

## COMPLAINTS POLICY AND PROCEDURE - Minal Parish Council

### INTRODUCTION

1. A complaint is an expression of dissatisfaction, whether justified or not. It is generally in the interests of the complainant and Parish Council to try to resolve matters informally through normal channels of communication rather than referring to the Council's formal complaints procedure.
2. If you prefer simply to tell us about something you were not happy with but do not wish to have any further involvement you can make an informal complaint. We will make a note of your complaint, endeavour to investigate further and resolve the issue if possible.
3. This complaints procedure covers complaints about the actions, operations and services of the Council as a body and the conduct of its employee(s). The Clerk is an employee of the Council. It does not cover complaints against an individual councillor's or members' behaviour. They are subject to a different procedure outlined below.
4. When dealing with your complaint Minal Parish Council will:
  - respect your right to confidentiality
  - deal with your complaint sensitively, effectively and promptly
  - be transparent, fair and impartial

### FORMAL COMPLAINTS PROCEDURE

1. A formal complaint must be made in writing to the Clerk to the Parish Council. If the complaint relates to the Clerk, then you should make your complaint in writing to the Chairman; the Clerk will not be included in the procedure laid out below.
2. The Clerk to the Council or the Chairman will acknowledge in writing within **ten working days** that your complaint has been received, confirm if the complaint will be treated as confidential and provide information on the next steps in the process.
3. The Chairman/Vice-Chairman and Clerk of Minal Parish Council will investigate the complaint and may offer you the opportunity of a meeting to discuss your complaint and obtain more information.

### MEETING TO DISCUSS A COMPLAINT BEFORE THE MEETING

1. If you would prefer to attend a meeting to discuss the complaint the Clerk will organise a meeting and invite you to attend and bring with you a representative if you wish. The meeting will either be with the Clerk and the Chairman/Vice Chairman or the full Parish Council depending on the nature of the complaint.
2. **Ten working days** before the meeting you will provide the Council with copies of any documentation or other evidence relied on. The Council will provide you with copies of any documentation upon which they wish to rely at the meeting and any new information or evidence relevant to the complaint.

### AT THE MEETING

1. The Chair will make introductions and will explain how the meeting will proceed.

2. You will outline the grounds for complaint and answer questions from the Clerk, Chairman/Vice Chairman or by members of the Parish Council if this is a full meeting of the Parish Council.
3. The Clerk or other nominated officer acting as Chair will have an opportunity to explain the council's position and questions may be asked by you.
4. The Clerk or other nominated officer acting as Chair should be offered the opportunity to summarise their position.
5. You will be asked to leave the room while members decide whether or not grounds for the complaint have been made. If a further point of clarification is necessary, both parties shall be invited back.
6. You will be given the opportunity to wait for the decision but if a decision is unlikely to be finalised on that day you will be advised when a decision is likely to be made and when it is likely to be communicated to you.

#### **COMMUNICATING THE RESULT**

1. The Chairman and Vice-Chairman will write to you within **ten working days** of your complaint to inform you of the outcome of the investigation. If your complaint is upheld you will receive a written apology including reasons for the decision, information on any improvements that will be made and information on any disciplinary action which will be taken in accordance with the Parish Council's internal disciplinary procedure. Please note: an apology is not an acceptance of liability under Section 2 of the Compensation Act 2006.

#### **MEMBERS OF THE PARISH COUNCIL**

1. Members of the Parish Council are free to raise matters of concern in respect of Council business by submission of motion(s) on the agenda for relevant meeting(s) where the issue can be formally considered and resolved. If an employee has a complaint about the workplace he or she may raise this in accordance with the Parish Council's internal grievance procedure.

#### **COMPLAINTS AGAINST AN INDIVIDUAL COUNCILLOR**

A Parish Council does not have the authority to deal with a complaint regarding the behaviour of a member of the Council. This is the remit of the Monitoring Officer/Standards Committee of Wiltshire Council. The Monitoring Officer can only deal with complaints about the behaviour of a councillor and it will not deal with complaints about matters that are not covered by the Councillors' Code of Conduct.

For further information please refer to the Parish Council's own Code of Conduct accessible from the Clerk or the Parish Council's website and then use the complaints' procedure on Wiltshire Council's website: <http://www.wiltshire.gov.uk/council/complaints/membercomplaints.htm> If a member of the public is not happy with the outcome of a decision by Wiltshire Council he or she has the right to appeal.

#### **VEIXATIOUS, ANONYMOUS AND FRIVOLOUS COMPLAINTS**

The Parish Council will not respond to vexatious, anonymous and frivolous complaints.