



# ***Complaints Procedure***

***January 2021***

***Review date February 2022***

# Keresley Parish Council

## Complaints Procedure



### 1. Introduction

Keresley Parish Council provides services to the community. We try to get our service delivery right every time, but there may be occasions when users of our services maybe dissatisfied with the performance provided. This Complaints Procedure sets out how you may complain and how we shall try to resolve your complaint.

This Complaints Procedure applies to complaints about the Parish Council administration and procedures and may include complaints about how the Parish Council has dealt with your concerns. If you are dissatisfied with the standard of service you have received from Keresley Parish Council or are unhappy about an action (or lack of action).

The following is a definition of Complaint offered by the Local Government Ombudsman :

*“A complaint is an expression of dissatisfaction by one or more members of the public about the council’s action or lack of action or about the standard of service, whether the action was taken or the service provided by the council itself or a person or body action on behalf of the council.”*

A complaint may be dealt with informally or in a formal manner.

This Complaints Procedure does not apply to :

- Complaints between a Parish Council employee and the Council as an employer. These matters are dealt with under the Grievance Procedure .
- Complaints against specific councillors. Complaints against councillors are covered by the Councillor’s Code of Conduct. If a complaint against a councillor is received by the Parish Council, it will be referred to Coventry City Council’s Ethics Committee.
- Financial irregularity complaints are handled by the Audit Commission
- Criminal activity will be handled by the Police

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## 2. Informal Complaints

It is hoped that most complaints about council administration and procedures can be resolved quickly and amicably through this route.

### 2.1. Making an informal complaint

2.1.1. An informal complaint can be made by email to the clerk of Keresley Parish Council. The Clerk will normally try to acknowledge your complaint within ten working days.

### 2.2. Procedure to be followed by the clerk

2.2.1. The complaint will be handled by the Clerk who will investigate the complaint and seek its resolution. Complaints should always be directed through the Proper Officer (the clerk), and not through individual Councillors.

2.2.2. A complainant may advise a Councillor of the details of a complaint, but individual Councillors are not in a position to resolve complaints.

2.2.3. It is expected that most complaints can be resolved through this informal route. However, the Council appreciates that on occasions if an informal approach had not resolved the complaint, or that the initial complaint is so serious, then the formal complaints process should be followed.

## 3. Formal Complaints

Should a formal complaint be received then the following procedure should be adopted.

### 3.1. Making a formal complaint

3.1.1. A formal complaint can only be submitted in writing as a document, either by letter which must be addressed to the Clerk, marked "Confidential – Formal Complaint", or by email to the clerk as an email attachment. This will ensure the matter is handled by the Clerk.

3.1.2. The complaint should cover as much detail as possible and enclose any relevant supporting documentation. The Clerk will acknowledge receipt of the complaint within three working days.

3.1.3. Councils should endeavour to deal with complaints in an efficient, equitable and effective manner.

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### 3.2. Procedure prior to any meeting

- 3.2.1. The Clerk to the Council is responsible for managing the formal complaints process. The Clerk is the Proper Officer of the Council.
- 3.2.2. If a formal complaint is being raised against the Clerk, then the process as detailed should be followed, but the Chair of the Council should be informed instead of the Clerk.
- 3.2.3. The Clerk will carry out an initial investigation into the complaint and will within ten working days provide the complainant with an update on progress, or a suggested resolution.
- 3.2.4. If the complainant is satisfied with the resolution the complaint is considered as closed.
- 3.2.5. The Clerk will report to the Council, through the Clerk's report, summary details of the complaint and a brief summary of its resolution.
- 3.2.6. This summary report will exclude the name(s) of the complainant.
- 3.2.7. If the Clerk is unable to resolve the complaint, or the complainant is not satisfied with the proposed resolution then the matter will be referred to a meeting of the Keresley Parish Council Complaints Committee which will include the Chair.
- 3.2.8. The Clerk (or the Chair of the Council) will notify you within 20 working days of the outcome of your complaint and will advise what action (if any) the Council proposes to take. A copy of this procedure should also be given to the complainant.
- 3.2.9. The complainant should be invited to attend a meeting with a representative if wished.
- 3.2.10. Not later than seven clear working days prior to the meeting, the complainant and the council will exchange copies of any documentation or other evidence to be relied on, allowing the claimant the opportunity to read the material in good time for the meeting.
- 3.2.11. In exceptional cases, the twenty working days timescale may be extended. Should this be the case, you will be kept informed.
- 3.2.12. Any complaint should be raised within 6 months, after this time, complaints will be considered at the Parish Council's discretion.

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### 3.3. Procedure during the meeting

- 3.3.1. The Complaints Committee meeting will be available to members of the public and will chaired by the Chair of the Committee.
- 3.3.2. The Chair will start the meeting by setting expectations surrounding meeting procedure.
- 3.3.3. Following this, the Complainant (or a representative) will seek to outline the grounds for the complaint and the Clerk will represent the Council, and outline the Council's position.
- 3.3.4. Once both positions have been set out, the Chair will facilitate the meeting ensuring that points of clarification are addressed, including fielding questions from Parish Councillors and members of the public (if present).
- 3.3.5. Once all points of clarification have been addressed, the Complainant and the Clerk will be asked to withdraw, in order to allow the Complaints Committee to consider all information provided.
- 3.3.6. The Complaints Committee will subsequently provide a response to the Complainant within ten working days.
- 3.3.7. In the event that the Complainant is unhappy with the received response, the matter will be referred to the Coventry City Council Complaints procedure as all routes of resolution will have been utilised.
- 3.3.8. The results of the proceedings will be reported at the next Parish Council Meeting after the appeal period has passed, ensuring that agreed confidential issues are appropriately addressed.

#### **Please note:**

The Complaints Committee shall consider whether the circumstances of a Complaints Committee meeting warrant the exclusion of the public and the press, and will indicate as such in advance of the meeting.

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### 4. Appeals

Should the complainant not agree with the decision they are entitled to appeal the decision within fourteen days of receipt of the result of the proceedings, asking for the complaint to be referred to the full Council. They will be notified in writing of the outcome of the review of the original complaint (usually within eight weeks).

#### 4.1. Appeal procedure.

- 4.1.1. The Parish Council should, within twenty-one days of receiving the appeal, examine the way in which the Complaints Committee dealt with the complaint.
- 4.1.2. If procedures were correctly handled by the Complaints Committee then the appellant should be notified that the appeal has not been successful. If the complaint was not handled correctly it must be referred back for consideration as at 3.2.
- 4.1.3. The appellant should be notified of the result of the appeals process within fourteen days.
- 4.1.4.
- 4.1.5.

Signed .....

Dated .....