

Waltham Parish Council Complaints Procedure

Purpose and Scope

Waltham Parish Council is committed to providing a quality service to benefit all parishioners and visitors. If you are dissatisfied with the standard of service you have received from this Council or unhappy about an action or lack of action by the Council this Complaints Procedure sets out how you may complain to the Council and how they will try to resolve your complaint.

The Council welcomes any comments or suggestions on ways that they may be able to improve a service or meet its parishioners & visitors needs more appropriately.

This Complaints Procedure applies to complaints about Council administration and procedures only, it does not apply to:

Complaints regarding Council employees - These matters are dealt with under the Council's disciplinary and grievance procedures.

Complaints against Councillors – These matters are covered by the Code of Conduct for Members. Therefore all complaints of this nature must be referred to the Monitoring Officer at North East Lincolnshire Council.

Criminal Activity – These complaints should be referred to the police.

Financial Irregularities – These complaints should be referred to the Council in the first instance or alternatively they can be referred to the Council's Auditors PKF Littlejohn LLP.

Nothing in this document affects your rights in law.

Confidentiality

All complaints and hearings of the Complaints and/or Appeals Panel will be dealt with in the strictest confidence and the Council will also take into account the provisions of the Data Protection & Freedom of Information Acts when dealing with complaints.

Complaints Procedure

The most appropriate time for influencing Council decision making is by raising concerns before the Council debates and votes on a matter. This can be done by writing to the Council in advance of the meeting at which the item is to be discussed. Concerns can also be raised in the public participation section of Council meetings.

If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.

All complaints will be deemed to be Informal Complaints unless a written complaint states that it is a Formal Complaint.

Informal Complaints

In the first instance complaints should be made to the Clerk in person/by phone/in writing/by email.

Wherever possible, the Clerk will try to resolve the complaint immediately. If this is not possible, the Clerk will acknowledge the complaint (normally within 5 working days).

The Clerk will then report the complaint to the Chairman and/or Vice-Chairman as appropriate who will then investigate the complaint, ensuring that the grievance has been fully considered obtaining further information as necessary.

Within 28 working days The Clerk, Chairman or Vice-Chairman will contact the complainant with the findings of the investigation and what action (if any) the Council proposes to take as a result of the complaint. Once the complaint has been resolved satisfactorily, a report will be made to the Full Council which will provide brief details of the complaint and the resolution (if any). No names will be disclosed.

If the complainant is dissatisfied with the response to their complaint, they may ask for the complaint to be made Formal and to be referred to the Complaints Panel (this must be done within 10 working days of the Council's first findings on the complaint being communicated to them).

Formal Complaints

Complaints must be submitted in writing to the Clerk including:

The name, address and contact telephone number of the complainant

Full details of what the complaint is about and that it is a formal complaint

What the complainant would like the Council to do to resolve the complaint. The Clerk will then acknowledge the complaint within 5 days and send a copy of same to the Chairman and/or Vice-Chairman as appropriate.

The Clerk, Chairman and/or Vice-Chairman as appropriate will then investigate the complaint, ensuring that the complaint has been fully considered obtaining further information as necessary.

Within 20 working days The Clerk, Chairman or Vice-Chairman will then contact the complainant with the findings of the investigation and what action (if any) the Council proposes to take as a result of the complaint.

Once the complaint has been resolved satisfactorily, a report will be made to the Full Council which will provide brief details of the complaint and the resolution (if any). No names will be disclosed.

If the complainant is dissatisfied with the response to their complaint they may ask for the complaint to be referred to the Complaints Panel (this must be done within 10 working days of the Council's first findings on the complaint being communicated to them).

Complaints Panel Procedures

The Clerk will notify all members of the Complaints Panel of the complaint and will send them a copy of same with all available supporting information/documentation.

Within 20 working days of the complaint being referred to the Complaints Panel the Complaints Panel will hold an informal hearing to consider the complaint.

Before the Hearing

The complainant will be invited to attend the hearing with a representative if they so wish.

Any documentation not already supplied must be sent to the Clerk at least seven clear days before the hearing.

If either party provides details, documentation or evidence less than seven days before the meeting, the Complaints Panel will decide whether they will be admitted.

At the hearing

The Complaints Panel will elect a Chairperson to preside over the hearing.

The complainant will be asked to outline the grounds for complaint and the Complaints Panel may ask questions on same.

The Complaints Panel will explain the Council's position and the complainant may ask questions on same.

The Complaints Panel and the complainant will then summarise their positions if appropriate.

The complainant and their representative will then be asked to leave the room while the Complaints Panel consider whether the complaint is justified and what action (if any) they propose to take on behalf of the Council. The complainant may be asked to come back to the room if a point needs further clarification.

Once the Complaints Panel has fully considered the complaint, the complainant will be asked to return to hear their decision. If the Complaints Panel cannot make a decision at this time the complainant will be advised when a decision is likely to be made by and in any case a decision will be made within 10 working days of the hearing.

After the hearing

Once a decision has been made by the Complaints Panel this will be confirmed in writing to the complainant, the Clerk, Chairman and/or Vice-Chairman as appropriate.

A report on the hearing and the decisions made will be made to the Full Council which will provide brief details of the complaint and the resolution (if any). No names will be disclosed

Date of policy: May 2021

Approving committee: Full Council

Date of Council meeting: 4th May 2021

Policy effective from: 7th May 2024

Policy effective from: 5 May 2026

Date for next review: May 2027