

Complaints Procedure

1. Purpose

The Council is committed to providing services that are efficient, transparent and accountable. This procedure explains how members of the public may raise concerns or complaints about the administration, procedures or services of the Council and how those complaints will be considered.

The Council seeks to:

- Resolve complaints promptly and fairly.
- Learn from complaints and improve services.
- Ensure complainants are treated with dignity and respect.
- Maintain public confidence in local government.

2. Scope

This procedure applies to complaints concerning:

- Council administration.
- Council procedures.
- Service delivery.
- Acts or omissions of the Council.
- Actions of Council employees acting in their official capacity.
- Failure to follow adopted Council procedures.
- A complaint is an expression of dissatisfaction about the Council's actions, lack of action, decisions relating to administration, or standards of service.

3. Matters Not Covered By This Procedure

This procedure does not apply to:

3.1 Councillor Conduct

Complaints regarding elected members and alleged breaches of the Members' Code of Conduct must be referred to the Monitoring Officer of the principal authority.

3.2 Employee Matters

Complaints by staff, about staff employment, disciplinary issues, grievances, recruitment, pay or working conditions.

These are dealt with through employment procedures.

3.3 Criminal Activity

Any allegation of criminal conduct should be reported to the police.

3.4 Financial Irregularities

Concerns regarding audit matters or accounting irregularities should be pursued through the statutory audit process or relevant authorities.

3.5 Freedom of Information and Data Protection Requests

Requests and appeals under:

- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- UK GDPR
- Data Protection Act 2018

will be handled under the procedures specified within those regulations.

3.6 Matters Subject to Legal Proceedings

The Council may suspend consideration of complaints where legal proceedings are underway or reasonably anticipated.

3.7 Council Decisions

This procedure cannot be used to overturn properly made Council decisions. The appropriate time to influence Council decision-making is before a decision is taken, including through attendance at council meetings and public participation opportunities

4. Principles of Complaint Handling

The Council will:

- Listen carefully and objectively.
- Investigate complaints proportionately.
- Provide clear explanations.
- Avoid unnecessary delay.
- Treat all parties with courtesy.
- Consider reasonable adjustments where required.
- Comply with data protection legislation.

The Council expects complainants to communicate respectfully and reserves the right to apply its Persistent, Unreasonable and Vexatious Complaints Policy where appropriate.

5. Informal Resolution

Most concerns can be resolved quickly and informally.

Complainants are encouraged to contact the Clerk in the first instance to:

- Explain the concern.
- Seek clarification.
- Request corrective action.

Where possible, the Council will seek to resolve matters without invoking the formal complaints process.

6. Formal Complaints

If informal resolution is unsuccessful or inappropriate, a formal complaint may be submitted.

Formal complaints should:

- Be submitted in writing.
- Include the complainant's name and contact details.
- Clearly describe the issue.
- State what outcome is sought.
- Provide relevant supporting evidence.

Complaints should normally be submitted within twelve months of the event giving rise to the complaint.

Late complaints may be considered where there is good reason for the delay.

7. Where Complaints Should Be Sent

Complaints should be addressed to:

The Clerk to the Council

If the complaint concerns the Clerk, it should be sent to:

The Chair of the Council

marked "Private and Confidential".

8. Acknowledgement

The Council will acknowledge receipt of a formal complaint within five working days.

The acknowledgement shall:

- Confirm receipt.
- Identify the officer dealing with the complaint.

- Explain the next steps.
- Provide an indicative timescale.

9. Investigation

The Council may:

- Review documents and records.
- Seek further information.
- Interview relevant individuals.
- Obtain advice where necessary.

The Council may:

- Dismiss the complaint.
- Uphold the complaint fully.
- Uphold the complaint in part.
- Recommend corrective action.

10. Complaints Hearing

Where appropriate, the complaint will be considered by:

- Full Council; or
- A Complaints Committee delegated for that purpose.

The complainant shall be invited to attend.

They may:

- Be accompanied by a representative.
- Present their case.
- Submit supporting documents.

The Council may require documentation to be submitted at least seven clear working days before the hearing. This reflects the approach commonly found in the established NALC model procedure.

11. Hearing Procedure

The Chair shall:

- Introduce those present.
- Explain the procedure.
- Invite the complainant to present their complaint.
- Allow councillors to ask questions.
- Invite the Council's representative or Clerk to respond.
- Allow questions from councillors.
- Allow both parties to summarise.

The complainant and Council representative will then withdraw while members deliberate. Where clarification is required, parties may be recalled.

12. Confidentiality

The Council will consider whether a complaint should be heard in confidential session in accordance with applicable legislation.

Relevant factors include:

- Personal data.
- Employment matters.
- Legal advice.
- Confidential business information.

The final decision of the Council will normally be recorded in the minutes.

13. Decision and Outcome

The Council will normally provide a written decision within ten working days of the hearing.

The response will:

- Summarise the complaint.
- Outline findings.
- Explain reasons for the decision.
- Identify any action to be taken.

Possible outcomes include:

- Apology.
- Explanation.
- Procedural improvement.
- Staff training.
- Service improvement.
- No further action.

14. Review Stage

If the complainant believes:

- Relevant evidence was not considered; or
- Proper procedure was not followed,

they may request a review within 20 working days of receiving the decision.

A review will not normally reconsider the complaint simply because the complainant disagrees with the outcome.

The review may be undertaken by:

- Full Council; or
- A panel of members not previously involved.

The review decision shall be final.

15. Anonymous Complaints

Anonymous complaints will not normally be investigated.

However, the Council may investigate where:

- Serious misconduct is alleged.
- Public funds may be at risk.
- There are safeguarding concerns.
- There is significant public interest.

16. Equality and Reasonable Adjustments

The Council recognises its responsibilities under the Equality Act 2010.

Where appropriate, the Council will make reasonable adjustments including:

- Alternative communication formats.
- Additional response times.
- Accessible meeting arrangements.
- Support for individuals with disabilities or communication difficulties.

17. Data Protection

Personal information will be processed in accordance with:

- UK GDPR.
- Data Protection Act 2018.
- The Council's Privacy Notice.

Information will only be shared where necessary and lawful.

Complaint records shall be retained in accordance with the Council's retention policy.

18. Persistent, Unreasonable or Vexatious Complaints

Where a complainant's behaviour becomes unreasonable, abusive, persistent or vexatious, the Council may apply restrictions in accordance with its:

Persistent, Unreasonable and Vexatious Complaints Policy

The existence of such restrictions does not remove a person's right to make a legitimate complaint.

19. Monitoring and Learning

The Clerk shall maintain a register of complaints including:

- Date received.
- Subject matter.
- Outcome.
- Actions taken.
- Lessons learned.

An anonymised summary may be reported annually to Council.

Adoption Resolution

RESOLVED that the Council adopts this Complaints Procedure with immediate effect and delegates authority to the Clerk to administer the procedure in accordance with its terms.

This version is suitable for most parish and town councils and aligns well with current NALC complaint-handling guidance while incorporating governance and compliance expectations that many councils now require