

## COMPLAINTS PROCEDURE



### INTRODUCTION

Whitwick Parish Council is committed to providing a quality service to residents of the Parish and to anyone who deals with the Parish Council.

The Parish Council is determined to conduct its business in a fair and equitable manner and in the event that complaints arise, the Council will attempt to resolve them expeditiously and efficiently by correspondence or discussion. Should this prove to be unsuccessful in resolving a matter to everyone's satisfaction, a formal complaint may be made.

### WHO TO COMPLAIN TO

Sometimes this complaint process is not the most appropriate route to address your concern. If this is the case, we may contact you and offer information or explain what process is open to you. All complainants in the first instance, whether seeking redress informally or formally, should be directed to the Parish Manager, as the Proper Officer for the Council. The only exception would be if the complaint is about the conduct of the Parish Manager, which should then be directed to the Chairman of the Council who is able to access professional advice for the council.

Type of complaint	Complain to
Financial Irregularity	The Council's Auditor
Criminal Activity	The Police
Parish Councillor Conduct	Monitoring Officer of NWLDC
Lack of action by the Council, or poor standard of service	The Parish Manager
Employee Conduct	The Parish Manager or, if about the Parish Manager, the Parish Chairman

### DEALING WITH FORMAL COMPLAINTS TO THE PARISH COUNCIL

1. Anyone who is not satisfied with an initial response and wishes to escalate the matter to a formal complaint should do so by letter or e-mail clearly setting out the grounds of the complaint. This should be sent to the Parish Manager or, if about the Parish Manager, to the Parish Council

Chairman.

2. The Parish Manager (or Chairman) will acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council (or by the committee established for the purposes of hearing complaints). The complainant will be advised whether there are grounds for the complaint to be treated as confidential or whether it will appear on a public agenda.

3. The complainant will be invited to attend and address the meeting. They may be accompanied by a representative if they wish. Alternatively, it will be open to the complainant to make written representations should they prefer.

4. Seven clear working days prior to the meeting, the complainant will provide the Council with copies of any documentation or other evidence they wish to present in support of their case. The Council shall in turn provide the complainant with copies of any counter-documentation or other evidence they wish to present in response and will do so promptly, allowing the complainant sufficient opportunity to read the material in good time for the meeting.

### **At the Meeting**

5. The Council will consider whether the subject and grounds of the complaint warrant the exclusion of the press and public.

6. If present, the complainant or representative will be invited to outline the grounds for complaint and then answer any questions which may be posed by councillors or the Parish Manager.

7. The Parish Manager (or Chairman) will then respond on behalf of the Council and will answer any questions which may be posed by the complainant, a representative or councillors.

8. The Parish Manager (or Chairman) and then the complainant will be given the opportunity to conclude with a summary of their position.

9. The Parish Manager (or Chairman) and the complainant (and representative if present) will then be asked to leave the room while members decide whether the complaint is a valid one and, if so, what action should be taken to remedy it. If a point of clarification is necessary, both parties will be invited back.

10. Both the Parish Manager (or Chairman) and the complainant (and representative if present) will then be asked to return to the room to hear the decision on the complaint which will be announced in public.

11. Should the decision be deferred to a subsequent meeting, both the Parish Manager (or Chairman) and the complainant (and representative if present) will be invited to attend to hear the decision on the complaint which will be announced in public.

### **After the Meeting**

12. The decision will be confirmed to the complainant in writing within seven working days together with details of any action to be taken.

### **SUGGESTIONS BY COUNCILLORS/STAFF –**

The Council will naturally over time want to develop and improve things for the Parish of Whitwick. The form at the end of this procedure is for councillors and staff of the parish council to highlight areas for improvement so that the parish council has an opportunity to address them. Please fill in the form as fully as possible and return it to the Parish Manager.

### **ANONYMOUS OR VEXATIOUS COMPLAINTS**

When taking details of a complaint, staff will always encourage callers to provide their identity in order for their complaint to be effectively processed. However, complaints may be made anonymously and will still be treated with the same degree of importance as set out in our procedure above. Anonymous complaints may be more difficult to investigate and therefore in most cases will be recorded as informal complaints and investigated in order to try and identify possible areas for improvement.

Not all complaints may be resolved to the satisfaction of both parties. The Parish Council will, through the Parish Manager, endeavour to try and make things right and apologise if we are at fault. The Parish Council will not tolerate abusive or unreasonable behaviour whilst investigating your complaint and ask that our staff are treated with courtesy and respect.

A small minority of people may persist unreasonably with their complaints. This may be by:

- Continued complaints about the same issue for which they have already received a response
- Frequent complaints about a number of issues
- Frequent or abusive contact with our staff while complaints are being investigated
- Vexatious complaints targeted at individuals or others within the council or at parish councillors

This can hinder our consideration of complaints and make it difficult to resolve genuine concerns. The Council will, through the Parish Manager, take action as appropriate if it is considered to be receiving persistent/unreasonable complaints against the Council. Actions may include but are not limited to: restriction of points of access, a consolidated and/or a limited number of replies, or in very severe cases legal action and withdrawal of service. If this action is used, the Parish Council will endeavour to notify the person in writing of the level of restriction and the length of time that it will be applied for.

<b>AREA FOR IMPROVEMENT SUGGESTION</b>	
<p>The council doesn't get everything right all the time. There is a process of continuous improvement and development. This form is for the use of councillors and staff of the parish council to highlight areas for improvement so that the council has an opportunity to address them. Please fill in the form as fully as possible and return it to the Parish Manager. Forms received will be considered at the council's next meeting (if received before the agenda is published).</p>	
<b>Your name:</b>	<b>Date:</b>
<b>Description of the issue:</b> (Please provide as much detail as possible)	
<b>Impact on the council:</b> (Please state what you think will happen if this issue is not addressed)	
<b>Remedy:</b> (Please state what you think should be done to address this issue)	
<b>Motion (by a councillor):</b> (Please state the motion that you would put to the council to address this issue)	
<b>Officer report:</b> (To be completed by the Parish Manager. Please state any law, regulation or procedure that relates to this issue)	
Office Use	Date of meeting at which considered:
Agenda Ref:	Motion - Passed / Failed (delete as appropriate)
For action by (person):	For action by (date):