

# GREAT WITCHINGHAM PARISH COUNCIL

## COMPLAINTS PROCEDURE POLICY

### Introduction

Great Witchingham Parish Council is committed to providing a good standard of service to all residents of the Parish. However, from time-to-time members of the public may have complaints about the administration or procedures of the Council. Unlike principal authorities, parish and town councils are not subject to the jurisdiction of the Local Government Ombudsman (LGO) but Great Witchingham Parish Council follows the guidance issued by the LGO in addressing complaints so that it can investigate, put things right and prevent a recurrence.

The Council welcomes all feedback. If however, a member of the public wants to make a complaint about acts or omissions of the Council - then this policy sets out the procedure.

This policy does not apply to:

- complaints about the substance of policy decisions made by the Council. This is because members of the public may make comments or ask questions during the public open session in every Council and committee meeting
- complaints about the conduct of an individual Councillor. Complaints against councillors are covered by the Code of Conduct for Members adopted by the Council. A complaint against a councillor received by the council will be referred to the Monitoring Officer of Broadland District Council
- complaints about an employee of the Council. Any such complaint received will be handled as a complaint against the Council. If an informal meeting with the complainant would help to glean more information, then this is advisable, but it is not a witch-hunt or a disciplinary process. Disciplinary matters are considered separately, without the involvement of the complainant, and in accordance with the disciplinary procedure.
- complaints by one council employee against another council employee, or between a council employee and the council as employer. These matters are dealt with under the council's disciplinary and grievance procedures.

### Informal Complaint

It is hoped that most complaints can be resolved quickly and amicably through the following procedure.

Informal complaints can be made by telephone 01603 860671 (answer machine) or email [greatwitchinghamparishcouncil@gmail.com](mailto:greatwitchinghamparishcouncil@gmail.com).

The complaint will be handled by the Clerk.

Complaints should always be directed through the Clerk to the Council and 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.

It is expected that most complaints can be resolved through this informal route. However, if an informal approach has not resolved the complaint, or if the initial complaint is so serious that an informal approach is insufficient, then the formal complaints process should be followed.

## **Formal Complaint**

The Clerk to the Council is responsible for managing the formal complaints process. 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.

A formal complaint can only be submitted **in writing** to the Council address. It should be addressed to the Clerk or Chairman as appropriate, marked "Confidential – Formal Complaint".

Although the Council encourages contact by email and telephone, a formal complaint is a serious matter and so this will only be accepted in writing.

The complaint should cover as much detail as possible and enclose any relevant supporting documentation. A complaint will be acknowledged without unnecessary delay following receipt.

The Clerk will carry out an initial investigation into the complaint and within ten days of acknowledgement provide the complainant with an update on progress, or a suggested resolution.

If the complainant is satisfied with the resolution the complaint is closed. The Clerk will report to the Council at its next full meeting summarising the issues and resolution, excluding the name of the complainant.

If the Clerk is unable to resolve the complaint or the complainant is not satisfied with the proposed resolution then the matter will be referred to a meeting of a duly formed Complaints Panel to which the complainant will be invited to attend.

## **Complaints Panel**

- The Complaints Panel is a properly formed body of the Parish Council.
- Three members will review a complaint; this is in accordance with standing orders in respect of a quorum.
- The Panel will be constituted from all members of the Parish Council to ensure that three members are available, at short notice, to review a complaint.
- The Panel has delegated authority from the Parish Council to review and decide on complaints.
- Arrangements for report taking will be reviewed when a Complaints Panel meeting is called.
- The Panel will meet as soon as is practicable after being notified by the Clerk to review the complaint

## **Prior to the Meeting**

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

## **At the meeting**

1. The Chairman of the Panel 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.
2. The complainant (or representative) shall be invited to outline the grounds for complaint and panel members given the opportunity to ask any questions.
  3. If relevant, the Clerk will explain the Council's position and panel members shall ask any questions.
  4. The complainant is to be offered the opportunity of a last word as a means of summing up their position.
  5. The Clerk is to be offered the opportunity of a last word as a means of summing up their position.
  6. The Clerk and complainant shall be asked to leave the room while panel 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.
  7. In any case both parties return to hear the decision, or to be advised when the decision will be made.
  8. The announcement of any decision will be made in public, at the next Full Council meeting.

### **Timings**

The Parish Council will endeavour to adhere to the timings outlined in this policy, but for example in the case of a complex complaint, or the absence of a member of staff who is involved in the complaint, the timings may vary.

Should this occur then the complainant will be kept advised of the revised timescales.

### **Anonymous complaints**

Generally all complainants should provide their name and full contact details. However unless it is apparent from the nature of the complaint that anonymity is justified, anonymous complaints will not normally be considered.

### **Vexatious Complainant Behaviour**

The Parish Council may treat as vexatious a disproportionate, unreasonably repetitive, abusive, or otherwise unreasonable complaint, or a complainant who, because of the nature of his/her contacts with the Council, adversely affects the Council's operation. Examples of such contacts would be:

- pursuing complaints in inappropriate ways
- pursuing complaints which appear to have no substance
- pursuing complaints which have already been investigated and determined.

If a complaint or complainant is considered to be vexatious, the Council will decide what action to take and will notify the complainant of its decision promptly in writing and with reasons.