

FILLONGLEY PARISH COUNCIL



COMPLAINTS PROCEDURE

Aim of the Complaints Procedure

The Parish Council aims to learn from complaints and, where they are found to be justified, to ensure that appropriate measures are taken to improve services.

It will:

- ensure that anyone who wishes to make a complaint knows how to go about it
- respond to a complaint efficiently and within a reasonable time
- ensure that service users are satisfied that the complaint has been taken seriously and, where possible, reasonable measures have been taken to improve services.

All complaints will be dealt with in confidence, and the name of the complainant will not be revealed by the Parish Council, except where it is the wish of the complainant.

What is a Complaint?

A formal written letter of complaint must be sent to the Clerk or if the complaint involves the Clerk, the letter should be sent to the Chairman of the Parish Council.

The Parish Council will investigate a complaint from a person, or their nominated representative, if it is one of the following:

- An expression of dissatisfaction about the failure to provide or meet the expected standard of a service.
- Neglect or delay in responding to a contact with the Parish Council.
- Failure to observe the Parish Council's policies or procedures.
- Discourteous or dishonest conduct by a member of staff.
- Harassment, bias or discrimination.

The Complaints Procedure does not cover:

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- Complaints about the conduct of Parish Councillors. These should be reported to the Monitoring Officer at North Warwickshire Borough Council
- Where a person wishes to disagree with a Parish Council decision or policy or makes a request under the Freedom of Information Act.

Anonymous Complaints

The Parish Council will not action any information/complaints made anonymously whether by telephone, email or letter.

They will report any potentially criminal matter to the Police.

If any Parish Councillor or the Clerk receives an anonymous phone call the caller will be advised that anonymous calls cannot be actioned other than to inform the Police if appropriate and that any complaint against the Parish Council should be put in writing to the Clerk and any complaint about an individual Parish Councillor should be addressed to the Monitoring Officer at Rotherham Borough Council.

Abusive calls will be terminated.

Vexatious Complaints


Vexatious complaints are characterized by:

- Repeatedly raising the same issues without new evidence or arguments
- Making complaints for the purpose of causing annoyance or disruption
- Harassing or intimidating staff or other complainants
- Using a complaint to manipulate or control

Complaints

1. The clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the council.
2. The formal complaint will be considered at the next meeting of the Parish Council. At the meeting, the Parish Council will assess the

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complaint to consider if it is deemed to be vexatious. If not, the Council will also include on the agenda the appointment of three members to a committee with delegated power to continue handling the complaint. The committee will have full delegated power to bring the complaint to a conclusion if necessary. If the complaint is deemed to be vexatious the complainant will be notified why, and details of any restrictions that will be applied to their access to complaint procedures. Restrictions may include; a) Limiting the complainant to a single point of contact, b) Specifying the frequency and type of communication, c) Refusing to investigate further complaints about the same issue.

3. After the PC meeting, the Clerk/Chairman will write to the complainant explaining the outcome of the Parish Council's consideration of the complaint and explaining how to take matters further if they believe this is necessary.
4. If the complainant wishes to pursue the matter, they must notify the Parish Council in writing with their reasons for wanting to do so, and a meeting of the committee (previously agreed in Council) will be convened for the purpose of investigating the complaint further.
5. Notice of the committee meeting will be advertised in the usual way to members of the committee, ie a summons and with three clear days' notice. A public notice will also be displayed in the usual way, ie posted on the noticeboards giving three clear days' notice.
6. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.
7. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.

At the Meeting (should a meeting be necessary)

1. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press.
2. The chairman should introduce everyone and explain the procedure.
3. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or



- other nominated officer and then (ii), members.
4. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
 5. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
 6. The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
 7. The clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision, but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made, and when it is likely to be communicated to them.

After the Meeting (should a meeting be necessary)

1. The decision should be confirmed to the complainant in writing within seven working days together with details of any action to be taken. There is no right to further consideration.
2. The committee chairman will report the outcome of the process in public at the next meeting of the Parish Council
3. Minutes of the Committee meeting will be kept and will be available to all parties involved in the complaint.

Clerk to the Council: Mrs Heather Badham, The Crooked Stile, St Mary's
Road,
Fillongley, Warwickshire, CV7 8EY

clerk@fillongleyparishcouncil.co.uk Telephone 01676 549193

Signed/ Date approved;

