the Complaints Committee/Council will introduce all parties and explain the procedure.
- 3.3** Sufficient time will be allocated on the meeting agenda to ensure that all parties are able to present all documents/evidence and ask any questions relating to the matter.
- 3.4** The complainant, or their representative, will be asked to provide an outline of the grounds for complaint.
- 3.5** The Complaints Committee/Council members will be given time to ask any relevant questions of the complainant.
- 3.6** Either the Chief Officer, or other Official, will explain the Council's position, if relevant.
- 3.7** The Complaints Committee/Council members will be given the opportunity to ask the Chief Officer or other official any relevant questions.
- 3.8** The complainant and either the Chief Officer, or other official, will then be given a final opportunity to add anything further. Order of opportunity to speak: Chief Officer/other official, complainant.
- 3.9** The Chief Officer, or other official, along with the complainant and their representative will be asked to leave the room while the matter is considered, and the Complaints Committee/Council decide whether the grounds for complaint have been met.
- 3.10** If any further information or points of clarification are required all parties mentioned in note 3.9 above will be invited back into the room.
- 3.11** The Chief Officer, other official, and the complainant with their representative will return to the room to hear any decision or to be advised when a decision will be made.

4 AFTER THE MEETING.

- 4.1** The complainant will receive written confirmation of the decision within 7 working days of the decision being made. This will include details of any action to be taken.

- 4.2** Where the complaint was considered by the Complaints Committee, in the first instance, and the complainant is not satisfied with the decision taken they will be advised of their right of appeal to the Full Council.
- 4.3** Where the complaint was considered by the Full Council in the first instance there is no right of appeal.
- 4.4** The appeal hearing by the Full Council will follow the same procedure as that followed at the Complaint Committee hearing save that:
- 4.4.1** The Chairman of the Complaints Committee will be added to points 3.6 to 3.11 above.
- 4.4.2** All members of the Complaints Committee, who attended the original meeting, will be asked to leave the room whilst the remaining members of the Full Council decide whether the grounds for appeal have been met.
- 4.5** The decision of the Full Council will be final and there is no right of appeal.

5 FURTHER INFORMATION

- 5.1** If this document does not provide all the information required, then please contact:

Revd Mr Michael Lennon, FSLCC
Chief Officer,
Colwich Parish Council
The Parish Office
St. Mary's Road
Little Haywood
STAFFORD
ST18 OTX

01889 882665 or email: clerk@colwichparishcouncil.gov.uk

SIGNED	<i>W^oPlant</i>
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	