



## COMPLAINTS PROCEDURE

### 1. **THE IMPORTANCE OF COMPLAINTS**

- 1.1 Complaints are valuable because they provide a chance to put things right if there has been an error, and to make sure that the same mistake is not repeated.
- 1.2 It is essential that complaints are dealt with positively. The Parish Council is anxious to hear people's comments and committed to making full use of complaints information to contribute to continuous service improvement. Important information about areas for improvement can be obtained both from a single complaint and from patterns of complaints, highlighted by detailed monitoring.

### 2. **DEFINITION OF A COMPLAINT**

- 2.1 A complaint is *any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Parish Council or its staff which affects an individual customer or group of customers.*

#### 2.2 **What the complaints procedure will deal with:-**

The complaints procedure will deal with matters of maladministration, which is if the Parish Council does something the wrong way, fails to do something it should do or does something it should not do. Some examples include:

- neglect or unjustified delay
- malice, bias, or unfair discrimination
- failure to tell people their rights
- failure to provide advice or information when reasonably requested
- providing misleading or inaccurate advice
- Inefficiency, ineffectiveness, bad and unprofessional practice or conduct.

#### 2.3 **What the complaints procedure will not deal with:-**

- Complaints for which there is a legal remedy or where legal proceedings already exist.
- Complaints about employment matters – the Parish Council operates alternative procedures to deal with grievances or disciplinary matters against staff.

### 3. **EQUAL OPPORTUNITIES**

- 3.1 The Parish Council is committed to equal opportunities. Complaints feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.
- 3.2 Complaints by members of the public of discrimination and/or harassment against the Parish Council will be dealt with through the complaints procedure unless it is a complaint that should be dealt with through a statutory procedure.



## 4. **COMPLAINTS OFFICER**

4.1 The Complaints Officer for the Parish Council is the Clerk. His main duties are:

- (i) The day to day operation and management of the procedure, including providing a reference point for staff queries on informal complaints.
- (ii) To oversee, and undertake where necessary, the investigation of formal complaints at the first stage, within the relevant time scales.
- (iii) To maintain a record of all complaints received including details of the nature of the complaint, action taken, outcome, and time taken to resolve.
- (iv) To identify improvement points arising from any complaints.
- (v) To identify staff training issues.

4.2 Certain types of complaint should be referred directly to the Monitoring Officer (John McCormack, Chief Legal Services Officer, and South Gloucestershire Council). These will be complaints about individual Councillors.

5. If a complaint about procedures or administration is notified orally to a Local Councillor or to the Clerk and they cannot satisfy the complainant fully forthwith the complainant shall be asked to put the complaint in writing to the Clerk and the complainant assured that it will be dealt with promptly after receipt.
6. If a complainant prefers not to put the complaint to the Clerk, s/he shall be advised to put it to the Chairman of the Council.
7. On receipt of a written complaint the Clerk or Chairman, as the case may be, shall (except where the complaint is about his/her own actions) try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the Clerk or Councillor without first notifying the person complained of and giving him/her an opportunity for comment on the manner in which it is intended to attempt to settle the complaint.
8. Where the Clerk or Chairman receives a written complaint about his or her own actions s/he shall forthwith refer the complaint to the Council.
9. The Clerk or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.



10. The Clerk or Chairman shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.
  11. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
  12. As soon as may be after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.
  13. The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary to seek from NALC or other sources, legal advice or it is to be /being investigated by a statutory body. The complaint shall be dealt with at the next meeting after the advice has been received or the result of the aforementioned investigations being known.
  14. A summary of complaints received during the year will be included in the Annual Report.
- Reviewed by the Parish Council 18 Dec 2020