

BARROWBY PARISH COUNCIL

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COMPLAINTS POLICY

Objective

The object of any complaints procedure is to put things right when they go wrong and ensure that mistakes do not recur in the future.

What Constitutes a Complaint?

A complaint is an expression of dissatisfaction by one or more members of the public about the Parish Council's action or lack of action or about the standard of service delivered by the Council. The complaint may relate to an action taken or a service provided by the Council itself or a person or body acting on behalf of the Council.

What is a Complaints Procedure?

The way the Council manages any report of a problem with the service you are getting or trying to get from the Council, or a problem with things that the Council does or doesn't do, is via a complaints procedure.

What can be Expected?

The aims of a complaints procedure are to ensure the process is:

- well documented and publicised
- easy to understand and use
- helpful and receptive, not adversarial
- objective and based on clear procedures
- capable of putting things right where necessary
- sensitive to the needs and circumstances of the complainant
- fully supported by the elected Parish Councillors and Clerk
- regularly analysed to spot patterns of complaints and lessons for service improvement.

How to Complain?

- **Verbal complaint** – this should be to the Clerk of the Council and can be either as a simple phone call or an e-mail. This type of complaint would be to report some minor matter or a need for repair such as a failed street light or damaged notice board. A verbal complaint will normally be dealt with directly by the Clerk without any need for a response. You may make a complaint to a Councillor but under the legislation governing Parish Councils a Councillor has no authority to act as an individual and **MUST** refer the matter to the Clerk.
- **Written complaint** – to register a written complaint you must obtain and complete a copy of the Council's **complaint form (see attached appendix 2)**. The completed form together with any other information you wish to provide to support your complaint should be addressed to the Clerk and sent to the Clerk's office. If the complaint concerns the Clerk this should be sealed and addressed to the Chairman of the Council and clearly marked "Council Chairman – Private and Confidential". Written complaints would be for matters of a serious nature and once resolved may be recorded in the Council's minutes. However certain types of employment matters or other sensitive issues may under certain parts of legislation be exempt from publication. You may also send a letter or email a complaint to the Parish Council but the council will ask you to complete our complaint form as this allows us to keep a consistent record of communications on complaints received.

Nature of a Complaint

Before making a complaint it is important to contact the Council to ensure the Council is the **responsible body** to handle the complaint. It is also important to clearly identify and document the details of the complaint. The way in which a complaint is handled is dependent on the nature of the complaint and different types of complaints will be handled in different ways. A complaint must be made within three months of the matters which are subject to the complaint.

The table at **Appendix 1** summarises how different types of written complaints may be handled by the Council.

The Complaint Process

- i. The Clerk to the Council or other nominated officer shall acknowledge receipt of the complaint within five working days and advise the Complainant if further documentation or information will be required. The complainant shall be given a further period of ten working days to submit the additional information. It is recommended that only **copies** of documents are forwarded to the Clerk and the originals are retained by the complainant. The Council will not be responsible for the loss of original documents.
- ii. Within five days of receipt of all the relevant information the Clerk will write to the Complainant advising the Complainant that the Council is about to commence an investigation into the complaint ('the commencement date'). The Council will undertake to provide the complainant with copies of all documentation upon which the Council will rely during the course of the investigation.
- iii. It is the policy of Barrowby Parish Council that all complaints will be treated as confidential and the identity of the Complainant will not be disclosed. All personal details relating to the complainant will be redacted before the papers are circulated to the members of the Council.
- iv. The Clerk will forward to each member of the Parish Council a detailed summary of the complaint together with a copy of the initial complaint form and copies of all supporting documentation. Requests from the members for additional information must be made to the Clerk within five working days.
- v. If the matter is not decided within a period of twenty working days from the 'commencement date' at (ii) above, the Clerk will write to the Complainants
 1. Explaining reasons for the delays, and
 2. Give a definite date when the Parish Council will meet and consider the complaint.
- vi. When the Parish Council is satisfied that it has received all the relevant information on which to decide the complaint, the Clerk will write to the Complainant and inform them of the date and time of the Parish Council meeting when the complaint will be listed on the agenda. The Parish Council must consider whether the circumstances of the complaint warrant the exclusion of the public and the press from the meeting.
- vii. The complainant will be entitled to attend the meeting. Should the complainant be unable to attend the meeting the decision of the Parish Council will be confirmed in writing by the Clerk within ten working days.
- viii. Where the Parish Council considers the complaint to be justified the Council must take such measures as are necessary to prevent any reoccurrences in the future. This action must be recorded in the minutes of the meeting. Conversely where the Parish Council **does not** consider the complaint to be valid the Council must set out the reasons and these must be recorded in the minutes of the meeting.

This procedure was reviewed and approved by the Council at the Annual Parish Council meeting held on 15th May 2024.

Review date July 2025.

APPENDIX 1 How different types of written complaints may be handled by the Council

Nature of the complaint	How to complain	Who to complain to	Who will deal with your complaint
Council <ul style="list-style-type: none"> • processes • procedures • services 	<p>The Clerk will provide you with a Complaint form.</p> <p>Complete the form and add any other relevant evidence to support your complaint.</p>	The Clerk	<p>You will receive a written reply from the Clerk.</p> <p>The matter may have been debated by the Council at a council meeting and if so, the Clerk's response will be based on the decision of the Council.</p>
<ul style="list-style-type: none"> • Financial irregularity 	<p>The Clerk will provide you with a Complaint Form.</p> <p>Complete the form and add any other relevant evidence to support your complaint.</p>	The Clerk	<p>The Clerk of the Council should endeavour to provide an explanation.</p> <p>If you are not satisfied you can report the matter to the External Auditor.</p>
<ul style="list-style-type: none"> • Conduct of Parish Council employees 	<p>The Clerk will provide you with a Complaint Form.</p> <p>Complete the form and add any other relevant evidence to support your complaint.</p>	<p>If the complaint relates to the conduct of the Clerk the complaint should be sent to the Chairman, it should be sealed and marked "private & confidential."</p>	<p>The complaint may be resolved or escalated and be treated as an internal disciplinary matter to be dealt with under the Council's employee disciplinary procedure.</p> <p>In the event that the matter escalates the Council will provide a copy of the disciplinary procedures on request.</p>
<ul style="list-style-type: none"> • Criminal activity 	<p>In writing including any evidence to support your concern.</p>	The Police	The Police
<ul style="list-style-type: none"> • Conduct of a Councillor 	<p>This type of complaint needs to be referred in writing to the District Council as the Council have no power to investigate the conduct of one of its own elected members.</p>	The Monitoring Officer at the District Council.	<p>The Monitoring Officers.</p> <p>Matters may be lengthy if an investigation is undertaken.</p>

APPENDIX 2 Complaint form

Date	
Name of Complainant	
Address	
Daytime phone number	
Evening phone number	
E-mail address	
Nature of Complaint (please give details) What you wish to complain about to the Parish Council.	
When and where the situation took place including, if possible, details such as time, day, date and location.	
The name and, if possible, contact details of any others involved.	
In your opinion what action or decision would resolve the matter.	
Signature	

Please note:

1. Please continue on the reverse of this form if required
2. Please provide as much evidence as you can to support your case (photocopies, NOT the originals).
3. The Clerk will acknowledge receipt of the complaint form within 5 working days and will outline the next step of the process.
4. Please return the completed form to the Clerk (details at the top of the previous page).