



## **COMPLAINTS POLICY**

### **Introduction**

1. Thurlaston Parish Council and its members take all complaints seriously and are committed to ensuring all such complaints are fully investigated and resolved.
2. The objective of this policy and procedure document is to ensure that complaints are dealt with in an effective and efficient manner and to put things right when they have gone wrong. In doing this the Parish Council will ensure that mistakes do not recur in the future.
3. In handling complaints the Parish Council and individual Parish Councillors will be:
  - helpful and receptive
  - fair and objective
  - not adversarial
  - quick, thorough, rigorous and consistent
  - decisive
4. The Parish Council will ensure that at all times the Complaints policy and process is:
  - based upon clear procedures and defined responsibilities
  - sensitive to the special needs and circumstances of the Complainant
  - ~~adequately resourced~~
  - fully supported by Parish Councillors and officers
  - ~~regularly~~ reviewed annually at the Annual Parish Council Meeting held in May each year
5. It is necessary to determine exactly what a complaint is. Sometimes the word 'complaint' is used, but it is not always the case. The Local Government Ombudsman(LGO) offers the following definition of a complaint which the Parish Council has adopted for it's purposes:

*'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, whether the action was taken or the service provided by the Parish Council itself or a person or body acting on behalf of the Parish Council.'*

6. This policy does not apply to:

- Complaints about the substance of policy decisions made by the Parish Council (although members of the public may make comments or ask questions during the public participation session during every Parish Council and committee meeting)
- Complaints about the conduct of an individual Parish Councillor, which should be made to ???????? at Blaby District Council. (amend as per Code of Conduct)
- Complaints by an employee of the Parish Council about the Parish Council's actions as an employer, which should be dealt with under the Parish Council's Grievance procedure.



## **Complaints Procedure**

1. The following procedure will be adopted for dealing with complaints about the Parish Council's administration or its procedures. Complaints about a policy decision made by the Parish Council will be referred back to the Parish Council, or relevant Committee, as appropriate, for consideration.
2. Complaints about the Parish Council's administration and procedures should be made, initially, to the Clerk to the Parish Council, and will be dealt with by the Clerk. If the Complainant is unwilling to approach the Clerk a complaint may be made to the Chairman of the Parish Council, who will refer the complaint either to the Clerk or to the Parish Council. Complaints may be made in writing, by email, by telephone or in person.
3. Complaints which cannot be dealt with immediately to the satisfaction of the Complainant must be made in writing and will be acknowledged in writing within 10 working days by either letter or email.
4. Complaints should be dealt with promptly. In general, complaints will be dealt with within 2030 working days of receipt, although this time limit may be extended with the agreement of the Complainant, or where the Clerk feels it necessary to take legal or other advice.
5. Where it appears that the complaint includes an allegation that a criminal offence has been committed the Clerk may deal with the complaint by referring it to the police.
6. If a Complainant is dissatisfied with the Clerk's decision on a complaint, or if the complaint is not dealt with to the satisfaction of the Complainant within the time limit set out in paragraph five, the Complainant may ask for the matter to be referred to the Parish Council.
7. Where a complaint is referred to the Parish Council the Complainant will be informed of the date, time and place of the meeting and advised that they may bring with them any representation if they wish. At least ten working days' notice will be given. The Complainant will be invited to attend the meeting and also to submit any documents which s/he wishes to refer to. Any such documents must be received by the Clerk seven working days before the meeting to enable them to be circulated to members. The Clerk will provide the Complainant with any documents that s/he wishes to refer to within the same timescale. The Clerk will also inform the Complainant whether it is likely that the meeting will be open to the press and public or whether the press and public are likely to be excluded (for example because the personal affairs of an individual may be discussed).
8. At the Parish Council meeting the Chairman will introduce everyone and explain the procedure. The Complainant may outline the grounds of complaint and may then be questioned, first by the Clerk and then by Councillors. The Clerk may



outline the Parish Council's position and may be questioned, first by the Complainant and then by Councillors. The Clerk and the Complainant may then give a final summary of their position.

9. The Complainant and the Clerk will then leave the room to allow Council to reach a decision on the complaint. They will be called back when Council has reached a decision. Any Councillor who may be part of the complaint shall be excluded from any decision making.
10. If the Parish Council considers that a complaint alleges misconduct by an employee the decision on the complaint may be deferred until the allegation has been dealt with under the Parish Council's Disciplinary procedure.
11. The Parish Council decisions on a complaint should normally be announced in public. The Complainant should be notified of the decision in writing within ten working days, and notified also of what action will be taken.
12. Where a complaint is upheld the Clerk should report to a subsequent meeting of the Parish Council the decision on action to be taken to ensure that there is no reoccurrence of any mistake.